



EMPLOYMENT TRIBUNALS

At an Open Preliminary Hearing heard by CVP before Employment Judge Nicolle on 8 February 2021.

Claimant: Ms S Rudd

And

Respondent: *Great Bowery (UK) Limited*

Representatives:

Claimant: Mr T Perry of counsel

Respondent: Ms M Tutin of counsel.

JUDGMENT

1. The claim for detriments on grounds of making alleged protected disclosure(s) is struck out Under Rule 37 (1) (a) of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 (the Rules) on the basis that it has no reasonable prospect of success.
2. Whilst the application for a strike out was confined to detriments on account of protected disclosures and not dismissal being automatically unfair under S.103A of the Employment Rights Act 1996 the parties agreed that the basis of the strike out above meant that this claim could not be pursued and is therefore dismissed.
3. The claims for direct sex discrimination under S.13 Equality Act 2010 (the EQA) and harassment under S.26 of the EQA are dismissed on withdrawal.

4. For the avoidance of doubt the claims for constructive unfair and wrongful dismissal (breach of contract), indirect sex discrimination and victimisation under S.27 of the EQA proceed to a full merits hearing.

REASONS

1. Oral reasons were given to the parties during the hearing.

Employment Judge Nicolle

Dated 8 February 2021

JUDGMENT SENT TO THE PARTIES ON

16 February 2021

FOR THE TRIBUNAL OFFICE