



EMPLOYMENT TRIBUNALS

Claimant: Mr Marvin Barbe
Respondent: The Brooke Weston Trust
Heard at: Watford Hearing Centre
On: 1 March 2023
Before: Employment Judge G Tobin
Non-legal Members: Mrs S Goding
Mr J Williams

Attendance

Claimant: No attendance or participation
Respondent: Mr J Kendall (counsel)

JUDGMENT

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by video through HM Court & Tribunal Service Cloud Video Platform (wholly remote). A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

It is the unanimous decision of the Employment Tribunal that:

- 1. The hearing proceeded despite the non-attendance of the claimant, pursuant to rule 47 of the Employment Tribunal's Rules of Procedure 2013.**
- 2. The respondent did not directly discriminate against the claimant on the grounds of his race, contrary to s13 Equality Act 2010. The claimant's claims were without merit.**
- 3. The respondent did not subject the claimant to race-related harassment, in breach of s26 Equality Act 2010. The claimant's claims were without merit.**
- 4. 8 of the 10 claims the claimant made against the respondent were out of time under s123 Equality Act 2010. If those claims had any merit, which we determine they did not, then we would not have exercised our discretion to allow such claims to proceed on a just and equitable basis.**

5. Proceedings are now dismissed.

Employment Judge Tobin
1 March 2023

JUDGMENT SENT TO THE PARTIES ON
25 March 2023

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T Cadman

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FOR THE TRIBUNAL OFFICE

Note

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.

Public access to Employment Tribunal decisions

All Judgments and, if relevant, the Written Reasons for the Judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant and respondent.