



# EMPLOYMENT TRIBUNALS

**Claimants:**

1. PQ
2. Mrs Samantha Tempest

**Respondents:**

1. The Environment Agency
2. The Department for Environment, Food and Rural Affairs
3. Mr Andreas Mueller
4. The Rural Payments Agency

**Intervener:** Sex Equality and Equity Network Limited

## RECORD OF A PRELIMINARY HEARING

**Heard on** 5 November 2025 (by remote video link - CVP)

**Before:** Employment Judge D N Jones

### Appearances

For the claimants:	Ms Robin White, counsel
For the first respondent:	Ms Laura Robinson, counsel
For the second and fourth respondent:	Mr Alex Line, counsel
For the third respondent and Intervenor:	Ms Charlotte Elves, counsel

## JUDGMENT

Paragraphs 87.5.1 to 97.5.5 and paragraphs 87.9.1.1 to 87.9.1.5 are struck out on the grounds they have no reasonable prospect of success.

## REASONS

1. The above allegations concern the actions of Elspeth Duemmer-Wrigley. She was not an employee of the first respondent. Nor was it suggested she was an agent of the first respondent.

2. The submission of the claimants that liability could attach to the first respondent for the conduct of this third party because they condoned and ceased to prohibit it, is catered for in the allegations which remain at paragraphs 87.9.2 and 87.9.3. The attempt to fix liability to the first respondent otherwise falls foul of the authority of *Unite the Union v Nailard* [2019] ICR 28.
3. Taking the claim at its highest, the above allegations cannot therefore succeed. They are struck out under rule 38.

Approved by:

Employment Judge D N Jones

Date: 14 November 2025

Sent to the parties on:

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For the Tribunal Office:

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