



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr JC Waite  
**Respondent:** Sherwood Press (Nottingham) Ltd (THE)  
**On:** 14 June 2024  
**Before:** Employment Judge Ahmed (sitting alone)  
**At:** Nottingham

## Representation

**Claimant:** Mr D Waite (lay representative)  
**Respondent:** Mr E Carr (Solicitor)

## JUDGMENT AT A PRELIMINARY HEARING

The decision of the tribunal is:

1. The Claimant materially complied with the Unless Order of 21 May 2024 (the "Unless Order") in respect of the complaint of unfair dismissal. That complaint was not therefore automatically struck out;
2. The Respondent's applications to strike out the complaint of unfair dismissal or for a deposit order are both refused. That complaint will therefore proceed to a full merits hearing;
3. The Claimant materially failed to comply with the Unless Order in relation to the complaints of race harassment and victimisation. It is therefore declared that the complaints of race harassment and victimisation were automatically struck out;
4. It is in the interests of justice to grant relief from sanctions in relation to the complaint of race harassment. The race harassment complaint is therefore reinstated and shall proceed to a full merits hearing;
5. It is *not* in the interests of justice to grant relief from sanctions in relation to the complaint of victimisation. The complaint of victimisation therefore remains struck out;

6. It is not appropriate to deal with any out of time issues in relation to the complaint of race harassment at this hearing. That issue shall therefore be determined at the full merits hearing, if necessary;
7. The Respondent's applications to strike out the complaint of race harassment as having no reasonable prospect of success or for a deposit order are both refused.
8. Case management orders for the final hearing are given separately.

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Employment Judge Ahmed

Date: 21 June 2024

JUDGMENT SENT TO THE PARTIES ON

....27 June 2024.....

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FOR THE TRIBUNAL OFFICE

**Notes**

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 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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**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found

here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>