



EMPLOYMENT TRIBUNALS

Claimant: Ai Ling Hung

Respondent: 1. Dixon Liew wneg Hung, 2. Xinova Limited

JUDGMENT

The complaint of **unlawful deduction from wages against the first respondent** is struck out.

REASONS

1. The Tribunal wrote to the claimant on 11 April 2026 warning them that the Tribunal was considering striking out part of the claim against the first respondent. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that, in relation to that part, that the claim of unlawful deduction from wages against the first respondent had no reasonable prospects of success because a complaint of unauthorised deductions from wages cannot be brought against an individual but only against the legal employer, this claim therefore has no reasonable prospect of success.

2. The letter gave the claimant an opportunity to explain why that part of the claim should not be struck out against the first respondent, or to request a hearing at which to do so. The claimant has replied but has not explained how a complaint of unauthorised deductions from wages cannot be brought against the first respondent as an individual or why her claim of unlawful deduction from wage against the first respondent has reasonable prospects of success.

3. I am satisfied that the grounds for striking out that part of the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out that part of the claim against the first respondent. This is because a complaint of unauthorised deductions from wages cannot be brought against an individual but only against the legal employer, this claim therefore has no reasonable prospect of success.

4. The claim of unlawful deduction from wages against the first respondent is therefore struck out. The rest of the claim is not affected by this judgment.

Approved by:

Employment Judge Childe

5 May 2026