



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Best

**Respondent:** Halfords Limited

**Heard at:** London South Employment Tribunal

**On:** 31 January 2023 (in person) & 1-3 February 2023 (by video)

**Before:** Employment Judge Ferguson

**Members:** Ms C Wickersham  
Ms V Gibbs

## Representation

**Claimant:** Mr M Todd (volunteer, Free Representation Unit)

**Respondent:** Ms S Harty (counsel)

# JUDGMENT

## It is the unanimous judgment of the Tribunal that:

1. The respondent contravened section 39(2)(d) of the Equality Act 2010 by subjecting the claimant to the following detriment because of his race: On 11 October 2020, Mr Pillay accused the claimant of giving him a dirty look and stirring up tension among the group.
2. The respondent contravened section 40(1)(a) of the Equality Act 2010 by the following conduct that amounted to harassment related to race:
  - a. Between 11 October 2020 and 29 November 2021, Mr Pillay said to two other managers, "I don't care I am going to be racist right now, some employees are like monkeys crying for bananas" or words to that effect.
  - b. On 29 November 2020, Mr Pillay said to the claimant, "Change that look on your face" and "you don't have to work for me".
3. The complaint that the claimant's dismissal constituted harassment related

to race or direct race discrimination is not upheld.

4. The complaint of unfair dismissal fails and is dismissed.
5. The claimant is awarded the agreed sum of £5,000 as compensation for injury to feelings.

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Employment Judge Ferguson

Date: 3 February 2023

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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