EMPLOYMENT TRIBUNALS

Claimant: Ms S Balogun

Respondent: The Secretary of State for Justice

Heard at: Manchester **On:** 9 August 2024

Before: Employment Judge Phil Allen
Mr B Rowen
Mr S Moules

REPRESENTATION:

Claimant: In person
Respondent: Ms J Moore, Counsel

JUDGMENT in respect of remedy, a costs application and an application under rule 50, having been sent to the parties on 14 August 2024 and written reasons having been requested in accordance with Rule 62(3) of the Employment Tribunals Rules of Procedure 2013, the following reasons are provided:

REASONS

Introduction

1. The claimant is employed by the respondent as an Administrative Officer. She has been employed since 21 January 2008. Since 2014 she has been a member of the Pre-Court and Listing team at Manchester Magistrates Court. It was agreed that the claimant did a protected act by raising a grievance on 17 November 2021.

2. Following an Employment Tribunal hearing on 12 October 2023 and 12-14 March 2024, we found that she suffered unlawful victimisation when Mr O'Bryan lodged a formal grievance on 1 February 2022, dated 27 January 2022, in which he stated that the claimant had accused him of being "*all over*" a female colleague, when she had not. That liability Judgment was sent to the parties on 25 March 2024 (with written reasons sent subsequently, following a request). This was the hearing to determine the remedy due as a result. The claimant also made a costs application and an application under rule 50.

Issues

3. Prior to the liability hearing, the claimant had prepared a schedule of loss which set out what she was seeking to recover. Following the liability Judgment, case management orders had been made with regard to the remedy sought. The claimant had prepared an updated schedule of loss which set out what she was seeking to recover in the light of our finding.

4. In advance of the hearing, the claimant made an application for her legal costs, being the costs of those from whom she had sought advice during the proceedings, including the costs of the solicitor who had acted for her and represented her on the first day of the liability hearing.

5. The claimant made an application under rule 50 in relation to this hearing. This followed from publicity of the liability Judgment, as well as the claimant's concerns about the general climate as at the date of the hearing (which was shortly after the events which followed the incident which occurred in Southport) and what had been said in some comments made on-line in response to the coverage (albeit those comments themselves were not made available to us).

Procedure

6. The hearing was conducted as a hybrid hearing. The Tribunal, the claimant and the respondent's representative, all attended the hearing in-person in Manchester Employment Tribunal. The respondent's solicitor (who was observing), attended remotely by CVP remote video technology. That was a continuation of the same arrangements which had been in place for the liability hearing.

7. The claimant represented herself at the hearing. The respondent was represented by Ms Moore, counsel.

8. A bundle was prepared for the remedy hearing by the respondent. The claimant also prepared an additional bundle, which was also provided. We also had the bundle which had been prepared for the liability hearing available and were referred to documents in that bundle. Where a number in this Judgment is prefaced with an R, that is the page number for a document in the respondent's remedy bundle, where prefaced with an L, that is the page number of the document in the liability bundle.

9. The claimant had prepared a lengthy witness statement for the remedy hearing. We read that statement and the documents referred to in it. The claimant gave evidence and was cross-examined by the respondent's representative.

10. After evidence was heard, each of the parties made submissions. We adjourned and then returned and informed the parties of our Judgment and the reasons for it. The Judgment was sent to the parties. The respondent has requested written reasons and therefore, as a result, these reasons have been prepared to be provided to the parties.

Facts

11. As a remedy Judgment it is not necessary for us to reproduce what we found as recorded in the liability Judgment. We also heard evidence about various matters

which were contended to relate to the decisions to be made at the remedy hearing. We have only reproduced in this Judgment, the evidence necessary to explain our decision. That does not mean that we did not consider and/or take into account the other evidence heard.

12. The claimant had issues in her employment which dated back to at least 2019. When explaining the impact which matters had on her, the claimant included matters dating back to that date and she did not necessarily distinguish between those events and the victimisation found.

13. The claimant raised a grievance on 17 November 2021. That grievance was heard.

14. The grievance in which Mr O'Bryan included the untrue statement which we found to have been unlawful victimisation, was lodged on 1 February 2022. The claimant was informed about it on 15 February 2022.

15. In her witness statement, the claimant described what she found out on 15 February as being the tipping point, the straw that broke the camel's back. She contacted her GP and arranged an emergency appointment. She said she was "*shell shocked and distraught. I was not eating or sleeping but in floods of tears and didn't see the point of existence*". Later in her statement the claimant said she "*went into a state of panic, humiliation, instability and upset*" when she was informed about the matter which we found to have been unlawful victimisation.

16. The documents showed that the claimant visited her GP on 17 February. A letter of 12 March 2023 (L441) recorded that the claimant declined time off work, but at the time was suffering from anxiety, poor sleep, and some other factors which it is not necessary to record in this Judgment, but which were recorded in that letter.

17. Mr O'Bryan's grievance was not upheld. The outcome was dated 22 August 2022. The claimant was informed of the outcome on 23 August 2022. Mr O'Bryan appealed. The appeal was not upheld. The appeal outcome was dated 6 October 2022 and the claimant was informed of the outcome on 16 November 2022.

18. The claimant remained in work until she commenced ill health absence on 21 September 2022. The claimant emphasised her good attendance prior to that date. In answer to a question, the claimant said that she tried to carry on working. In her witness statement, the claimant said she still attended work due to presenteeism.

19. A dispute arose between the claimant and the respondent about the need for her to attend at her work for some days of the week, and where she would work when she did so. The claimant worked in a specific single occupancy location during much of 2022 when she was in the office. She was told that she could no longer work in that location. In particular, she was told that on 20 September 2022 (R350). There was a dispute between the parties, which is not material to our decision, about the steps taken to find her another place to work.

20. In her witness statement for this hearing, the claimant said that being given notice of ejection from the single-occupancy room, and the interaction about it, was: "*the beginning of the end…The incident occurred just over a week before I could take no more and being finally signed off long term by my GP*".

21. The evidence, the email of 20 September and the fact that the claimant commenced her long-term absence the following day, evidenced that the issue which was the catalyst for her absence was the dispute about the room in which she worked.

22. Mr O'Bryan left employment on 16 November 2022. The claimant was aware that he had left. She did not return to work when she became aware that he had left.

23. The claimant remains absent from work on ill health grounds.

24. We were provided with various medical records, and it is not necessary for us to refer to them all or record all that was said. There were medical reports from January 2024 (R196) and 22 April 2024 (R208) prepared by the respondent's occupational health provider. There was a letter from a wellbeing practitioner (R206) on 22 April 2024 which recorded that the claimant had said that "*discriminatory issues in her workplace has gone on since 2019 and has forced her to leave work due to the trauma and mental impact it has had on her*". There was no report prepared for the purposes of this hearing of the type one would normally expect to see when a claim for personal injury damages was being contended, detailing exactly the personal injury relied upon and why it was said that the victimisation found had caused that injury.

25. In broad terms, the occupational health report prepared in January 2024 detailed the claimant's ill health. The occupational health report of 22 April 2024 was one which we considered in detail. It recorded that the claimant had been absent from work since 21 September 2022 due to stress, anxiety and depression. The report went on to say that this was "*as a result of what she describes as traumatic racial abuse at work*" and "*She stated that the extent of the trauma from the racial abuse and her resulting mental illness means she cannot contemplate returning to work at present*". Later in the report it said the claimant "*is currently unfit to return to work due to severe mental illness as a result of what she describes as severe trauma at work due to racial abuse*". It was notable that the writer related the matters recorded as having been as a result of racial abuse at work, when the victimisation which we found had occurred was not (and could not accurately be described as) racial abuse. That reduced the value to us of what was said in that report as it was not a report which advised upon the impact of the victimisation which we had found occurred.

26. The claimant contended that, but for the discrimination, she believed she would have been awarded a reward and recognition award regularly. There was no genuine evidence to support that contention. An application for such an award was provided to us, which had been supported by the claimant's manager, but which had not proved successful. She alleged she lost out on opportunities to develop her career and for promotion. She did not reference any specific development or promotion opportunities.

27. The claimant provided evidence of the legal costs she had incurred.

The Law

28. Remedy for victimisation is governed by section 124 of the Equality Act 2010. We may order the respondent to pay compensation to the claimant. Where compensation for victimisation is awarded, it is on the basis that, as best as money

can do it, the claimant must be put into the position she would have been in but for the unlawful conduct.

29. Where there has been an injury to the claimant's feelings, the approach to an award for injury to feelings follows from the case of **Vento v Chief Constable of West Yorkshire Police** [2003] IRLR 102 which was the case which established the bands for injury to feelings awards, which have subsequently been modified and updated. In **Vento**, the Court of Appeal laid down three levels of award: most serious, middle, and lower. The Court of Appeal suggested that the top band should apply to the most serious cases, such as where there had been a lengthy campaign of discriminatory harassment on the prohibited ground; that the middle band should be used for serious cases which do not merit an award in the highest band; and the lower band would be appropriate for less serious cases, such as where the act of discrimination is an isolated or one-off occurrence.

30. When making an injury to feelings award, we must keep in mind that the intention is to compensate, not punish.

31. HHJ Eady QC in the Judgment of the Employment Appeal Tribunal in the case of **Base Childrenswear Ltd v Otshudi** UKEAT/0267/18 said the following:

> *"When making awards for non-pecuniary losses, it is trite law that an ET must keep in mind that the intention is to compensate, not punish. It must, therefore, be astute neither to conflate different types of awards nor to allow double recovery. The ET should, moreover, not allow its award to be inflated by any feeling of indignation or outrage towards the respondent. On the other hand, awards should not be set too low as that would diminish respect for the policy of the anti-discrimination legislation"*

32. We also took into account the Presidential Guidance on **Vento** bands. The Tribunal identified that it was the fourth addendum to the Presidential Guidance which applied to this case, as it is based upon the date the claim was entered at the Tribunal (here 7 March 2022). That meant that the lower **Vento** band, was £900 to £9,100.

33. In terms of aggravated damages, such an award can be made where the respondent acted in a *"high-handed malicious, insulting or oppressive manner"* (**Broome v Cassell & Co Ltd** [1972] AC 1027). Aggravated damages are really an aspect of injury to feelings, and we should have regard to the total award made when considering aggravated damages (**Commissioner of Police of the Metropolis v Shaw** [2012] IRLR 291). We are not required to make one global award, but we do need to be careful about the risk of double recovery.

34. To the extent that a psychiatric and/or physical injury can be attributed to the unlawful act, we have jurisdiction to award personal injury compensation. LJ Stuart-Smith said in the key case of **Sheriff v Klyne Tugs (Lowestoft) Ltd** [1999] ICR 1170:

> *"In my judgment that language is clear. The principle must be that the claimant is entitled to be compensated for the loss and damage actually sustained as a result of the statutory tort".*

35. The claimant must prove that the discrimination found had a causal link to any personal injury suffered.

36. In her submissions, the respondent's counsel placed reliance upon **Ministry of Defence v Cannock** in highlighting that the measure of loss for a tortious claim, is what would the position but for the unlawful act. She also relied upon the decision in **Thaine v London School of Economics** [2010] ICR 1422 about circumstances where there was loss caused by a combination of factors, some found to have been unlawful and some not. She also placed reliance on **Wilding v British Telecommunications Plc** [2002] ICR 1079 on mitigation and the claimant's alleged failure to mitigate her loss.

37. The rules which apply to interest on discrimination awards are set out in the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996. Interest for an injury to feelings award is calculated for the period beginning on the date of the contravention or discrimination complained of and ending on the calculation date. Interest for other damages uses a mid-point date between the date of the discrimination and the calculation date.

38. Costs in the Employment Tribunal are very much the exception and not the rule. Costs do not simply follow the event. The power to award costs is limited to the specific reasons provided in the Employment Tribunals Rules of Procedure. The governing structure remains that of a costs-free user-friendly jurisdiction (**Gee v Shell Ltd** [2003] IRLR 82).

39. Rules 74, 75, 76, 78 and 84 of the Rules of procedure are relevant to the award of costs.

> *Rule 76(1) A Tribunal may make a costs order …, and shall consider whether to do so, where it considers that - (a) a party (or that party's representative) has acted vexatiously, abusively, disruptively or otherwise unreasonably in either the bringing of the proceedings (or part) or the way that the proceedings (or part) have been conducted; or (b) any claim or response had no reasonable prospect of success...*
>
> *Rule 78(1) A costs order may - (a) order the paying party to pay the receiving party a specified amount, not exceeding £20,000, in respect of the costs of the receiving party; (b) order the paying party to pay the receiving party the whole or a specified part of the costs of the receiving party, with the amount to be paid being determined, in England and Wales, by way of detailed assessment carried out either by a county court in accordance with the Civil Procedure Rules 1998, or by an Employment Judge applying the same principles ...(3) for the avoidance of doubt, the amount of a costs order under sub-paragraphs (b) to (e) of paragraph (1) may exceed £20,000.*

40. Also relevant is the costs section of the Employment Tribunals (England & Wales) Presidential Guidance – General Case Management. The Tribunal has considered that Guidance and will not reproduce it here, save for highlighting the first line of paragraph one:

> *The basic principle is that employment tribunals do not order one party to pay the costs which the other party has incurred in bringing or defending a claim.*

41. There are two steps involved in determining whether a costs award should be made: first, whether costs could be awarded under the relevant part of rule 76; and, second, whether we should exercise our discretion to award costs. The fact that we can award costs does not mean that we must do so.

42. In **Yerrakalva v Barnsley MBC** Mummery LJ said:

> *"The vital point in exercising the discretion to order costs is to look at the whole picture of what happened in the case and to ask whether there has been unreasonable conduct by the Claimant in bringing and conducting the case and, in doing so, to identify the conduct, what was unreasonable about it and what effects it had"*

43. Rule 50 of the Employment Tribunal rules of procedure empowers us to make an order with a view to preventing or restricting the public disclosure of any aspects of the proceedings which we consider necessary in the interests of justice or in order to protect the Convention rights of any person or in the circumstances identified in section 10A of the Employment Tribunals Act 1996.

44. Rule 50(2) says:

> "*In considering whether to make an order under this rule, the Tribunal shall give full weight to the principle of open justice and to the Convention right to freedom of expression"*

45. Rule 50(3) sets out the types of order which can be made. They include an order that the identities of specified parties should not be disclosed to the public including in any document entered on the Register or otherwise forming part of the public record. They also include a restricted reporting order within the terms of section 11 of the Employment Tribunals Act 1996. The relevant Convention rights are: the right to freedom of expression; and the right to respect for private and family life.

Conclusions – applying the law to the facts

46. In these reasons we have not recapped on what we said in our liability decision. We have not restated all of the things that we have already decided. What we have explained are only the decisions we reached on the issues before us and the reasons for those decisions.

Injury to Feelings

47. What we considered first, was the claim for an award for injury to feelings. It was common ground that an award for injury to feelings should be made. In this case, the claimant sought £9,900, saying that was top of the lower **Vento** band. The respondent accepted that an injury to feelings award was due, but Ms Moore, on behalf of the respondent, said that the amount should be in the higher half of the lower band, which was £4,100 to £9,100.

48. The amounts which apply to the relevant band are based on the date when the claim form was entered – it is not based on the bands at the date of the remedy hearing. The figures increase each year. Based on the date the claim was entered, at the relevant time the lower band was £900 to £9,100.

49. In considering an injury to feelings award, we must look at the injury to the claimant's feelings. The focus is on the injury, it is not on the event that occurred, and it is not about punishment, it is about compensation. We reminded ourselves that we were not allowed to inflate the award by any feeling of indignation or outrage towards the respondent.

50. In this case we found that the claimant was clearly upset by what had been said in the grievance, the thing that we found to have been the unlawful victimisation. The claimant made an appointment to see her GP the day she found out about it, and, in her evidence, she described not eating or sleeping and being in floods of tears.

51. We noted that the victimisation we found was a one-off, or a one-off event. However, the focus is on the impact that had upon the claimant. The victimisation was something which was addressed over (and therefore had an impact over) quite a long period of time whilst the grievance was dealt with, which extended the period of upset that we were looking at. That process extended the injury to the claimant's feelings.

52. On that basis and considering the evidence which we heard and have set out in the facts section above, we agreed with the claimant that the injury to feelings award should be at the top of the lower band. The top of the lower band was £9,100. As a result, we awarded the claimant an injury to feelings award of **£9,100**.

Interest

53. The second thing we determined was interest on the injury to feelings award, something about which we did not hear any submissions. Interest was due on the injury to feelings award. We calculated the correct amount and explained how we had done so. We took the date of the act (which in this case was 1 February 2022) and worked out the number of days between that date and the date of the remedy hearing. We calculated that to be 920 days. We then undertook the calculation that applied 8% per annum interest to that period. Our calculation was: 920 divided by 365, multiplied by .08 (the interest rate), and then multiplied by £9,100. As a result, the interest to be awarded on the injury to feelings award was **£1,835**.

54. That resulted in a total (if you put together the injury to feelings award and the interest) of **£10,935**.

Uplift

55. The next thing we looked at was the first thing claimed in the Schedule of Loss, which was an uplift based on an alleged failure to follow the ACAS Code of Practice. An uplift could only be awarded where the respondent had unreasonably failed to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures. We did not think there was really any genuine argument that the respondent had failed to follow those procedures as they applied to this case. The claimant's grievance (which pre-dated the victimisation) was addressed. The victimisation occurred as part of a grievance raised by another employee for which a full and fair process was followed, in which that employee's grievance was not upheld and his appeal was also not upheld. We found that there was no failure to follow the ACAS code, and there was certainly no unreasonable failure to do so. We decided not to award any uplift as a result.

Compensation for loss

56. A substantial part of what was claimed related to loss. Dealing with loss, the victimisation occurred on 1 February 2022. The claimant was informed about it on 15 February 2022. Her absence from work did not commence until 21 September 2022. The claimant has told us that she tried to carry on at work. The claimant's losses only arose because she had been absent from work on ill health grounds, and only then occurred when her sick pay entitlement had expired.

57. The cause of the claimant's absence was her health. The background and context to the claimant's absence were matters which dated right back to 2019, that was long before the victimisation which we found. The particular context of the absence commencing, was a decision made by the respondent about where the claimant should work, which was evidenced by page 350 in the liability bundle on 20 September 2022. That decision and discussion was what triggered the claimant's absence.

58. We did not find that the victimisation that we had found occurred, was the reason for the claimant's absence from work from 21 September 2022. We also did not find that any absence since that date had been as a result of the victimisation we found. In reaching this decision we focussed only on the result of the victimisation that we found, not on the other actions and decisions of the respondent about which the claimant complained. As a result, we did not award the claimant any loss, as we did not find that any loss was as a result of the victimisation found. We did not make an award for any losses which occurred up to the date of the remedy hearing, nor did we make any award for any ongoing or future loss.

Personal injury damages/personal injury claim

59. The next issue that we considered was the question of personal injury damages and the claim for personal injury allegedly arising from the victimisation found. To succeed in a personal injury claim, a claimant would usually provide evidence of the specific injury and evidence that the victimisation found had caused that injury. In this case, the claimant relied upon medical reports that were prepared for other reasons. It was for the claimant to prove that she had suffered a personal injury and that that injury had been caused by the victimisation found. We did not find that the claimant had proved that. We did consider very carefully the Occupational Health report which is at page 208 of the remedy bundle dated 22 April 2024, but we concluded that it was not enough to prove what was required and it was not specific enough to support a personal injury claim where it was clear that the report had in fact partly been based on other facts or other findings and not what we had found (to be unlawful victimisation).

60. We would add that, the award we made for injury to feelings, reflected the injury which the claimant suffered as a result of the victimisation found. To that extent, the injury suffered by the claimant was reflected in the award made. Had we considered a personal injury award applicable, we would have needed to address duplication and the extent to which any injury had already been taken into account as a factor in the injury to feelings award. We did not make an additional award for personal injury.

Aggravated Damages

61. Aggravated damages are awarded where a respondent has acted in a way which is high-handed, malicious, insulting, or oppressive. We would highlight that such awards are rare. We did not find in this case what was required for an award of aggravated damages. We did not find that the respondent had acted high-handedly, maliciously, or in an insulting or oppressive way. Whilst the grievance which contained the victimisation was investigated by the respondent and addressed under the applicable procedure, that grievance was not upheld (and the appeal was not upheld).

62. Based upon the claimant's entire claim to the Employment Tribunal, the one that she had originally entered, the respondent was able and entitled to defend it. That was particularly clear because the claimant went on to withdraw a large amount of what she had originally alleged. For the case she ultimately pursued to the final hearing, as we set out in our own liability Judgment at paragraph 82, a key issue in the case was not easy to determine and was finely balanced. The findings that we made were based on our assessment of the evidence. We did not find that the respondent in defending the claim, acted in a way that would result in aggravated damages. We did not identify anything about the way that the claim was defended that led us to award aggravated damages.

Other things claimed

63. In her schedule of loss, the claimant also claimed for sums under headings that addressed loss of reward, bonus, and the loss of promotion. We did not find that she had evidenced that those were losses at all, and she did not prove that they were losses which resulted from the victimisation found.

64. In the schedule of loss, the claimant also sought a good reference and a written apology. Those were not things which we could award or order. All we were able to say in addressing those contentions, was to reiterate the fact that we found that the claimant was subjected to unlawful victimisation by the respondent.

Costs

65. We then turned to consider the application for costs made by the claimant. Costs in the Employment Tribunal are very much the exception and not the rule. Costs do not simply follow the event and the power to award costs is limited to the specific reasons provided for in rule 76 of the Employment Tribunal Rules of Procedure. The governing structure of Employment Tribunals remains that of a costs-free user-friendly jurisdiction.

66. The fact that the claimant succeeded in her claim did not mean, in and of itself, that we should award her costs, because that is not the way the Employment Tribunal system works. It is very different to lots of other jurisdictions. It is not the case that the loser simply pays the winner’s costs.

67. What we needed to consider were the two areas set out in rule 76 upon which the claimant relied.

68. The first, set out in rule 76(1)(a), was whether the respondent had acted vexatiously, abusively, disruptively or otherwise unreasonably in either defending the

proceedings or their conduct of the defence. We did not find that the respondent had acted unreasonably, disruptively, vexatiously, or abusively. The reasons for that decision have in practice already been explained when we explained why we decided not to award aggravated damages (albeit the test applied was different).

69. The other ground relied upon was rule 76(1)(b), which applies where the response had no reasonable prospect of success. We did not find that to have been the case here. As we have explained, this was a finely balanced case, and it was one that we decided on the evidence. The fact that the respondent was unsuccessful in defending the claim, did not mean that she had no reasonable prospects of being able to do so.

70. As a result, we did not make an order for the respondent to pay the claimant's costs.

Rule 50 Application

71. The claimant made an application under rule 50 for restrictions to be placed on the disclosure of this decision. We considered that application. The most important point when we consider rule 50, is what is expressly set out in rule 50(2) of the Rules. That says that, in considering whether to make an order under that rule, we shall give full weight to the principle of open justice and to the convention right to freedom of expression.

72. In this case, the Judgment on liability is already publicly available. There had been no application made at liability stage. The liability Judgment had resulted in the claimant's name and case being reported in the Daily Mail, or at least the Mail Online. We considered it important that what we were addressing was a remedy decision only (together with the applications for costs and reporting restrictions), in a case which had already been publicised. On that basis and taking into account rule 50(2), we found that it was in the interests of justice for the remedy decision to be made publicly available. We also thought that it was important that the remedy Judgment should not be restricted from being made publicly available, where we were making a decision that the Secretary of State should make a payment for injury to feelings.

73. In the hearing, we discussed the absence of other attendees and reassured the claimant that our reasons would not be widely known as there was no one else present when we delivered our reasons orally. That reassurance has turned out to be misplaced, as the Secretary of State has chosen to request the written reasons, resulting in these reasons being placed on the Register. It was, perhaps, somewhat surprising that she has chosen to do so in this case (but nonetheless it is her right to request them).

Additional observation

74. The final thing we wanted to say when giving our reasons, was with reference to something that had already been said by the Chief Executive of HMCTS, Mr Goodwin, at page 106 of the remedy bundle in a letter of 16 June 2023 to the Mayor of Greater Manchester. What he said was:

> "*Ms Balogun has played a key role in the North West Region's Equality, Diversity and Inclusion Group over the last few years and has been supported*

in this work by the management team there, as part of their commitment to making a difference in this area. Her line manager continues to support Ms Balogun and would be keen to see her resume this work when she is able."

75. We would simply add our hope to that expressed by Mr Goodwin, that that is something that can be achieved, if at all possible.

Summary

76. Our judgment was that the claimant was awarded damages for injury to feelings of £9,100 and interest on the injury to feelings award of £1,835, making a total award of £10,935. The claimant was not awarded any other damages or costs as sought. We decided that it was not in the interests of justice to make a decision which restricted the reporting of the Judgment or reasons or the naming of parties within the Judgment or reasons.

Employment Judge Phil Allen

Date: 23 August 2024

REASONS SENT TO THE PARTIES ON

28 August 2024

FOR THE TRIBUNAL OFFICE