



EMPLOYMENT TRIBUNALS

Claimant: Mrs E Kirk

Respondents: 1. Lishmans LLP
2. Gerard Hanse Price

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. Mr Price emailed the Tribunal on 23 May 2024 stating that he wished to withdraw the response on behalf of both of the respondents to this claim.
2. The claimant's complaint of whistleblowing detriment succeeds and is upheld. The remedy to which the claimant is entitled will be determined at a Remedy Hearing.
3. The claimant's complaint of unfair dismissal fails and is dismissed. The Tribunal does not have jurisdiction to hear this complaint because the claimant has stated that she was a 'worker' (i.e. a Partner in Lishmans LLP) and not an 'employee' for the purposes of s230 of the Employment Rights Act 1996. Complaints of unfair dismissal can only be brought by employees, as set out in Part X (Unfair Dismissal) of the Act.

Employment Judge Deeley

Date: 27 June 2024

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