



# EMPLOYMENT TRIBUNALS

## London South Employment Tribunal

17 April 2025 (video)

**Claimant:** Mr Neil Moore

**Respondent:** Shepherd Neame Limited

**Before:** Judge M Aspinall (sitting alone as an Employment Judge)

**Appearances:** Mr N Moore, in person  
Mr E Macdonald, Counsel for the Respondent

## Judgment

**Upon hearing from the parties at a preliminary hearing, the Tribunal determines that:**

1. The Claimant's claim for unfair dismissal is struck out pursuant to Rule 38(1)(a) of the Employment Tribunals Rules of Procedure 2024 as it has no reasonable prospect of success. The Claimant had less than two years' continuous service at the date of dismissal and therefore lacks the qualifying service required by section 108 of the Employment Rights Act 1996.
2. The Claimant's other complaints regarding the disciplinary process, withholding of evidence, and procedural failures are dismissed as they relate to the fairness of the dismissal and cannot be maintained as standalone claims.
3. The title of the case is corrected to show the Respondent's name as Shepherd Neame Limited.

**Approved by Employment Judge Aspinall on:**  
**17<sup>th</sup> April 2025**

**Sent to the parties on:**  
**9<sup>th</sup> May 2025**

**For the Tribunal Office**

**Written reasons:** Reasons for the judgment having been given orally at the hearing, full written reasons will not be provided unless a request was made by either party at the hearing, or a written request is received - by the Tribunal - from either party within 14 days of the date on which this written record of the decision is sent/issued.

**Publication and public access to judgments and decisions:** Judgments, decisions and reasons of Employment Tribunals are published in full shortly after the judgment or decision has been sent to the parties in the case. These can be found at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions)

**Recording and transcription:** Where a Tribunal hearing has been recorded you may request a transcript of the recording for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, verified or approved by a Judge. More information can be found online in the Joint Presidential Practice Direction on Recording and Transcription of hearings, and in the accompanying guidance. Both can be found at [www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions)