

Success for Henry King in the EAT

Henry King appeared for the successful Claimant / Appellant in a comprehensive overturning of an employment judge's decision to strike out the Claimant's claim for whistleblowing.

The EAT held that strike out is not a short cut to deal with a poorly particularised claim. The ET is bound to roll up its sleeves and grapple fully with what claims the Claimant is advancing. Respondents must also assist the tribunal in identifying what, on a fair reading of the claim and other key documents, the claims or issues are rather than seeking to take procedural advantage of litigants in person. However, litigants in person are also expected to explain their claims as best they can and focus on their core claims rather than every conceivable claim under the sun.

HHJ Tayler then considered the judgment of the ET and found for the Claimant on all four grounds of appeal advanced. He then remitted the case to a differently constituted Tribunal. A copy of the decision can be read [here](#)