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EMPLOYMENT TRIBUNALS

Claimant: Mr N Berbiers

Respondent: The Who Cares Trust

Heard at: London Central

On: 6, 7 & 8 November 2017

Before: Employment Judge Glennie

Members: Ms S Samek
Dr V Weerasinghe

Representation

Claimant: In Person

Respondent: Ms T Barsam, Counsel

JUDGMENT

The unanimous judgment of the Tribunal is that the claim is dismissed on withdrawal.

REASONS

- 1 The Tribunal heard evidence for 2 days in this case. Overnight on the morning of the third day, 8th November, the Claimant sent an email to the Tribunal, copied to the Respondent's solicitors indicating that he wished to withdraw the claim. The explanation that he gave for this was that he did not feel well enough to continue with the hearing. He gave some details about the problems that he was experiencing, but it is not necessary to recount those here.
- 2 The Tribunal noted that the Claimant said in his email that he realised that he could request an adjournment but that he did not wish to do that, he stated that he wished to withdraw the claim, and in those circumstances the unanimous judgment of the Tribunal was that the claim should be dismissed on withdrawal.

- 3 The Tribunal adds two points that the Claimant made in his email. One is that he did not anticipate any resolution of his health problems in the near future; the second is that he said that he did not think it was fair on himself, or on the Respondent for that matter, to seek a long term delay in the case.

Employment Judge Glennie on 17 November 2017