



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr C Graham

AND

**Respondent**  
Swansway Garages Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Birmingham (remotely, via CVP)

**ON** 20 October 2021

**BEFORE EMPLOYMENT JUDGE** Dimbylow

### Representation

**For the claimant:** In person

**For the respondent:** Mr C Baylis, Counsel

**This hearing took place against the background of the coronavirus pandemic; and was conducted remotely by video platform in accordance with safe practice and guidelines.**

## JUDGMENT ON AN OPEN PRELIMINARY HEARING

- 1. Upon the claimant's application** to amend his claim to include claims for: (1) sex discrimination, (2) unfair dismissal, and (3) constructive unfair dismissal; the application is refused and dismissed.
- 2. Upon the respondent's application** to strike out the claim as having no reasonable prospect of success; the application is refused and dismissed.
- 3. Upon the respondent's application** for a deposit order to be made because the claim has little reasonable prospect of success; the application is refused and dismissed.

Employment Judge Dimbylow  
on 20 October 2021

Note: The respondent applied for full written reasons for the judgement and I confirm that these will be sent to the parties as soon as possible.