



EMPLOYMENT TRIBUNALS

Claimant: Ms B Sule

Respondent: Shoosmiths LLP

Heard at: Manchester

On: 24 October 2018

Before: Employment Judge T Vincent Ryan

REPRESENTATION:

Claimant: Miss Khan, Counsel

Respondent: Mr J Naylor, Solicitor

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claims of discrimination in relation to the protected characteristics of sex and age are dismissed on withdrawal.

2. The claimant's claims of direct discrimination, harassment and victimisation in relation to the protected characteristic of race (clarified in the minutes of a preliminary hearing of 4 July 2018 sent to the parties on 25 July 2018) were:

- (1) presented to the Tribunal out of time in circumstances when it would not be just and equitable to extend time to the dates of presentation of each of those claims;
- (2) further and in the alternative, insofar as any of these claims duplicate and overlap allegations of discrimination dealt with by Employment Judge Sherratt in his judgment in case number 2403158/2016, delivered orally on 2 March 2017 in respect of which a reasoned Judgment was sent to the parties on 24 November 2017, these claims are *res judicata*, that is they have already been considered and determined;

- (3) further and in the alternative, these claims amount to an abuse of process in circumstances where the claimant has failed to satisfactorily explain why the claims were not presented in the proceedings numbered 2403158/2016 which have already been determined.
3. All the claimant's claims are dismissed.

Employment Judge T Vincent Ryan

Date: 25.10.18

JUDGMENT SENT TO THE PARTIES ON

1 November 2018

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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