



# EMPLOYMENT TRIBUNALS

**Claimant:** Paul Phillips

**Respondent:** Mr Clive Thornicroft

## JUDGMENT

The Claimant's claim of unfair dismissal is struck out.

## REASONS

1. The Claimant complains of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years service to make an unfair dismissal complaint.
3. The Claimant was employed by the respondent for less than two years. Therefore the Claimant is not entitled to bring such a complaint.
4. The Tribunal wrote on 13 January 2025 giving to the Claimant an opportunity to provide reasons why the complaints of unfair dismissal should not struck out.
5. The Claimant did not reply within the deadline but did respond on 18 August 2025. In that response he has failed to explain why his case is one of the exceptions set out in section 108 of the Employment Rights Act 1996 and

has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.

6. Accordingly, the complaint of unfair dismissal is struck out.
7. The Claimant's complaints of age and disability discrimination continue.

Employment Judge Burge  
26 August 2025

JUDGMENT SENT TO THE PARTIES  
ON  
2 September 2025

FOR THE TRIBUNAL OFFICE

P Wing