



EMPLOYMENT TRIBUNALS

Claimant: Mrs Y Kavanagh

Respondent: B & M Retail Ltd

Heard at: Watford

On: 29, 30 and 31 May 2024

Before: Employment Judge McNeill KC
Mr D. Sutton
Dr C. Whitehouse

Appearances

For the Claimant: Mr K. Antwi-Boasiako, Solicitor

For the Respondent: Mr R. Lassey, Counsel

JUDGMENT

1. The Tribunal having clarified the issues to be determined at the hearing, the Respondent made an application to postpone the hearing, which was refused.
2. The Claimant's claim pursuant to section 13(1) of the Equality Act 2010 that the Respondent directly discriminated against her because of race by dismissing her is dismissed.
3. The Claimant's claims pursuant to section 13(1) of the Equality Act 2010 that Ms Paula Turney, in the course of her employment, directly discriminated against the Claimant because of race, by making racist comments about her on 14 November 2022, 3 January 2023 and more generally in the workplace, are dismissed.

Employment Judge McNeill KC

31 May 2024

Sent to the parties on:

10 July 2024

.....
For the Tribunal Office:

J Moossavi

.....

Notes

Full reasons for the decision to dismiss the Claimant's complaints and for the dismissal of the application to postpone the hearing were given orally at the hearing. If written reasons are required by either party, that party must make a request in writing to the Tribunal within 14 days of the sending of this decision to the parties.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



EMPLOYMENT TRIBUNALS

Claimant: Mrs Y Kavanagh

Respondent: B & M Retail Ltd

Heard at: Watford

On: 29, 30 and 31 May 2024

Before: Employment Judge McNeill KC
Mr D. Sutton
Dr C. Whitehouse

Appearances

For the Claimant: Mr K. Antwi-Boasiako, Solicitor

For the Respondent: Mr R. Lassey, Counsel

JUDGMENT

1. The Tribunal having clarified the issues to be determined at the hearing, the Respondent made an application to postpone the hearing, which was refused.
2. The Claimant's claim pursuant to section 13(1) of the Equality Act 2010 that the Respondent directly discriminated against her because of race by dismissing her is dismissed.
3. The Claimant's claims pursuant to section 13(1) of the Equality Act 2010 that Ms Paula Turney, in the course of her employment, directly discriminated against the Claimant because of race, by making racist comments about her on 14 November 2022, 3 January 2023 and more generally in the workplace, are dismissed.

Employment Judge McNeill KC

31 May 2024

Sent to the parties on:

10 July 2024

.....
For the Tribunal Office:

J Moossavi

.....

Notes

Full reasons for the decision to dismiss the Claimant's complaints and for the dismissal of the application to postpone the hearing were given orally at the hearing. If written reasons are required by either party, that party must make a request in writing to the Tribunal within 14 days of the sending of this decision to the parties.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.