



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Nos: 4110554/2021 & 4101680/2023(V)

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Held in Glasgow on 13 June 2023
(Case Management Preliminary Hearing conducted remotely
by CVP video conference call)

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Employment Judge Ian McPherson

Dr Sarina Saiger-Beacher

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Claimant
Represented by:
Mr Neil MacDougall
Advocate
(instructed by:
Ms Rhona Wark
Solicitor)

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Dumfries & Galloway Health Board

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Respondents
Represented by:
Ms Hazel Craik
Solicitor

JUDGMENT

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- (1) The claimant's complaint of indirect racial discrimination by the respondents, contrary to **Section 19 of the Equality Act 2010**, having been withdrawn by her counsel at this Preliminary Hearing, in terms of **Rule 51 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013**, further to the updated Preliminary Hearing Agenda completed by her solicitor, and lodged with the Tribunal on 12 June 2023, that part of her combined claim against the respondents is dismissed by the Tribunal under **Rule 52**, on the application of the respondents' solicitor, unopposed by the claimant's counsel.

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(2) The remaining parts of the combined claims brought by the claimant, complaining of constructive unfair dismissal, unlawful racial discrimination (being alleged direct discrimination, harassment relating to race, and victimisation), and whistleblowing detriment by the respondents, are all unaffected by this part-withdrawal, and those other heads of complaint will proceed as separately ordered by the Tribunal, in a written Note and Orders dated of even date with this Judgment, to a 15 day Final Hearing in person before a full Tribunal sitting in Glasgow, commencing on Monday, 28 August 2023 for 3 weeks, to determine the respondents' liability (if any) to the claimant, and reserving consideration of remedy to a later date, if liability is established.

Employment Judge: I McPherson
Date of Judgment: 13 June 2023
Entered in register: 14 June 2023
and copied to parties

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