



EMPLOYMENT TRIBUNALS

Claimant: Miss N Tahri Joutey Idrissi Hassani

Respondent: (1) Bank of Africa United Kingdom PLC; (2) Houssam El Hak Morssi Barakat; and (3) Ralph Snedden

JUDGMENT

1. The respondents' application dated 7 March 2022 to strike out paragraph 33(e)(ii) of the first grounds of complaint, pursuant to rule 37(1) of the Employment Tribunals (constitution and rules of procedure) Regulations 2013, is refused.

REASONS

1. On 17 February 2022 the claimant provided particulars of the allegation at paragraph 33(e)(ii) of the first grounds of complaint (as set out at paragraph 6(7) of the list of issues set out in the case management order dated 5 January 2022).
2. The respondents' position is that the particulars are not "in relation to" the allegation at paragraph 33(e)(ii), as was originally pleaded, but simply repeat detriments set out elsewhere in the list of issues. This is not an issue that can be resolved on the papers. It may be necessary to hear evidence before the issue can be determined. Such evidence is best heard at the final hearing.
3. Neither party has requested a hearing to decide the respondents' application. It is not in accordance with the overriding objective to have a preliminary hearing to decide this application, given the time and expense that would be incurred, and the fact that, if paragraph 33(e)(ii) simply repeats other detriments in the claim, striking it out would have no material impact on the length of the final hearing, or the preparation required for this.
4. The case remains listed for hearing on **30 August to 20 September 2022**

**Case No: 2206185/2021 & 2206436/2021
Employment Judge Gordon Walker**

Date: 18 May 2022

JUDGMENT SENT TO THE PARTIES ON
.19/05/2022.

FOR THE TRIBUNAL OFFICE