

# THE EQUALITY AND HUMAN RIGHTS COMMISSION (SCOTLAND)

Senior Solicitor (ehrc) Scotland

IRENE HENNERLY

Senior Solicitor (ehrc) (Scotland)

27/11/2012 - 6/12/2012 - 19/12/2012 -  
 21/12/2012 - 16/02/2013 - 19/02/2013 -  
 3/10/2013 - 5/10/2013 - 8/10/2013  
 Complaint - (Scot18) still - 14/10/2013

Head of Equalities (ehrc Scot)

(Lynn Welsh)

Stage 1 ended failure to follow complaint policy procedure (1/12/2013) - (17/02/2014)  
 30/10/2013

Equal Solicitor (ehrc) (Scot)

Angela Baldry

ehrc - ref - Scot18 - still) 14/10/2013  
 21/10/2013  
 24/10/2013  
 29/10/2013  
 30/10/2013

ehrc - ref - (Scot18 - still) 1/11/2013  
 11/11/2013

ref - Scot18 R - still 12/11/2013  
 15/11/2013

Equality And Human Rights  
Commission UK (various)

HRC (UK) Sarah Whelan  
Adopt  
P/C/OF.  
affairs  
11/11/2013 (SCOM 18)  
11/11/2013 (SCOM 18)  
12/11/2013 (SCOM 18 R)  
15/11/2013  
18/11/2013 (SCOM 18 R)  
19/11/2013 (COM 47)

HRC (UK) Sarah Cook  
Adopt  
P/C/OF.  
affairs

HRC UK OLIVER VARNEY (21/11/2013)  
SCOM 18 (R)  
SCOM (188) - 22/11/2013  
25/11/2013  
27/11/2013  
5/12/2013  
Letter sent from  
Mental Health Adv. (Campbell)  
(Simon Weber - Irene Henry) (SCOM 188) 9/12/2013

HRC (UK) PHILIPPA BULLER  
Adopt  
P/C/OF.  
affairs

Equality And Human Rights Committee  
England (UK) versus Wales,

EHRC)  
AD OC  
of records  
marche  
UK.  
Jacie Drive - (COM 417) 19/12/2013  
24/12/2013  
3/01/2014  
(Stage 1 best Decis  
(1/11/2013) ref SCOM 18  
COM 417)

t - 0161 829 8323.

EHRC  
NIRAM  
Director  
ambria  
UK  
(Colin Douglas) (COM 417  
ehc stew) (COM 417 R)  
SCOM 188  
SCOM 18  
SCOM 18 R

t - 0161 829 8324.

EHRC  
maldives  
off ofid  
UK.  
Markus - Piscapole - Cagnana,  
(COM 417  
COM 417 R)

Equality And Human Rights Commission  
(UK) Scotland

(Disability Committee)

1/02/2014  
3/02/2014  
8/02/2014  
12/02/2014

SCOM 18

SCOM 18 R

SCOM 188

COM 417

COM 417 R

ehrc (ageda Law)

12/02/2014  
17/02/2014

Equality And Human Rights  
Commission, (Scotland) UK.

Peter Still complaint, EHRC 14/10/2013  
ehrc Ref SCOM 18 - Still, 30/10/2013  
Failure by ehrc Scotland Head of  
Legal Lynn Walsh, Stage 1 of ehrc  
complaints policy and procedures,  
Peter Still has only ever made one  
complaint this was Ref SCOM 18 Still

Any complaints regards Peter Still with  
the Reference numbers, after 1<sup>st</sup> November  
2013, these being

SCOM 18, Still, Stage 1 outcome,  
11<sup>th</sup> November 2013, signed by  
Copelato Communication office, ehrc.  
Cardiff,

SCOM 18/R,  
COM 4/17,  
COM 4/17/R  
SCOM 188.

Equality And Human Rights Commission  
(Cardiff) UK (Cardiff) (Manchester) (London)

Head of  
Legal  
(UK)

Rebecca Hilsenrath

(UK)

15/05/2014 - 20/05/2014

(London)

22/05/2014 - 24/06/2014

(London)

24/06/2014 - 2/07/2014

t - 020 7832 7839

m - 07837625050

e - rebecca.hilsenrath@equalityhumanrights.com

Operative  
(Law)

Shelagh O'Brien

(UK)

15/05/2014 - 2/07/2014

(London)

SCOM 18 - STILL

SCOM 18R - STILL

SCOM 18B - STILL

(same as above)

COM 417

COM 417 R

t - 0207 832 7871

m - 07970429952

e - shelagh.obrien@equalityandhumanrights.com  
or cooperdelaw@equalityhumanrights.com

## Creating a fairer Britain

**Legal and policy**   **At the Commission**   Legal Strategy

# Legal strategy

## Casework and litigation strategy

The Commission has a unique set of legal powers. The casework and litigation strategy sets out how we will use our casework, litigation and intervention powers to reinforce and extend the reach of equality and human rights legislation and protection. Each of the cases we take on will assist us to meet our objectives, achieving positive change with maximum and lasting impact.

We have identified a number of areas which will be a priority for our legal work during this period:

1. Reinforce, expand and strengthen equality rights for all of the protected grounds under equality legislation
2. Protect and promote human rights
3. Secure effective compliance with statutory equality duties
4. Promote good relations and combat prejudice.

We sought stakeholder views on the proposed key legal priorities which determine the casework and litigation and intervention functions of the Legal directorate. Our [Strategic Plan for 2012-15](#) outlines these priorities. We will use the full range of our legal powers and resources to help achieve these priorities. The casework and litigation strategy will support these strategic objectives and should be read in conjunction with these strategies.

[You can read the Commission's strategic litigation policy from 2012-13.](#)

If you have any queries please email [LegalStrategy@equalityhumanrights.com](mailto:LegalStrategy@equalityhumanrights.com)

*Last Updated: 10 Jun 2014*

Third party interventions have been used frequently and to good effect by the Commission to date both in equality cases and in human rights cases, both domestically and in the European Court of Human Rights. Where the Commission intervenes the case is usually in the higher courts so the case is focussed on legal issues not on factual disputes.

The Commission seeks out public interest cases which raise issues affecting vulnerable groups, seeking to clarify or challenge important questions of law, involving serious matters of public policy or general public concern, and/or concerning systematic default or abuse by a public body.

The Commission chooses to intervene in cases that have a significant impact and which reflect the priorities outlined in the [legal strategy](#).

A third party intervention by the Commission in a particular case can have a number of purposes:

- To support the position of one of the parties on an important point of law or public policy
- To highlight to the court the wider public impact of the case
- To provide expert legal analysis on one or more of the issues raised in the case
- To provide input on comparative and international law aspects of the case
- To provide expert evidence on the issues based on research.

In cases where the Commission intervenes as a third party, it seeks to provide added value and assist the court from an independent perspective relying where possible on the Commission's own evidence (such as research reports). In each instance where we intervene we are doing one or more of the of the following:

Seeking to develop the law in a particular way – this may involve putting an alternative view of the law not being advanced by either party

Providing evidence / research that the parties may not present, particularly any of the Commission's own research or inquiry findings

Describing academic work / learning

Including comparative law e.g. across the EU

Including relevant International law – both treaties and decisions

Addressing statements of value, for instance if the interpretation or application of a convention right should be informed by a human rights value (dignity, the rule of law etc.)

[Download Summary of the Commission's interventions](#) (Word)

[Download Summary of the Commission's interventions in the European Court of Human Rights](#) (Word)

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## Contact us about a case

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The Commission is interested in hearing from solicitors, advisers, NGOs and others who are bringing cases that the Commission might intervene in and about cases or issues that we might take up. We look for policies or practices which lead to widespread or serious breaches of equality laws or the Human Rights Act. We will assess whether or not to get involved in a case in accordance with our overall strategic priorities and our casework and litigation strategy.

Even if we are not able to assist or intervene in your particular case we will use all the information sent to us to inform our future priorities for litigation and enforcement work. So, for instance, if we receive several requests from different sources on related matters that might lead us to carry out an inquiry into a particular problem in particular sector.

Staff from the Legal Directorate are also available to attend events to give a presentation on the work of the legal directorate and explain the types of cases we are interested in supporting.



To contact the Commission about any case you think we might be interested in please complete the [Request for Commission Assistance or Intervention form](#) and email it to one of the following addresses:

Requests in England - [legalrequest@equalityhumanrights.com](mailto:legalrequest@equalityhumanrights.com)

Requests in Scotland - [legalrequestscotland@equalityhumanrights.com](mailto:legalrequestscotland@equalityhumanrights.com)

Requests in Wales - [legalrequestwales@equalityhumanrights.com](mailto:legalrequestwales@equalityhumanrights.com)

If you have any queries related to this, or if you have difficulty filling in the form, please contact [legalrequest@equalityhumanrights.com](mailto:legalrequest@equalityhumanrights.com).

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*Last Updated: 18 Nov 2014*

## Creating a fairer Britain

**Legal and policy**   **At the Commission**   Principles and Objectives

# Principles and objectives

## The Commission's regulatory approach

The Commission's regulatory functions and powers are set out in the Equality Act 2006.

For us, the purpose of regulation is to change behaviour in society and to prevent and stop unlawful actions through working with individuals and organisations in the public, private and voluntary sectors. We do this to improve equality, human rights and good relations in society. Helping people and organisations comply with legislation is the main focus of this work, and sometimes this will mean formal enforcement action, using the powers the Act gives us.

Regulation does not just mean legal enforcement action such as inquiries and investigations. It also means providing advice, raising awareness and understanding, transferring expertise and supporting organisations in their efforts to comply with the law.

In short, we have a range of tools we can use, and we will always choose the method that will work best in each circumstance. We base our actions on evidence and an assessment of what is in the public interest. In so doing, we are bound by the Hampton Code of Practice for Regulators, which outlines five principles of good regulation: proportionality, accountability, consistency, transparency and targeting.

We carry out our regulatory remit on different levels. The Commission:

- has direct regulatory responsibility (and is bound by codes of practice) for promoting equality, human rights and for ensuring compliance with the law

- works with other regulators in the public, private and voluntary sectors

- has a public leadership and advocacy role – we aim to create a consensus which recognises that equality and human rights are central to a fair society

- is the UK's accredited National Human Rights Institute (NHRI) and works in accordance with the Paris Principles – which means, for example, monitoring and acting on violations of human rights, advising government and educating the public.

## Principles

Principles are important to frame our approach to work and relationships with stakeholders, partners and those who we regulate. Our principles are:

- The Commission will aim to lead society's understanding of new challenges in equality and human rights. An important part of this making sure that we fully understand the challenges that organisations face in embedding equality and human rights in their activities.

The Commission is committed to openness and transparency in its regulatory work. We will therefore publish our plans and priorities every year to ensure that all stakeholders have a clear idea of our work programme. We will also report back on how we've met our objectives.

The Commission's job is to help organisations and individuals comply with the law and follow the highest standards of practice. We have a range of tools which can help people to do this and we'll use these dependent on the challenges they face. These tools do include enforcement and litigation powers and we'll use those proportionately, firmly, promptly and effectively when required.

We will ensure all our actions are evidence-based, proportionate, consistent, accountable and transparent. This includes explaining why we have chosen a particular course of action or why we have decided not to get involved.

We will use our resources in the most efficient, effective and economic way. That means we target our resources where they are most likely to have the greatest impact and without using more of our regulatory powers or resources than are needed.

The Commission will work in partnership with other businesses, organisations and other regulators. However, our own independence and direct powers are important and we'll take care not to prejudice these.

## Regulatory objectives

The setting of regulatory objectives or aims is a first step in defining the regulatory regime. It is against clear primary objectives that the regulator must determine the appropriate regulatory action. They are also the measures against which a regulator is held accountable and are therefore critical for those charged with regulatory responsibility. In terms of the operation of the regulatory framework and a risk based approach, regulatory authorities should use their resources where the risks to the established objectives and principles are the greatest.

### The Commission's regulatory objectives are:

1. To bring about a society that understands and respects equality and human rights – we aim to do that by shaping and influencing attitudes and behaviours.
2. To improve organisations' and individuals' compliance with equality and human rights obligations and duties.
3. To build confidence and understanding of equality and human rights across the private, public and voluntary sectors.
4. To protect individuals from discrimination and human rights violations.
5. To become an effective and credible regulator and NHRI.

*Last Updated: 16 May 2014*

## Creating a fairer Britain

Legal and policy    At the Commission    Legal Powers

### Legal powers

The Commission has fewer powers in relation to human rights as in relation to the anti-discrimination 'equality enactments'.

However it can:

- take judicial review proceedings on the basis of breaches of the Human Rights Act, or in relation to any matter in connection with which the Commission has a function;
- intervene in human rights proceedings taken by others (including in the European Court of Human Rights); or
- hold inquiries into any issue of human rights (including human rights issues not in the Human Rights Act – for instance the Convention on the Rights of People with Disabilities).

In Scotland, the Commission shares its remit with the [Scottish Human Rights Commission](#) and must discuss issues raised with them before taking action.

#### Judicial review

Judicial review proceedings are relatively simple proceedings taken in the High Court in England and Wales and the Court of Session in Scotland in relation to a public sector body which has breached, is breaching, or may be about to breach the law, including a provision of the Human Rights Act. In England and Wales proceedings need to be taken quickly - within three months of the act, policy, decision or failure to act which is the subject of the case. In Scotland there is no time limit for applications, but the application has to be made without undue delay. The court can make a declaration as to whether the policy is lawful and can quash decisions or issue an injunction or, in Scotland, an interdict.

Only the Commission or an individual affected by the issue can take judicial review proceedings under the Human Rights Act.

Judicial review may be appropriate where an unlawful decision or action (or failure to act) has been taken by a public body and no alternative remedy is available. The grounds on which the Commission may bring a judicial review claim are not limited to breaches (or attempts to prevent a breach) of the HRA. A judicial review can be brought on any grounds so long as the subject matter of the claim relates to a statutory function of the Commission (i.e. the equality, human rights and good relations duties set out in the Equality Act 2006).

The Commission can bring judicial review in its own name under the HRA without the need for it to be a victim of the violation. The most obvious situations for the Commission to bring the claim (rather than a victim) are:

Where a change in the law has just come into force where an early challenge could prevent actual violations

Where the subject matter of the case is one where the Commission is best placed due to its history, statutory duties or particular expertise to bring the claim

Where there are a wide range of victims whose experience can be used to illustrate a problem but where a claim brought by any one of them would not tell the whole story

Where the actual or potential victims do not have access to lawyers, or cannot fund a claim themselves.

An example is where the government announces that it is going to introduce a change in the law which the Commission believes will lead to violations of affected people's human rights. The Commission can threaten judicial review before the legislation is passed, and if necessary, issue or, in Scotland, raise the proceedings as soon as the law is in force. When the previous government proposed extending the time for pre-charge detention for terrorist suspects to 42 days, the Commission threatened judicial review. The proposal was dropped so no proceedings were necessary.

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## Interventions

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RECEIVED

27 NOV 2012

A

B

Peter Stein et al. v. ~~Commission~~ S/11150/10

C

Revised judgment 27<sup>th</sup> July 2011

D

E

PLEASE CAN THIS BE PUT TO

F

THE EQUALITY HUMAN RIGHTS

G

COMMON, SCOTLAND,

HI

JK

INVESTIGATIONS AND

L

ENFORCEMENT UNIT

M

N

AS A MATTER OF URGENCY

O

REQUEST BY COUNCIL

PQ

Peter Stein et al. S/11150/2010

R

✓

S

Teedee Stores Ltd +

T

John Eivroot, Bruce Barber

UV

Eug Henderson, John Clugha

W

XYZ

enclosed with records for request

(Urgent request to investigate)

(Email) From Peter Still to Scottish helpline at  
equality human rights . com, (on 17<sup>th</sup> March 2011)

HELP NEEDED IN ONGOING DISABILITY DISCRIMINATION  
LEGAL ACTION AGAINST TESCO STORES LTD,  
AND FOUR MANAGERS' EMPLOYMENT TRIBUNAL:

Employment tribunal case number S111150/2010  
Peter Still v Tesco Stores Ltd + others.

(Email) From Peter Still to Scottish helpline  
at equality human rights . com, (on 30<sup>th</sup> September 2011)  
this was last date I had contacted the Scottish  
helpline at that time I had lodged an Appeal  
to eat Scotland, against employment tribunal  
judgment registered on 22<sup>nd</sup> July 2011, and signed  
by employment judge (Susan A Clary) et claim  
S/111150/2010, Peter Still v Tesco Stores Ltd +  
others.

The first time I contacted the EHRC was by phone  
on two occasions in July 2010, the advisor  
gave my information regards the DDA 95 (the act),  
also a DCS6 questionnaire which I had no response  
the evidence I had was factual documentation

which I obtained end of June 2010 this was from a Subject Access Request by myself for a copy of my personnel file that Tesco Stores Ltd, while I had been employed as at warehouse operations from November 2004 - 13<sup>th</sup> May 2010, all the factual evidence had been held by Tesco Stores Ltd, all his time, and had twice refused two subject access request previously one in May 2008, and again a year later in May 2009, the third request was made 21<sup>st</sup> March 2010 which was not given until end of June 2010, after my 1<sup>st</sup> stage appeal hearing against my third dismissal on 13<sup>th</sup> May 2010 on the (9<sup>th</sup> June 2010 which was continued until 24<sup>th</sup> June 2010) what occurred on these appeal hearings where USOAW area organisers (IAN FRASER) changed my appeal from a 8 page letter and grounds of appeal to a two sentence, two grounds of appeal, all the evidence provided was accepted as a employment tribunal, all claims made by the claimant Peter Still be made with evidence contained in Tesco Stores Ltd's own personnel file held as me. I will state with the advice I was given, and followed, Having to do so without any legal assistance, or representation on the employment tribunal claim 5/11/10/2010 Peter Still v Tesco Stores Ltd & others, the employment appeal Tribunal, claim



UKeat pas/0100/11/B1 Petes Still v tesco  
Stores Ltd + others, against CtS/111150/2010  
requested judgement 22<sup>nd</sup> July 2011, signed by  
employment judge (Susan A Craig) also  
leave to Appeal, to the Court of Session -  
I have exhausted all legal options open to me  
within the Scottish legal system, that being  
why I now make a request that the equality  
human Rights Commission look at my case  
and the treatment which I received at tesco Store  
Ltd - also the management named as respondents  
which there was a total failure by tesco Stores Ltd  
to investigate the treatment I received from the  
named managers in my legal claim. I have been  
made aware that two of the named respondents  
are being given early retirement and company pensions  
sometime next year, Shift managers (John Gilchrist)  
and shift manager (John Cleary) please  
investigate on my behalf. before that is allowed  
to happen, Also (IAN FRASER) Area Organiser  
201 U.S, D, A, W, which I was a member of  
for 6 years, this rat attended my 1<sup>st</sup> Stage appeal  
hearing on the 9<sup>th</sup> June 2010 - 24<sup>th</sup> June 2010  
who asked him to attend has been asked by myself  
and not any kind of award given extra by him  
of (usdaw) legal team, what really is usdaw  
③

(and Tesco's partnership) usdawn have old  
(220,000) union members within tesco Store Ltd  
(are they paying for advice and rights, to benefit  
them or is there a totally different reason) to benefit  
Tesco Stores Ltd, and there partnership with a  
(U, S, D, A, W, ) who make sure that there is  
no wrongdoings exposed outwith the Tesco gates  
and into the real world (Public)

① (IAN Fraser's) involvement regards my 1<sup>st</sup> Stage  
appeal hearings within tesco's Stores Ltd polices  
and procedures, on the 9<sup>th</sup> June 2010 and. the  
24<sup>th</sup> June 2010, do U, S, D, A, W, 's area organoet  
is why I contacted the equality human rights  
commission, advice line, Scotland) my dismissal on  
the 13<sup>th</sup> May 2010, by Dis-mising officer Guy  
Henderson, for capability, company's Sickness  
absence procedure (S, Y, A) at that disciplinary  
hearing, were (Guy Henderson) Shift mgr, dismissing  
offical, who took the decision to dismiss me)  
also Personnel Training executive (notes) Robbie  
Penton, and myself (Peter Stur) employee) there  
was no union representation (usdawn) or anybody  
and of representation whatsoever, on my behalf,  
after being dismissed on the 13<sup>th</sup> May 2010, at tesco's

(Continued) New Livingstone Distribution Centre  
Carnegie Road, Deans Livingstone at no time  
after being dismissed on the 13<sup>th</sup> May 2010 did  
I make any kind of attempt to contact usdaw  
or anyone of all to inform I had been dismissed  
for a third time by Tesco, I wrote on 8 page 1<sup>st</sup>  
Stage appeal letter, Duty of Care, Health + Safety  
and Dignity at Work, and named Shift manager  
John Gilchrist and Team manager Bruce Bealston  
both being involved in my dismissal at old Livers  
d/c Capthorn rd, Deans that dismissal on 11<sup>th</sup> November  
2005 which was 'obtained' on 2<sup>nd</sup> Stage Appeal by  
Regional personnel manager, For failure to act on request  
by my doctor for light duties, and by after 4<sup>th</sup> months  
on the 27<sup>th</sup> February 2006 was reinstated and advised  
to help with back pain which resulted in my dis-  
missal would happen on return on 23<sup>rd</sup> February  
2006, on my return my life was made a misery living  
nightmare by same team manager Bruce Bealston  
and Shift manager John Gilchrist,  
Ian Fraser changed my appeal to 2 sentences told  
me couldn't bring up past treatment at old d/c  
would need to let it go with the management  
being as just be laughed at, also told no chance  
of 2<sup>nd</sup> Stage Appeal and even less at Tribunal  
to be told by change of job/canteen interview with  
Deborah Adams that Ian Fraser was in no posture

① cont

to give me that sort of advice and it was up to myself what I could bring up and what I couldn't

② wrote Second Stage Appeal request final stage within company's internal policy and procedures. Naming managers & separate grounds of appeal sent 1<sup>st</sup> week in July 2010 received delivery to Luton Distribution centre, advisor at equality Human rights told me that as they hadn't investigated management there was a unlikely chance that they would do any since in the future, that I was to include those names as respondents along with the company and if case is legal proceedings and that that is evidence of no attempt to investigate managers, when there is evidence further that the manager named had done as claimed, end of legal proceedings they could be investigated by the Investigation and Enforcement Unit

That is what I am asking for, I have provided done above times all the evidence to show these managers had treated me as I had claimed all along,

Please as a matter of urgency - bus has totally destroyed me as a person I will also send my appeal documents along with this, Please could you contact me regards this on my mobile and let me know, when this goes from here, I was a member of pension scheme, I was never offered a job

(2 cont)

The benefits I was entitled to by being a member of the scheme

Yours Sincerely

Peter Stitt

25<sup>th</sup> November 2012

(mobile number)

07586715423

(email) Peter.Stitt1969@hotmail.co.uk

I have (115 e-mails correspondence that I have no evidence regards this & is my last attempt been through email and lost everything since February 2006, all evidence of 1st dismissal, reinstatement, there is occupational health reports, reports, evidence was always available to tesco in their personnel department files

Employment Judge Susan A Craig was involved from start of claim to requested judgement 22<sup>nd</sup> July 2011, I was foolish to trust her as this would cost me dearly and continues to do so,

## Dalvi Arif

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**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:39  
**To:** Complaintsphso  
**Subject:** FW: HELP NEEDED IN ONGOING DISABILITY DISCRIMINATION LEGAL ACTION AGAINST TESCO STORES LTD AND FOUR MANAGERS EMPLOYMENT TRIBUNAL !

**VF-ITEM-ID:** 2456935:2258787:197518:M02878260

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**From:** peterstill1969@hotmail.co.uk  
**To:** scotlandhelpline@equalityhumanrights.com  
**Subject:** HELP NEEDED IN ONGOING DISABILITY DISCRIMINATION LEGAL ACTION AGAINST TESCO STORES LTD AND FOUR MANAGERS EMPLOYMENT TRIBUNAL !  
**Date:** Thu, 17 Mar 2011 02:38:15 +0000

i contacted your helpline start of july 2010 , my name is peter t w still , at that time my details were peter still , adress was 107 FALSIDE CRES , BATHGATE , WEST LOTHIAN , EH48 2DS, the advisor i spoke to sent a DL56 QUESTIONNARE to this address also a refrence number , which i have not got but was told my details were on file , i was given the helpline number by the disability advisor at a interview , this was after being dismissed by my employer TESCO STORES LTD at there distribution warehouses in livingston , this was a third dismissal , two previous overturned after appeal within companys internal policy and procedures, i started with tesco as a warehouse operative on 29th november 2004 , at there distribution centre , caputhall rd , deans , livingston , after nearly a year with no problems , or issues regarding my performance or any kind of disiplinary or having to be spoken to by management , from day one i achieved performance targets and above expected, i had two occasions of absence 3 days , 4 days which had fastracked myself onto sickness absence policy , STAGE 3 , one absence in the time on STAGE THREE which was for a period off six months after this you came of the process alotogether , i had been on stage three for a period of 5 months and no absences in this time , i had a health problem with lower back pain , this was after slipping coming down a ladder in 1995, i was sent for an x-ray and scan in december 1996 at st john hospital , livingston , then referd to consultant , the x-ray scan showed i had lumbar spondyloises , in lower back of spine , i hadnt been bothered with any pain for that resulted in being of sick , while at work , in october 2005 i started to experience problems , with back pain as i was on final stage of sickness procedure , i couldnt take any time of as i had only a few weeks left on this process , i approached my TEAM MANAGER BRUCE BALBERSTON , to ask for a few weeks picking lighter products , in the chill area of the warehouse, as this would help me and i also gave him a letter from my doctor , requesting the same , lighter duties for a short period , and he told me he would need to get it approved by shift manager , and before finising that day he came and told me that the shift manager RAB RAMSEY , has said that this would be okay and i was to start the next shift in that area lighter duties , following day my team manager bruce balberston , was of hoilday , sickness and when i was told to report to same area picking heavy products , i explained to manager regarding lighter duties , bruce balberston told me i was to start in lighter picking duties , told that there was no word left by him to say this was to happen and as not at work to onfirm this was to happen , told to pick same area , i did this for two - three weeks after not being able to continue as pain got worse day after day , and my team mgr , still off work , on 31/10/2005 a week before of stage three sickness absence procedure , i had to take three days sick , due to back pain , on my return my team manager had returned , and told be to start in the lighter duties area to help my back pain, and the next two shifts i was told to go to that area , on the 05/11/2005 , before end of back-shift , was told had

meeting with a SHIFT MANAGER JOHN GILCRIEST regarding the three days sick due to back pain, at that meeting told John Gilcrest, explaining lighter duties request, Bruce Balberston had not confided this to any other managers, and was sent to area that made my problem worse and resulted in the three days absence, it was then a you never declared your back problem in questionnaire, before starting for tesco, at that time i explained hadnt had problem for sometime, i had left COOP employment to come to tesco and had done same warehouse duties without any absence due to back-pain, this not declaring my back problem in questionnaire, was viewed as something that they viewed as being if found to be true, it will be a one way road to the jobcentre there after, at end of this meeting which was mostly John Gilcrest making out i had committed such a serious act, how i should have declared, over and over, at end he decided to refer the matter to dis=missing officer STEVE MILES to which i attended a meeting on 11/11/2005, again questionnaire not declaring, on and on then after speaking to Bruce Balberston, lighter duties doctors letter, he told him didnt have any knowledge of this, or letter from doctor, and that his decision was to dismissal in relation to capability issues for the three days absence due to back pain, i had never had any kind of disciplinary action of any sort or dismissed since leaving high school at age 15, i had done a years youth training programme and attended agricultural college as part of landscaping training, after this i got a job as apprentice slaughterman which was self-employed, i done this for six years and also when this was not busy during spring i worked temp, with west lothian council cleansing for hoilday cover, then started with my cousin self-employed doing civil engineering, laying pipes for cable tv, water, gas companys for 12 years, then with COOP at there harthill distribution centre, which i left to come to work for tesco, and a few months previous had just got morgage to purchase home, my partner who i lived with along with my eight year old daughtewr, had just found that she was expecting our second daughter, and to be told something that had never happened to me previous, was total shock, the walk home afterwards was, something similar with what about morgage, bills, new baby, xmas following month, then why had Bruce said didnt know about doctors letter, lighter duties, i appealed my dismissal this was stage one of two within company internal procedure policys, this was 21/11/2005 and was upheld being decision of general manager, told i could then appeal to second stage which would be heard by regional personnel manager, which i then did and this was heard by regional personnel manager JOANNE RATCLIFFE after explaining to her regarding doctors letter lighter duties, she asked where the doctors letter was as it wasnt in my personnel file, i told her id given it to Bruce Balberston, my team manager this was adjourned so that she could speak to him regarding missing doctors letter, i also knew that he had shown Rab Ramsey shift mgr this and he was one of the shift mgrs who wouldnt say diffrent to say there wasnt a letter or lie in anyway regarding this, this was continued over and over as each time appeal date Bruce went sick or hoilday, just for that day, and Joanna Ratcliffe couldnt see him in regards to the missing doctors letter, four months after my dismissal 22nd february 2006 after finally speaking to Bruce about doctors letter, she had decided to overturn my dismissal and if agree to company obtaining medical i could return to work, as i had not been helped, when requested and failure to act on doctors letter by management, i was assured that this would not happen again and next=steps on my return to help me, was told see company occupational health, lighter duties risk assesment, retrained manual handling etc, i returned the following day 23/02/2006 to same-shift, as before same shift mgr JOHN GILCRIEST, STEVE MILES, also told BRUCE BALBERSTON would be my team manager when i returned, at no point did i say i wanted any kind action or said that anyone should have to answer to why i had went through four months without any income and was so relieved to have my job back, and was asked by Bruce Balberston if i had any kind of ill feeling regarding what had happened towards him or other managers, told him relieved got job back, looking forward to new baby due in august 2006 and just wanted to do my job as had done before without any bother as had been previous, told by Bruce Balberston dont hesitate to come ask him for any kind of help and do his best to do what he could for me if needed, and what was to follow on return 23/02/2006, until transfer to new livingston dc the next three years was to be a daily, weekly, monthly, miving misery, by same managers, same team mgr shift mgr, knowing health problem as all involved in dismissal, on my return there was no lighter duties only one dutie day after day from 23/02/2006 until changing shift to night and three years after return, new manager referd to occupational health, after assured help after dismissal overturned by Joanna Ratcliffe,

on return the previous four months and appeal process was nothing compared to what was to follow, instead of help , i was given duties made health problem back pain worse and from 23/02/2006 until 13/05/2010 was absent 174 days due to back pain , paid only SSP of £77 a week , disciplinary action for all these absences stage three sickness policy and was also absence due to disability , as issue with health covered by disability discrimination act and had been all along, also threats informal , verbal fear of losing job again , poor performance , investigations , attitude , conduct, told there was never any referral of any sort this was put to me by bruce balberston on many occasions, and at start of january 2010 what treatment i had received after returning from reinstated after appeal , i had raised this countless times previous old dc, and new dc, and nothing done and i tried to have the issue investigated again through company policy procedure , and managers investigated proper , this was to be once again something that wasnt to be as same as countless times previous , and to prevent me doing so , had been once more to dismiss me for a third time on 13/05/2010 and appeal one and two stages there after failure to investigate management , and to do whatever it takes to carry on something that was to cover for unlawful acts by SHIFT MGR JOHN GILCREST AND TEAM MANAGER BRUCE BALBERSTON, for years of disability discrimination dda95 , they were successful in doing so within company as appeal ended 11/11/2010 with no issues investigated , and had disability discrimination legal action against tesco stores ltd , four named management as respondents and along with factual evidence from a subject access personnel file data protection act ive put my claims to tribunal employment , and when i had contacted helpline in july 2010 , the advisor gave me advice and guidance in how to do this he also told me to add managers along with company in relation to discrimination was also that if tesco stores ltd continued as they had done regarding myself and failure to investigate these claims, after the internal procedures had ended that being stage two of appeal policy procedure i could have the way this has been dealt with by the commissions investigation enforcement unit , and i was going ask this after tribunal hearings , as in preventing me from having this dealt within tescos own policys , which is any sort of discrimination by any employee with not be tolerated and also trying to conceal any acts of unlawful discrimination , will be regarded as gross misconduct and likely end in summary dismissal from what they had been successful of making this option regarding tescos policy procedure, they had now appointed top legal firm squire and sanders from leeds to continue the cover up outwith in legal tribunal claims, total denial by any named respondents , denial of knowledge of disability , or any kind of discrimination and put to strict proof , after providing evidence of disability in relation DDA95, along with my claims in detail dates, management involved , disciplinary for absence due to treatment by managers named, all the evidence for these unlawful acts is from my personnel file , all medical evidence , was only after obtaining this subject access after denied two previous requests with no reason for doing so, in this which has been there all this time and was information within this file i found out i was likely covered all along by THE DISABILITY DISCRIMINATION ACT and after most recent case management and respondents legal advocate making the attempt to have three years of continued unlawful discrimination from reinstatement 23/02/2006 until 20/03/2010 which made my life a constant fear, worry misery by same managers JOHN GILCREST AND BRUCE BALBERSTON and has been what this has been what ive been trying to have after continuous failed attempts , and having now a mountain of evidence of these acts by named mgrs and now to have this three years of countless unlawful discrimination , being thrown out on the one good thing and only help which was three years after it should have happened , by someone else good turn by health referral to occupational health and the one and only adjusment , which time barr the three years of claims from 23/02/2006 until 20/03/2009 and employment judge said need a pre-hearing review regarding this , at that time i thought all id went through , the way i was treated , the management still being paid huge salary pension , to continue what they had been getting away with time and time for years without anykind of action to question there management of destroying peoples lifes and not batting an eyelid or having any kind of thought for there countless victims, by doing so , after that case management , and there legal approach stunt , i am asking for HELP in whatever the commission can give me regarding these matters, i also made what had happened past and ongoing by contacting tescos PROTECTOR LINE i had found by chance on there corperate responsiblity website and a final attempt to make higher up chain of command that every one of THE VALUES ARE BEING MADE A MOCKERY OFF , and paying legal firm to find



any loop hole to continue the cover up , for the acts by JOHN GILCREST AND BRUCE BALBERSTON at second stage appeal hearing i told them i had contacted EQHRC , and that if they failed to investigate what happened to me , i would be asking commission to look into the continued failure by tesco stores , management to breach companys polycys values over and over , as i hadnt done so and the assumption of commission involvement was just something i was saying and wasn only a BLUFF by me at the time , and as ive done all tribunal case , photo copying , to have no legal representation in this time , and to do what ive done in providing three case folders one for tribunal one for respondents legal team and one for myself detailed explkanation in order dates , factual evidence along with this only bringing claims that i have factual evidence and being of an amount to prove without doubt these were what had ocured and by who , i got a reply from the email id sent to the PROTECTOR LINE , asking if it would be ok to pass this onto regional personnel mgr JENNIFER BARKER said i would rather that didnt happen as she was already involved as in second stage appeal hearing, and id like someone higher up chain of command to be made aware of the situation , i was going to phone but ive only my pay as you go mobile and after losing my home , seperation from partner two kids, debt , and at present in temp accomadation in west lothian HOMELESS UNIT , BLACBURN , FLAT 173b ROWAN DRIVE , BLACKBURN , WEST LOTHIAN , i thought to email regarding this and give a better explanation as would by phone and not having money for mobile rates regarding tariff prices , after i sent the reply regarding PROTECTOR LINE and requesting that higher level of management to look into the position regarding issues , i was emailed with the reply that THANKS FOR ALL CORRESPONDANCE THE COMPANY FULLY UNDERSTANDS THE ISSUES YOU HAVE RAISED AND HAVE YOUR DETAILS AND WILL BE IN CONTACT AGAIN IN DUE COURSE . could you email me with a contact number if any help that i could get, relation to these matters , i asked for help when needed most first in oct 2005 resulted in dismissal asked same again in april/may 2010 resulted in dismissal again, in a period of nearly six years everything that i had of anykind of value was taken for living the values, my family life, my home , my health, debts , future prospects employment earnings due to back pain , three dismissals , twice returned as had still something of value at time but now thats all gone in evicted in october 2010 and at dismissal 13/05/2010 told before what already was to follow , was told company had supported me over the years, the position i found myself in was all my own doing , along with his postion of diss-missing officer position he then gave his expert medical opinion to round off and end the proceedings and being made aware after this regarding rights and discrimination which was before this became knowledge and all evidence i have regarding grievances, disciplinarys, sickness , occupational healths referrals to personnel , covered by DDA95, informal investagations poor performance , conduct , attitude , highlighted past treatment notes attendance reviews investagations, eight diffrent shift managers in that time, nothing done or disciplinary through sickness policy usual end result , at latest case management on 28th february 2011 all that id been requested to prove and documents ,claims , detailed accounts dates , names involved , had been given all evidence claims , in regards to claims had been provided to tribunal and respondents legal team , when there newest strategy was brought and what it was all about , the employment judge, explained what this meant and legal juristication regarding claims of three years discrimination and management unlawful treatment would be time barred and couldnt be heard by tribunal , this was eweverything i had been trying to be looked into and by the two managers id said from start without even a single company procedure in relation to any kind of claims by any tesco employee, she mentioned the EHRC and in a way not by saying i should contact the commission in not in a direct advice as to take next, i think it was put in a way that what the respondents legal approach was , to legally have all of my treatment wiped out , by only good thing dsone by a diffrent manager to help me. and this cancels three years of continued misery day after day week then years, and this is the reality and what they are trying is whats going to be achieved and the EQUALITY HUMAN RIGHTS COMMISSION , is maybe asking them to look into asap , as there openly knowing that these acts claims did happen , as provided in case folders , and any investagation claims made regarding investagations threats by commission investagation enforcement unit , there being no contact by EHRC in regards to this in nearly year, so was BLUFF and a attempted scare tatic by me, as ive done all i can and was so close to accepting wehat id been told over and over , you taken on a copamy as big as tesco and managers , with the legal teams they can spend an endless amount of cash to make whatever it takes for your chances of winning , which is the way its

heading, so before this happens any help in any way to make all ive experienced , how this has resulted in the position im in at present and for a chance to have a fair judgement after looking at this without the outcome decided before the start , my contact details given last july were PETER THOMAS WILLIAM STILL , address was 107 FALSIDE CRESENT, BATHGATE . WEST LOTHIAN , EH48 2DS, d.o.b. 13/06/1969, my email was either peterstill1969@hotmail.co.uk or old not in use anymore was peter.still123@tiscali.co.uk , im sure my home lanline number was given this also not in use anymore it was 01506634173 } my present contact details address FLAT 173b BLACKBURN HOMELESS UNIT , OFFICE 151 ROWAN DRIVE , BLACKBURN , WEST LOTHIAN , e-mail address is peterstill1969@hotmail.co.uk . my contact phone number is my mobile 07836344848, my claime is case number 111150/2010 , PETER STILL V TESCO STORES LTD AND FOUR OTHERS, its being dealt with at tribunal in edinburgh , melvillee strreet , DISABILITY DISCRIMINATION , DDA95 , UNFAIR DISMISSAL , and employment judge SUSAN CRAIG , tried to explain best i can in this email , and after explaining over and over and always same ending , with nothing done or any intention to do something has been the usual outcome, came so close to accepting id never get a fair attempt and would be trying ongoing never ending process which is nearly six years on going and look whats resulted in this time continued loss nothing gained i try to go through what happened and how did result in the the position im in at present time , and what chance of any future way out the lowest position i every experienced hope you can do something to help me and would be much appreciated whatever it may be , again appreciate the time to read all this , and hopefully ive explained so you understand my position regars PETER STILL ,

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## Dalvi Arif

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**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:39  
**To:** Complaintsphso  
**Subject:** FW: DDA95 EMPLOYMENT TRIBUNAL CONTACTED REGARDS THIS PREVIOUS NEED  
ADVICE REGARDS TRIBUNAL HEARING WHICH FINISHED 17/06/11

**VF-ITEM-ID:** 2456935:2235925:197518:M02878258

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**From:** [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)  
**To:** [scotlandhelpline@equalityhumanrights.com](mailto:scotlandhelpline@equalityhumanrights.com)  
**Subject:** DDA95 EMPLOYMENT TRIBUNAL CONTACTED REGARDS THIS PREVIOUS NEED ADVICE REGARDS  
TRIBUNAL HEARING WHICH FINISHED 17/06/11  
**Date:** Fri, 30 Sep 2011 05:42:51 +0100

my names is peter still , date birth 13/06/1969 contacted and received advice july 2010 and march 2011 , regards dda claim which resulted in hearing edinburgh 14, 15 , 16 ,17th june , oral judgement on 17th june written reasons 22 july dda claim failed after submission made on 16th june by advocate respondents that claim must fail misconceived , formulated , illconceived bound to fail , london bourgh lew v malcolm 2008 , ive put notice of appeal regards this after receiving written reasons 22 july which has been accepted at edinburgh , on 31/08/2011 ref UKEATPAS/0100/11/BI i represented myself at hearing and after being told im entitled to legal aid for appeal hearing , from civil legal assistance in edinburgh was given law firms to contact regards representation for appeal , contacted those given and all told me they were able to help , this was as soon as i told them ex employer and there legal firm , this was before getting to let them what had actually happened at hearing , advisor from civil assistance said that she was amazed at all of law firms she had given me had refused to even arrange 30 min meeting , she said that she didnt want to give any more law firms to try and that i should contact the commission and see if advice or help can be given , could you please contact me on my mobile number asap 07836344848 ive no credit as pay as go , to contact you by phone , much appreciated if you can call me regards peter still

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Irene Henry (ohre) glasgow  
①

Irene, like to start, with the advice given by equality human rights Commission, when contacted start of July 2010, please don't think I'm trying to say what advice I was given was wrong and not trying to say that the advice I was given, was anything to why I had lost my legal claims, I will put the parts of that advice that concerns the legal claims, and appeals, that were unsuccessful starting with,

① Could I prove that had medical impairment, that is likely to be covered by the Disability Discrimination Act 1995, and could provide medical documents to prove, if asked to provide, by employment tribunal claim,

I said that I thought I had an impairment covered by DDA(95) the act, that I could provide - medical documents to a tribunal, to make a claim under DDA95 (the Act)

② What parts of the Disability Discrimination Act. 1995) concerned my claim to EE S/111150/2010 Peña Sim v tesco Stores Ltd. + others, with evidence factud. documents, to prove

② (I + h) ③

OF DIRECT DISCRIMINATION, that you didn't understand. Not kind of Discrimination, if you do then this could end your claim altogether and the highest judges applied case didn't understand the part of DDA 95 law, and mention House of Lords, Malcolin case.. that concerned DIRECT Part of DDA 95,

As you will see from legal document of tribunal claim, I was made to prove impairment, as was not accepted by respondents that I had a part covered by DDA 95, which I proved, with medical documents.

The Direct Discrimination regards not putting forward this kind of Discrimination (DDA 95) not to be tricked into making this kind of claim, as could ruin all your claims, as you will see by legal documents tribunal claim, at no time orally or in writing did I put forward a claim of DIRECT DISCRIMINATION (DDA 95) no claim no blame. as it was put by adviser from (ehrc.) this part of the advice covers ~~the~~ tribunal claim + cat appeal and part of session.

Peter Still  
113 Glebe Road  
Whitburn  
West Lothian  
EH47 0AX

Irene Henery  
Senior Solicitor

[irene.henery@equalityhumanrights.com](mailto:irene.henery@equalityhumanrights.com)

~~6 December 2012~~

Dear Mr Still

Peter Still v Tesco Stores Ltd and others

Thank you for your letter to the Equality and Human Rights Commission, which we received on 27 November. You ask in that letter that we investigate the failure by Tesco Stores Limited to look into the treatment of you by the managers named in your employment tribunal claim against them. Thank you also for the four folders of papers which you sent with your letter, which have also been taken into account.

As I am sure you will appreciate, the Commission receives a great number of requests to investigate potential discriminatory policies and practices. We cannot take action on every matter that is brought to our attention and therefore it is appropriate that the Commission has a set of clear criteria and objectives on which decisions are based. These are in line with our internal strategic priorities which are set out in our Business Plan for 2012-13, Strategic Plan 2012-15 and the Enforcement and Compliance Policy which can be found on our website.

7

The EHRC is a statutory regulatory body and therefore when we are considering whether to use our investigatory powers we must consider whether enforcement action is:

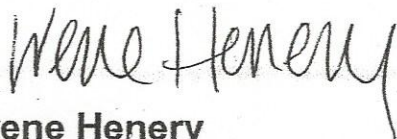
- Proportionate to the nature, potential impact, likelihood and severity of the identified risk or legislative breach or whether resources would be better used elsewhere to greater effect
- Appropriate and in accordance with the EHRC's strategic priorities
- Consistent with the law and the EHRC's approach to compliance and enforcement decisions
- Necessary because attempts to encourage compliance have failed.

We note that the Tribunal dismissed your claims of unfair dismissal and of disability discrimination and that your attempts to appeal the Tribunal's decision have not been successful. We have looked at the papers which you have submitted and considered the concerns that ~~you have raised about Tesco's failure to take action in relation to the managers named.~~ However, we have decided that, at this time, we will not investigate this matter any further.

We have however recorded this issue on our legal database that records information about complaints of potential unlawful acts under equality legislation. This information allows the Commission to identify any patterns of, or areas of, systemic discrimination and is used to inform our strategic priorities and to decide in the future when it is reasonable and proportionate to use our legal enforcement powers.

Please be assured that the decision not to investigate this matter using our legal enforcement powers does not reflect on the importance of the issue you have raised. Thank you again for bringing this matter to our attention. Please let me know if you would like me to return to you the folders which you had sent.

Yours sincerely



**Irene Henery**  
Senior Solicitor

**From:** peter still [mailto:peterstill1969@hotmail.co.uk]

**Sent:** 19 December 2012 07:42

**To:** Irene Henery

**Subject:** PETER STILL V TESCO STORES LTD AND OTHERS DDA95 , LEGAL QUESTIONS , ANSWERS ,  
REGARDS ET CLAIM EAT CLAIM ,

dear irene , my name is peter still i received your letter dated 6th december 2012 , letting me know that my issues and management would be taken no further , you also mention my legal claims to tribunal s111150/2010 peter still v tesco stores and others , and appeal to eat without any success , i would like to put the grounds of appeal against registered judgement 22nd july 2011 , you will be able to answer these with the tribunal bundle of documents from 9th august 2010 until registered judgement 22nd july 2011 , ive had to represent myself at all legal process , looking at registered judgement 22nd july 2011 , and all tribunal case management orders , pre hearing reviews starting 8th august et1 until registered judgement 22nd july . employment judge susan a craig dealt with claim from start to finish , ground 1 , of appeal against registered judgement 22nd july 2011 , opening submission made by advocate for tesco stores ltd , on 16th july 2011 , accepted by tribunal , oral judgement on 17th june audio taped judgement given by etj susan a craig , not included in written registered judgement dated 22nd july 2011 and signed by employment judge susan a craig , mr kenneth mcguire opening submission was that claimants claim as formulated , regards DIRECT DISABILITY DISCRIMINATION SECTION 3 A [5] OF DDA95 , THAT TRIBUNAL HAD NO JURISDICTION TO RULE ON SINCE HOUSE OF LORDS JUDGEMENT IN LEWISHAM V MALCOLM 2008 , CLAIM WAS ILLCONCEIVED AS WHAT CLAIMANT SOUGHT WAS BOUND TO FAIL , AND THE AUTHORITY RULES OUT ANY CLAIM OF INDIRECT DISCRIMINATION THE LEWISHAM V MALCOLM , IE MR STILL CLAIM OF DIRECT DISCRIMINATION WAS THAT THE RESPONDENT DISMISSED HIM FOR ABSENCES DUE TO SICKNESS DUE TO DISABILITY , THE MALCOLM CASE RULES HIM OUT CLAIM COULD NEVER SUCCEED ground 2 RULE 30 /6 FAILURE TO GIVE REASONS AND APPLY LAW REGISTERED JUDGEMENT 22ND JULY NO MENTION OF HOW CLAIM PROCEEDED TO HEARING , CASE MANAGEMENT PRE HEARING REVIEW , CLAIMANT DIDNT KNOW WHY HE LOST AND HOW THIS WAS , GROUND 3 , NEVER PLEAD CLAIM OF DIRECT DISCRIMINATION AT ANY TIME ORALLY OR IN WRITING , CHAPMAN V SIMON , THAT IT WAS EMPLOYMENT JUDGE SUSAN A CRAIG WHO CHANGED CLAIM WITHOUT CLAIMANT OR RESPONDENTS AGREEING TO THIS ORDER 8TH APRIL 2011 SENT 12TH APRIL 2011 SIGNED BY ET JUDGE SUSAN A CRAIG . COULD YOU PLEASE GIVE ME A CALL REGARDS THE LEGAL PROCESS AND GROUND OF APPEAL THAT WERE UNSUCCESSFUL NEED CLOSURE THIS HAS DESTROYED EVERYTHING I EVER HAD , TO THE POINT OF ENDING MY LIFE , FOR CLOSURE I NEED SOME KIND OF REASON TO LEGAL QUESTIONS REGARDS DDA95 . my mobile is 07586715423 , the document you already have will be enough to answer the legal parts i dont understand and

10/16/2013 5:39 AM



**RE: PETER STILL V TESCO STORES LTD AND OTHERS  
DDA95 , LEGAL QUESTIONS , ANSWERS , REGARDS ET  
CLAIM EAT CLAIM ,**

From: peter still (peterstill1969@hotmail.co.uk) You moved this message to its current location.  
Sent: 19 December 2012 17:57:31  
To: irene.henery@equalityhumanrights.com (irene.henery@equalityhumanrights.com)

sorry to have wasted your time , as for the, in s i may wish to seek advice , been to citizens advice tree times , phoned all the lawyers i was given by slab , tried edinburgh and strathclyde universitys law departments , the law firms that did agree to see me , 2 said same thing this was in may after lady smith dismissed my appeal for want of insistance , i put a complaint in regarding lady smith ,before seeing second lawyer , you know what he said , i did have a case to argue in EAT ,now i would need to go to court of session , couldnt help would say same to client that came in with a wad of cash , reason couldnt p as i had put a complaint in against a supreme court judge no advocate would represent you due to the complaint against lady smith would be bad for buisness , as other judges in that court wouldnt be happy , cant see u winning appeal even know have a case in scottish system , that was himbeing honest he said , and in wasnt far wrong , employment judge susan a craig denied me a fair hearing by changing my claimto direct discrimination , your advisor told me never to claim this sort of discrimination , thats what i did at no point . the direct part was lost before began then judge craig leaves that out of judgement , judge craig was a partner in lady smiths husbands law firm shepperd and wedderburn before being appointed full time employment judge she then got part time sheriff just after my claim ended , never got anoralhearing at eat , lady smith law reporter 2010 , dr quigley v st andrews , lady smith allegations of burying evidence in 200k tribunal claim for ex sheriff now deceased , told by 2nd lawyer the scottish justice corrupt do anything to cover up dodge legal going ons as i say looking for somebody to help me 2 and a half years and following your advisors advice , so asking for help sure u can find some sort of help , or is it just in scotland cant get help , if u cant help please pass the documents to someone else prefer it to be somewhere in england like EHRC down there seems they help people who ask and need it instead of there counterparts in scotland used to be proud to be scottish until had to go through corrupt justice system thanks peter still

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From: Irene.Henery@equalityhumanrights.com  
To: peterstill1969@hotmail.co.uk  
Date: Wed, 19 Dec 2012 16:32:03 +0000  
Subject: RE: PETER STILL V TESCO STORES LTD AND OTHERS DDA95 , LEGAL QUESTIONS ,  
ANSWERS , REGARDS ET CLAIM EAT CLAIM ,

Dear Mr Still.

Thank you for your email. I regret that, as I indicated to you in my letter, we are not able to provide any advice to you.

10/16/2013 5:14 AM

ME , AFTER 3 YEARS OF MISERY , WITHOUT ANY HELP AT ALL AGAINST A CORRUPT  
SCOTTISH LEGAL SYSTEM , peter still

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From: Irene.Henery@equalityhumanrights.com  
To: peterstill1969@hotmail.co.uk  
Date: Fri, 21 Dec 2012 09:58:43 +0000  
Subject: RE: PETER STILL V TESCO STORES LTD AND OTHERS DDA95 , LEGAL QUESTIONS ,  
ANSWERS , REGARDS ET CLAIM EAT CLAIM ,

Dear Mr Still,

I am very sorry that I am not able to advise you on your case.

I appreciate that it has been difficult for you to get help and I had already given thought to who I might be able to refer you to. Unfortunately, the EHRC Helpline has been closed and so my former colleagues who were able to assist you are no longer available. Although the EHRC helpline has been replaced by the Equality Advisory and Support Service (EASS), which provides information and advice on discrimination and human rights issues to individuals, the EASS does not provide advice on tribunal procedures once a claim has been lodged. It would appear therefore that the EASS would not be able to assist you.

I note that you have already contacted the CAB and some solicitors. It may be that a law centre would be able to help someone in your situation, (and I don't know if you have already been in contact) but most law centres are in the west of Scotland and are limited to taking local clients. There is a law centre in Edinburgh, Legal Services Agency, which covers Edinburgh and the Lothians, which only operates a Mental Health Legal Representation unit (telephone 0131 228 9993).

I do hope that you are able to get someone to help you further. Please note that after today, this office will be closed until 7<sup>th</sup> January.

Yours sincerely,

Irene Henery

Irene Henery

10/16/2013 5:39 AM

## Home Visit Summary (Send to printer)

## Address and Contact Details

Peter Thomas Still 13/06/1969 Male NHS: S672/1969/280 CHI: 1306691192  
 No data recorded.  
 113 Glebe Road Whitburn West Lothian EH47 0AX  
 Mobile phone 07836344848

## Significant PMH

03/02/2013 Full dental clearance  
 24/12/2012 Suicidal ideation  
 24/12/2012 Low mood  
 01/12/2008 Sciatica Right Ms Patsy Bryce  
 30/07/1997 Lumbar spondylosis with a Grade 11 spondylolisthesis Ms Patsy Bryce  
 11/05/1995 Low back pain Ms Patsy Bryce  
 12/04/1995 Pleurisy Ms Patsy Bryce  
 24/12/1994 [X]Assault Ms Patsy Bryce  
 08/06/1990 Intoxication - alcohol Ms Patsy Bryce  
 08/06/1990 [X]Assault Ms Patsy Bryce  
 12/09/1988 Ingrowing toe nail (excluding great toe) Infected - Bilateral Ms Patsy Bryce  
 19/11/1984 Disturbance of conduct NEC in Adolescent Unit from 19/11/84 - 16/4/1985 Ms Patsy Bryce  
 07/02/1983 [D]Epistaxis Ms Patsy Bryce  
 07/02/1980 Motor vehicle traffic accident NOS Knocked down by car - nose/hip injuries Ms Patsy Bryce  
 10/12/1975 Acute tonsillitis Ms Patsy Bryce  
 29/03/1971 Otitis media NOS Left Ms Patsy Bryce

## 6 Surgery, Home or Telephone Consultations

06/09/2013 Surgery consultation Dr W J Browne  
 06/09/2013 Consultation pt unhappy in whitburn isolated, family in bathgate he wants a letter, i advised we dont do letters as a practice but i  
 happy to give copy of notes.  
 dispute with former employer, he is using disability legislation, because of chronic back pain.  
 wants referral to psych as anhedonia low mood 5/10, no drug also issue no dsh. for haws form. Dr W J Browne  
 06/09/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr W J Browne  
 29/07/2013 Surgery consultation Dr A M Kerr  
 29/07/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr A M Kerr  
 01/07/2013 Surgery consultation Dr J K Mooney  
 01/07/2013 Consultation on amitrip 150 mg nocte to help with his depression and his back pain. seems to be coping reasonably well at the  
 moment. trying to get moved back to bathgate where his children stay. keen to stay on amitrip and wants me to take him off weekly disp.  
 apparently put on weekly as he ordered them early. seems reasonably sensible about it today so agreed on trial. Dr J K Mooney  
 01/07/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr J K Mooney  
 29/05/2013 Surgery consultation Dr N R Power  
 29/05/2013 Consultation duty dr ran out of amitriptyline apparently getting help with housing to make review appointment so that a plan can gel  
 formulated things seem to be moving forward so self harm risk seems low at present Dr N R Power  
 29/05/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT DISP WEEKLY Dr N R Power  
 02/05/2013 Surgery consultation Dr J K Mooney  
 02/05/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT DISP WEEKLY Dr J K Mooney  
 04/04/2013 Surgery consultation Dr A M Kerr  
 04/04/2013 Consultation DD Awaiting help from MH Advocacy. LB increased tabs to 150mg at night. See him next. Dr A M Kerr  
 04/04/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT DISP WEEKLY Dr A M Kerr

## Current Repeat Masters

No data recorded.

## Prescriptions in Last 3 Months

06/09/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr W J Browne  
 06/09/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr A M Kerr  
 01/07/2013 Amitriptyline 50mg tablets Supply: ( 84 ) tablet 3 TABS AT NIGHT Dr J K Mooney

## Allergies and Intolerances

05/10/2011 Adverse reaction to penicillins Likely Moderate Allergy to Phenoxyethylpenicillin 250mg tablets causing  
 No data recorded.

## Intervention

No data recorded.  
 24/08/2012 Smoker Light smoker - 1-9 cigs/day Dr A M Kerr  
 05/10/2011 Life teetotaler Teetotaler Ms Patsy Bryce  
 30/03/1990 Weight: 82.56 kgs BMI: 26 O/E - weight Ms Patsy Bryce  
 30/03/1990 Height: 1.78 metres O/E - height Ms Patsy Bryce



**From:** peter still [<mailto:peterstill1969@hotmail.co.uk>]  
**Sent:** 27 June 2013 08:14  
**To:** Enquiries Foxcross  
**Subject:** urgent for attention of brian mcglachlin from peter still .

dear brian , regards arranged meeting for 11th july 2013 , i contacted mental health advocacy , who are going to try to arrange for someone to attend with me on 11th july and are going to contact me tommorow , i was asked what the meeting on the 11th july was about explained what you told me on the phone , and that you wouldnt be able to help me any further regards my legal case , to be honest was a bit taken a back when you told me this after such a long time , when i attented back in february you told me that you were looking for an advocate that might take on my case , on legal aid , then heard nothing after until i contacted your office recently , could you be good enough to reply to this email before end of today , so i know what to do regards this , when you say you wont be able to help me , is it 1, there is grounds for appeal against employment tribunal judgement , but cant get someone to represent or take my case to court of session on legal aid , or 2, employment tribunal judgement was fair no error of law and no ground for appeal , please email the answer by end of today much appreciated peter still , email [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

*Scanned by MailDefender - managed email security from intY - [www.maildefender.net](http://www.maildefender.net)*

Mr Peter Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX

Our Ref: PO-1491  
16 September 2013

Dear Mr Still

**Tesco PLC Pension Scheme (the Scheme)**

I write with regards to your application to the Pensions Ombudsman.

As I understand it, your complaint against Tesco Stores Limited and the trustees of the Scheme centres on the failure to consider you for ill health early retirement.

Before the Pensions Ombudsman can investigate any complaint the parties involved must first be given an opportunity to respond. In cases like yours where the complaint involves the trustee responsible for running the Scheme there is a formal procedure that needs to be followed. This is the Scheme's internal dispute resolution (**IDR**) procedure. The Pensions Ombudsman cannot investigate a complaint if this procedure has not first been attempted. So you must first contact the trustees of the Scheme explaining the matter and what you would like them to do to put it right. It is important that you ask them to consider the matter under the Scheme's IDR procedure. If it helps, refer to this letter, or enclose a copy of it.

The IDR procedure can have one or two stages. You should contact the trustees of the Scheme for details on how their IDR procedure works. When you have completed the procedure you can come back to the Pensions Ombudsman if you are unhappy with the response you receive. You should send us a copy of all the IDR correspondence.

Please be aware that there is a three year time limit for making an application to the Pensions Ombudsman, but time spent giving the parties an opportunity to comment will usually be considered reasonable and an allowance made for that. I have not considered if your complaint is within the three year time limit and I will not do so until the matter has been considered under the IDR procedure. At that time you should let me have any paperwork that you have not yet sent showing the attempts you have made to resolve your complaint.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Paul Strachan', enclosed within a circular scribble.

**Paul Strachan**  
Investigator

020 7630 2221

[paul.strachan@pensions-ombudsman.org.uk](mailto:paul.strachan@pensions-ombudsman.org.uk)

Our Ref: 17917319

Please Contact: 0845 070 1113

Mr Peter Still  
113 Glebe Road  
Whitburn  
West Lothian  
EH47 0AX

26<sup>th</sup> February 2013

Dear Mr Still,

**Tesco PLC Pension Scheme**

Thank you for your email dated 25<sup>th</sup> February 2013.

The Trustees of the scheme are only able to consider whether current members meet the criteria for an ill health related on referral from that members Personnel Manager and Occupational Health Advisor.

If you feel that this process was not followed correctly at the time of your dismissal from Tesco in May 2010 then your complaint lies with the distribution centre at which you worked, so I suggest that you contact them.

Regarding your pension scheme membership we can ask the Trustees of the scheme to look at whether or not they would consider you eligible for an ill health related award now. As outlined in our previous letter dated 4 January 2012 you are now a deferred member of the Scheme so the only award available to you is immediate payment of your deferred pension benefits only, on the grounds of ill health.

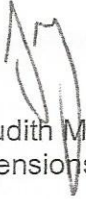
The criteria for his award is that you must be seriously ill or disabled and not be expected to work again in any capacity (not just your previous Tesco job, but for example in an alternative sedentary job) until you reach your normal retirement age of 65. If this award is granted, your deferred pension will be paid to you based on service accrued to your date of leaving in May 2010, but the benefits will not be reduced for early payment.

If you do wish to apply to the Trustees we need to see a medical report from your doctor, or other specialist as you see relevant. We will pay a reasonable fee for such reports if you provide an invoice. We explained this to you in our letter dated 4<sup>th</sup> January 2012 (a copy of which is attached) but as yet you have not submitted a medical report as requested.

Should you wish to dispute this, I would suggest that you send a copy of the letter and our previous email/postal correspondence to The Pensions Advisory Service (TPAS) and ask for their advice on how to proceed.

If you have any further queries please do not hesitate to contact me on 01992 647659.

Yours sincerely



Judith Murray  
Pensions Administration Manager



July 11<sup>th</sup> 2013

Our ref: **BML**/SS/15559-001

Mr. Peter Still  
113 Glebe Road  
Whitburn  
WEST LOTHIAN  
EH47 0AX

**FOX**   
AND PARTNERS

44 York Place  
Edinburgh EH1 3HU  
T (0131) 652 7360  
F (0131) 652 7369  
DX551052 Edinburgh 6  
E enquiries@foxandpartners.co.uk  
[www.foxandpartners.co.uk](http://www.foxandpartners.co.uk)

**BY RECORDED DELIVERY**

Dear Mr. Still

**Paper**

Please find enclosed all your original documents as requested.

Yours sincerely



**Brian McLaughlin**  
**Solicitor**  
**Fox and Partners**

*Accredited by The Law Society of Scotland as a Specialist in Employment Law*

Trustees, Tesco Plc.,  
Pension Scheme,  
Peter Still, scheme member.  
ref - 17917319/JM

Peter E, W, Still  
113 glebe road,  
Whitburn, West Lothian  
EH47 0AX, Scotland

To Trustees of Tesco Plc, Pension Scheme,  
my name is Peter E, W, Still, was a scheme  
member. ref - 17917319/JM, I was employed  
by Tesco Stores Ltd, as a warehouse operative  
at company's distribution centres in Livingston  
Scotland, from 28/11/2004, became of Pension  
scheme member. after 1 year service on 28<sup>th</sup> Jan.  
2005, until 13<sup>th</sup> May 2010 was dismissed for a  
second time due to capability, sickness  
Absence, company sickness absence policy &  
procedures, First dismissal was for 3 days  
absence due to Back pain (Spandylus), was  
returned by Regional Personnel Manager, JO ANNA  
RATCLIFFE, Second Stage Appeal, dismissed 11<sup>th</sup> November  
2005, overruled 22<sup>nd</sup> February 2006, Failure by team  
mgr Bruce Bolboston, Shift mgr John Gilchrist and  
Shift mgr. dismissing Officer Steve Miles to act on.  
Peter Still request for lighter duties due to back pain,  
Also letter from g.p doctor Julia Thompson, returned  
to same - shift - same managers - included in dismissed  
11<sup>th</sup> November 2005, After returning 4 months it took for  
appeal process same management made my time at  
work as hard as possible, from return 22 February  
2006

Due to Back pain (Spondylosis), Also 36 days due to (Anxiety + Stress) 210 days in total, paid SSP, and had disciplinary through company's sickness absence policy + procedures, resulting in dismissal due to capability on 13<sup>th</sup> May 2010, At that time 13<sup>th</sup> May 2010 was a full paid member of company Pension Scheme, in ~~tesco~~ pension scheme, rules. I am for the following, after making a complaint to the Pension Ombudsman, Dated 26<sup>th</sup> April 2013, complaint ref PO-1491, Also 16<sup>th</sup> September 2013, copy which is enclosed, to consider my complaint scheme IDR Internal dispute - resolution, Stage (1) for trustee's to consider Peter Still's entitlement to ill-health retirement benefits, as a full member at time of dismissal for capability 13<sup>th</sup> May 2010, to take into account sickness absence due to back pain (Spondylosis) + Stress, Dated from 28 October 2005 until dismissed on 13<sup>th</sup> May 2010, All documents to consider were contained in company personnel file, Tesco Store Ltd, obtained by Peter Still, Subject Access Request, Data Protection Act. After 24<sup>th</sup> June 2010, And the occupational health Advice, Doctors reports, referrals, between Tesco O.H, A Jenny Thomson and myself, myself at Livingston District Centre For Back Pain, Spondylosis Mental health Anxiety

(B - ①)

## In Summary 2008 – 2009 Weeks 01 – 52

He was on HOLIDAY all of the following dates:-

01/04/2008 – 05/04/2008 = 5 days  
06/04/2008 – 07/04/2008 = 2 days  
15/04/2008 – 16/04/2008 = 2 days  
23/04/2008 = 1 day  
29/04/2008 – 04/05/2008 = 6 days

In QTR 1 Wk 01 – Wk 13 he used 16 days annual leave

24/06/2008 = 1 day  
22/07/2008 = 1 day  
05/08/2008 = 1 day

In QTR 2 Wk 14 – Wk 26 he used 3 days annual leave

29/08/2008 = 1 day  
11/09/2008 = 1 day (Lieu)  
16/09/2008 = 1 day (Lieu)  
10/11/2008 – 11/11/2008 = 2 days (Lieu)  
17/11/2008 = 1 day

In QTR 3 Wk 27 – Wk 39 he used 2 annual + 4 Lieu

06/01/2009 = 1 day  
11/01/2009 = 1 day  
15/01/2009 – 16/01/2009 = 2 days

In QTR 4 Wk 40 – WK 52 he used 4 Lieu days

He was SICK on the following dates:-

In QTR 1 Wk 01 – Wk 13 he had no sick leave at all

25/07/2008 – 30/07/2008 = 6 days  
21/08/2008 – 22/08/2008 = 2 days

In QTR 2 he had 8 days sick leave

06/09/2008 – 09/09/2008 = 4 days  
18/09/2008 – 24/10/2008 = 28 days  
09/11/2008 = 1 day

In QTR 3 he had 33 days of sick leave

26/11/2008 – 17/12/2008 = 18 days  
22/12/2008 – 27/12/2008 = 4 days  
31/01/2009 – 21/02/2008 = 16 days

In QTR 4 he had 38 days sick leave

### Quarter 1

- He had no sickness but used 16 days HOLIDAY.  
He spent a total of 7 1/2 shifts on ASSEMBLY over 6 weeks not consistent were spread out  
He spent a total of 39 1/2 shifts on LOADING  
He spent a total of 2 shifts on Set Up as support to his picking problem  
His average LOADING RATE for Qtr 1 was – 20.68 cages per hour  
His average PICK rate for Qtr 1 was 105.86%  
He spent 11.5% of his working time on ASSEMBLY  
He spent 24.6% of his working time on HOLIDAY  
He spent 60.8% of his working time on LOADING  
He spent 3.1 % of his working time on SET UP

## Quarter 2

- He used 3 days HOLIDAY  
He had 8 days SICK LEAVE  
He spent a total of 3 shifts on ASSEMBLY  
He spent a total of 48 shifts LOADING  
He spent 3 shifts on SET UP as support to his picking problem  
His average LOADING RATE for Qtr 2 was –  
His average PICK rate for Qtr 2 was –  
He spent 4.6% of his working time on HOLIDAY  
He spent 12.35% of his working time on SICK LEAVE  
He spent 4.6% of his working time on ASSMBLY  
He spent 73.8% of his working time on LOADING  
He spent 4.6% of his working time on SET UP

## Quarter 3

- He used 6 days HOLIDAY  
He had 33 days of SICK LEAVE  
**He had no shifts on ASSEMBLY due to his health issue**  
He spent a total of 23 shifts on LOADING  
He had a swap off that wasn't worked back this period only 64 shifts rostered  
He had 1 shift off for BEREAVEMENT  
He had 1 shift on DE-KITTING on the LOADING  
His average LOADING RATE for Qtr 3 was –  
He spent 9.2% of his working time on HOLIDAY  
He spent 50.8% of his working time on SICK LEAVE  
He spent 35.4% of his working time on LOADING  
He spent 1.5% of his working time on BEREAVEMENT  
He spent 1.5% of his working time on DE-KITTING  
He had 1.5% of his working time SWAP OFF

## Quarter 4

- He used 4 days HOLIDAY  
He had 39 days of SICK LEAVE  
**He had no shifts on ASSEMBLY due to his health issue**  
He spent a total of 21 shifts on the LOADING  
He had SWAP OFF that wasn't worked back this period only 64 shifts rostered  
His average LOADING RATE for Qtr 4 was –  
He spent 60% of his working time on SICK LEAVE  
He spent 6.2% of his working time on HOLIDAY  
He spent 32.3% of his working time on LOADING  
He spent 1.5% of his working time on SWAP OFF

B - 2

## In Summary 2009 – 2010 Weeks 01 – 52

He was on HOLIDAY all of the following dates:-

01/04/2009 – 04/04/2009 = 4 days

05/04/2008 – 11/04/2008 = 5 days

12/04/2008 = 1 days

**In QTR 1 Wk 01 – Wk 13 he used 10 days Holidays**

25/07/2009 = 1 day

26/07/2009 – 05/08/2009 = 9 days

**In QTR 2 Wk 14 – Wk 26 he used 10 days Holidays**

04/09/2009 – 05/09/2009 = 2 days

19/11/2009 = 1 day

26/11/2009 = 1 day

**In QTR 3 Wk 27 – Wk 39 he used 4 Holidays**

09/12/2009 = 1 day

06/01/2009 – 10/01/2010 = 5 days

**In QTR 4 Wk 40 – WK 52 he used 6 Holidays**

He was SICK on the following dates:-

01/03/2009 – 11/03/2009 = 7 days following on from Week 52

15/03/2009 = 1 day

**In QTR 1 Wk 01 – Wk 13 he had 8 days of sick leave and was suspended under investigation from 13/05/2009 – 30/05/2009 – 14 days in total.**

**In QTR 2 Wk 14 – Wk 26 he had no SICK LEAVE but was suspended under investigation from 31/05/2009 – 01/07/2009 - 22 days in total.**

23/09/2009 – 07/11/2009 = 34 days

**In QTR 3 Wk 27 – Wk 39 he had 34 days of sick leave**

26/12/2009 – 27/12/2009 = 2 days

28/01/2009 – 27/02/2009 = 23 days

**In QTR 4 Wk 40 – Wk 52 he had 25 days sick leave**

### Quarter 1

- He used 10 days HOLIDAY.
- He had 8 days of SICK LEAVE
- He spent a total of 24 shifts on LOADING
- He spent a total of 1 shift on DE-KITTING
- He spent a total of 14 shifts SUSPENDED under INVESTIGATION
- He spent a total of 8 shifts on PLANNED ABSENCE
- His average LOADING RATE for Qtr 1 was –
- He spent no time on ASSEMBLY due to his health issue**
- He spent 15.4% of his working time on HOLIDAY
- He spent 36.9% of his working time on LOADING
- He spent 1.5 % of his working time on DE –KITTING
- He spent 21.5% of his working time suspended
- He spent 12.3% of his working time on PLANNED ABSENCE
- He spent 12.3% of his working time on SICK LEAVE

## Quarter 2

- He used 10 days HOLIDAY  
He had no SICK LEAVE  
**He spent no time on ASSEMBLY due to his health issue**  
He spent a total of 29 shifts LOADING  
He spent 1 shift on SET UP as support to his health issue  
He spent 2 shifts off on PLANNED ABSENCE  
He spent 1 shift on DE-KITTING  
He spent a total of 22 shifts SUSPENDED under INVESTIGATION  
His average LOADING RATE for Qtr 2 was –  
He spent 15.4% of his working time on HOLIDAY  
He spent 44.6% of his working time on LOADING  
He spent 1.5% of his working time on SET UP  
He spent 3.1% of his working time on PLANNED ABSENCE  
He spent 33.8% of his working time SUSPENDED  
He spent 1.5% of his working time on DE-KITTING

## Quarter 3

- He used 4 days HOLIDAY  
He had 34 days of SICK LEAVE  
**He had no shifts on ASSEMBLY due to his health issue**  
He spent a total of 26 shifts on LOADING  
He had 1 shift off for PLANNED ABSENCE  
His average LOADING RATE for Qtr 3 was –  
He spent 6.2% of his working time on HOLIDAY  
He spent 52.3% of his working time on SICK LEAVE  
He spent 40% of his working time on LOADING  
He spent 1.5% of his working time on PLANNED ABSENCE

## Quarter 4

- He used 6 days HOLIDAY  
He had 25 days of SICK LEAVE  
**He had no shifts on ASSEMBLY due to his health issue**  
He spent a total of 27 shifts on the LOADING  
He had 4 shifts of PLANNED ABSENCE off  
He had 1 shift off for BEREAVEMENT  
Was off Xmas Day and New Years Day = 3.1% of time  
His average LOADING RATE for Qtr 4 was –  
He spent 38.5% of his working time on SICK LEAVE  
He spent 9.2% of his working time on HOLIDAY  
He spent 41.5% of his working time on LOADING  
He spent 1.5% of his working time on BEREAVEMENT  
He spent 6.2% of his working time on PLANNED ABSENCE

All documents are provided in order to best describe my complaint

I request scheme rules of Pension Trustees and asked to investigate of two occasions where offered ~~deferred~~ pension, not what I think entitled to at time of dismissal being active member at this date 13<sup>th</sup> May 2010,

I have also asked management to investigate why not offered benefits at time of dismissal capable to 13<sup>th</sup> May 2010, which they have replied to through their legal representative Squire Sanders LLP; which is enclosed along with all evidence that relates to my complaint regards pension.

Please consider this as compliant as I have now completed, process twice regard trustees, to investigate, and tests Stores Ltd, Personnel, Occupational Health records, pension, all this is enclosed along with all evidence that contained in personnel file.



At present I'm trying to come to terms with all that's happened over the last 3 years after being dismissed by tesco Store Ltd, Having to attend work from February 2006 - 13<sup>th</sup> May 2010, and to be given work by management that were involved in dismissal, knowing had condition disabilities, to be told no health referral, no occupational health, no doctor reports, just put myself along with family problems to be put in a position, I'm now in, all together, then to be told that the position I was in was all my own doing by Guy Henderson Downsing office in 13<sup>th</sup> May 2010, who told the ombudsman, think if any I should be entitled to regards this complaint, I've had to be told on numerous times of how tesco had followed fair trial and that, and done all they could to help me, that all procedures had been followed and I wasn't entitled to enis or that with displaying other taken instead, All the medical reports, referrals, correspondence @, H, N, Jimmy Thomas, All this was never produced at any time by tesco had to obtain

this after 1st Stage Appeal hearing ended  
on 26<sup>th</sup> June 2010, please could this be  
dealt with as quickly as possible only look  
for what I've been entitled to nothing else

Your Sincerely

Peter Stull

(11/04/2013)

I would authorise the Pension Ombudsman or  
anyone who act's on his behalf to contact and  
obtain any evidence they think required that  
is held by anyone or organisation, on myself  
Peter T. Stull, medical, doctors reports etc,

# ( Background ) complaints

Please find enclosed Peter Stui complaint regards Pension membership of Tesco Stores Ltd, pension scheme, while employed at tesco stores Ltd distrid centres in Leungston, employed from 28<sup>th</sup> November 2004, until Dismissed on 13<sup>th</sup> May 2010, date of dismissal for third time, Second for capability sickness absence, for Back pain) Spindylosis also prolonged absence Anxiety Stress, after previous dismissal returned on Social Staff Appeal, Reinstated 22<sup>nd</sup> February 2006, Failure by Bruce Balbustor team manager to act on Doctor's request for 'lighter duties', Next Step condition met by Peter Stui to obtain by company to help manage Health issues Back pain Spindylosis) From February 2006 until Dismissed 13<sup>th</sup> May 2010, total of 174 days unpaid sickness absence due to Back pain (Spindylosis) after returning to same shift and management involved in 1<sup>st</sup> dismissal, never acted as Regional Manager Next Steps, or attempted to help on return, Bruce Balbustor (team manager) John Pildest Shift manager, At time of dismissal never offered any sort of Benefit's from Pension membership entitlement. also 32 days sickness Anxiety + Stress

My complaint is false by Tesco Store Ltd to consider well documented health issues Back pain (Spondylosis) which resulted in dismissed 11<sup>th</sup> November 2005, reinstated 22<sup>nd</sup> February 2006, contract to be given work that ended in Back problems, Anxiety + Stress totalling nearly 200 working days sick paid SSP. for all absence results in financial, family breakdown, debt; - all the documents contained are provided by Peter Steel after receiving subject Access request under Data Protection Act. start of July 2010, all medical report were not obtained until put to strict proof by Tesco Stores Ltd to prove of impairment covered by DOA 95, this was information contained in Doctor's medical file held Peter Steel, All information data provided had been in Tesco Stores Ltd, management personnel dept, personnel file, held by Tesco while employed within Luncston D.E.

All the documents provided concern medical information, Acceptance Refused, Doctors reports, sent to Tesco Store Ltd, Along with grievance, Also 1 + 2 Steps of Appeal I would like to be considered being an Active member of Pension Scheme at time of dismissal on 13<sup>th</sup> May 2010 for capability w. health, Back pain Spandylow, Anxiety Stress, After leaving Tesco I have not be employed in any kind, and been on benefit Employment Support Allowance, Disability Living Allowance, had to Appeal to Tribunal for Employment Support Allowance, Have lost my name, repossessed, evicted 26<sup>th</sup> October 2010, been homeless break up of family separation from daughters, All this results in attempt to end my life, leading up to xmas, last year. December 2012, ended in mental health ward 17 at local hospital after road traffic Accident, would like to have any pensions benefits backdated to time of dismissal 13<sup>th</sup> May 2010,

Mr Peter Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX

Our Ref: PO-1491  
Date: 26 April 2013

Dear Mr Still

**Tesco PLC Pension Scheme**

Thank you for your letter of date in relation to your application to this office.

As soon as we are in a position to progress matters we will contact you again.

In the meantime if you have any queries please contact me.

Yours sincerely



**Niall McDermott**  
Investigation Assistant

020 7630 2246  
niall.mcdermott@pensions-ombudsman.org.uk

**RE: PETER STILL V TESCO STORES LTD AND OTHERS  
DDA95 , LEGAL QUESTIONS , ANSWERS , REGARDS ET  
CLAIM EAT CLAIM ,**

From: **peter still** (peterstill1969@hotmail.co.uk) You moved this message to its current location.

Sent: 03 October 2013 14:14:51

To: irene.henery@equalityhumanrights.com (irene.henery@equalityhumanrights.com)

dear irene henery , from 8/10/2012 i had given all my legal documents to law firm fox cross in edinburgh , as i made you aware that i was in the mental health ward at st johns hospital , this was after a road traffic accident on 23/12/2012, i was taken there by the police there is a police report to confirm this . as they thought i was going to take my own life , in february 2013 i went to legal firm , and was told that i had been granted legal aid to appeal to court of session , and they were seeking an advocate to handle my appeal, never heard anything, after that so contacted fox cross for update on 20/06/2013, 3 days it took for me to speak to lawyer , and was told that they couldnt help me anymore , in a phone call that lasted half a minute , no reason and from then to 10th july 2013 i emailed , phoned countless times and couldnt get a reason , so i requested to send my documents back which they did, as your position as a senior lawyer at equality human right commision , ive asked you a few questions and like fox cross , failed to give any sort of reason , other that cant help you , 3 years ive been through this legal nightmare and the cant help you , and colleagues advised you before dont work here anymore , ive to attend my msp on 28/10/2013 , and mental health advocacy are attending with me , ive been left in a postion to handle this legal misery on my own , ive contacted the court of session , and ive have to appeal to that court once more as i had done on 06/10/2012, leave to appeal refused by lord ordinary, without legal signature on 10/09/2012 , at that time couldnt take it an further on my own , ive made you aware at no point had i made a claim of dda95 direct discrimination, in etc s/111150/2010, peter still v tesco stores ltd and others , registerd judgement signed employment judge SUSAN A CRAIG 22/07/2011, AND THAT IT WAS ETJ SUSAN A CRAIG , WHO CHANGED IT TO THAT SORT OF DDA95 DIRECT , A CLAIM THAT COULD NEVER SUCEED SINCE LEWISHAM V MALCOLM , HOUSE OF LORDS 2008, JUDGE SUSAN A CRAIG WAS MADE AWARE OF HER MISTAKE ON 16/06/2011 BY ADVOCATE FOR RESPONDENTS MR K MCGUIRE ,who i belive you know , i then appealed to EAT SCOTLAND AUGUST 2011, EAT/PAS/0100/11/BI PETER STILL V TESCO STORES LTD AND OTHERS , SAME GROUNDS OF APPEAL , AUGUST 2011 CONT 18/042012 , EAT JUDGE ANNE SMITH , ORDER DISMISSING MY APPEAL WHICH SHE DEALT WITH FROM START TO FINISH,UP UNTIL THIS STAGE , EAT JUDGE ANNE SMITH IGNORED MY GROUNDS OF APPEAL ALTOGETHER NO REASONS GIVEN AT ALL , , etj susan a craig , now full time sheriff susan craig , had six weeks before registerd judgement 22/07/2011 to be honest and say that it was here changing my claim to direct , and that it couldnt win instead left that out altogether , WHY ? BECAUSE SHE WAS ABOUT TO BE APPOINTED A PART TIME SHERIFFS POSITION , IF SHE WAS TRUTH FULL SHE WOULDNT HAVE GOT THE JOB , AS SHERIFF SO SHE CONCELLED THIS IN REGISTERD JUDGEMENT , EAT JUDGE ANNE SMITH , HAD INTERVIEWED ET JUDGE SUSAN A CRAIG AS A BOARD MEMBER OF JUDICAL APPOINTMENTS SCOTLAND , AND PUT HER IN THAT POOL OF 15 OUT OF 111 , AND THEN GOES ON TO JUDGE MY APPEAL AFTERWARDS THIS HAS BEEN THERE ALL ALONG , IM ASKING YOU TO PUT THIS EMAIL FORWARD TO SOMEONE WITHIN THE EQUALITY HUMAN RIGHT COMMISION THAT WILL MAKE SOME SORT OF ATTEMPT TO HELP

**PETER STILL V TESCO STORES LTD AND OTHERS , ET  
S/111150/2010 , REGISTERD JUDGEMENT 22ND JULY 2011**

From: peter still (peterstill1969@hotmail.co.uk) You moved this message to its current location.

Sent: 05 October 2013 22:58:59

To: irene.henery@equalityhumanrights.com (irene.henery@equalityhumanrights.com)

THE CLAIM OF DIRECT DISABILTY DISCRIMINATION , DDA95 , IF YOU OR ANY OF THE  
FOUR JUDGES WHO HANDLED THE TRIBUNAL CLAIM , EAT APPEAL , THERE ANNUAL  
SALARY FOR ALL FOUR JUDGES , 675,000 , any one of them to be able to show where the claim of  
direct discrimination was made by the claimant peter still ,also you irene henery , senior solicitor ,  
scottish equality human rights commision , you should have no problem pointing this out as well, should  
be an easy task , and if this is possible i will accept this and be an end to the matter , peter still

10/16/2013 5:24 AM



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From: peter still [mailto:peterstill1969@hotmail.co.uk]

Sent: 08 October 2013 12:05

To: Irene Henery

Subject: RE: Out of Office: PETER STILL V TESCO STORES LTD AND OTHERS , ET S/111150/2010 , REGISTERD JUDGEMENT 22ND JULY 2011

MENTAL HEALTH ADVOCAY HAVE JUST INFORMED ME THAT YOU ARE NOT WILLING TO MEET ME . I DONT JUST THINK I KNOW THAT YOU IRENE HENERY SENIOR SOLICITOR EHRC SCOTL.AND HAS VIOLATED MY HUMAN RIGHTS , I HAVE DOCUMENT FACTUAL DOCUMENTS TO PROVE YOU HAVE AND CONTINUE TO COVER UP FOR SENIOR JUDICAL MEMBERS OF THE SCOTTISH LEGAL SYSTEM , SIMPLE QUESTION ARE YOU WILLING TO9 MEET ME REGARDS THIS , YES OR NO ANSWER WILL DO ASAP

---

From: Irene.Henery@equalityhumanrights.com

To: peterstill1969@hotmail.co.uk

Date: Sat, 5 Oct 2013 22:59:03 +0100

Subject: Out of Office: PETER STILL V TESCO STORES LTD AND OTHERS , ET S/111150/2010 , REGISTERD JUDGEMENT 22ND JULY 2011

Thank you for your message. I am not working on Monday 7 October and will reply on my return. If your message is urgent please contact Angela Barclay on 0141 228 5951 or email

[Angela.Barclay@equalityhumanrights.com](mailto:Angela.Barclay@equalityhumanrights.com).

Thanks

Irene Henery

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We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit: [www.equalityhumanrights.com/webaccessibilityessentials](http://www.equalityhumanrights.com/webaccessibilityessentials)

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

10/16/2013 5:26 AM

RE: Out of Office: PETER STILL V TESCO STORES LTD  
AND OTHERS , ET S/111150/2010 , REGISTERD  
JUDGEMENT 22ND JULY 2011

From: Irene Henery (Irene.Henery@equalityhumanrights.com) You moved this message to its current location.

Sent: 08 October 2013 15:49:10

To: 'peter still' (peterstill1969@hotmail.co.uk)

Dear Mr Still,

I have already set out the EHRC's position in relation to your claim against Tesco Stores, in my letter to you of 6 December.

It is not the practice of the Commission to meet with those seeking Commission assistance, or asking that the Commission use its enforcement powers, or contacting the Commission directly seeking advice. In this regard, your request for a meeting is being treated the same as any other such request.

I am sorry that we are not able to be of any assistance to you in this matter.

yours sincerely

Irene Henery

Irene Henery

Senior Solicitor

Equality and Human Rights Commission Scotland

Tel 0141 228 5966 (07825 150390)

[Irene.Henery@equalityhumanrights.com](mailto:Irene.Henery@equalityhumanrights.com)

10/16/2013 5:26 AM

Peter t, w, Stier  
113 globe Road,  
Whitburn  
west Lothian,  
Scotland.  
0147 OAX.

My name is Peter Stier, my complaint is  
That after being given advice by equality  
Human Rights Commission - Scotland, July 2010,  
regards legal claim against my former employer  
Tesco Stores Ltd + four margnet,  
I began a campaign towards claim, regards  
DDA 95 the Act, and unfair dismissal  
Peter Stier v tesco stores ltd, + others  
etc (8/11/150/2010), 9<sup>th</sup> August 2010,  
replied judgement 22<sup>nd</sup> July 2011,  
Followed by Appeal to EAT Scotland,  
and Court of Session  
Peter Stier v tesco stores ltd + others,  
UK EAT PAS/0100/11/BI, August 2011,

cont 22<sup>nd</sup> October 2012 and at present  
I have been told that I will get no  
help from EHRIC and 3½ years  
of legal money out chre, started  
me on, and to the point I had intended  
to end my life) I'm asking for this  
complaint to be investigated, I am  
now aware that stage 1 of the complaint  
policy + procedures that complaint's  
get sent to area the complaint about,  
PLEASE DO NOT SEND THIS BACK TO  
(SCOTLAND) NO MATTER WHAT IF YOU  
WHAT YOU INTEND TO DO, I WOULD  
RATHER YOU LET ME KNOW AND I  
WILL GO TO THE LAST OPTION THAT I'VE  
NO TRIED, TO THE MEDIA?

PLEASE

CAN YOU CONTACT ME  
ASAP, mobile (07586715423)  
OR MENTAL HEALTH HOUSING) Ask for

I HAVE FOUR FOLDERS CONTAINING  
ALL DOCUMENTS MENTIONED  
REGARDS MY LEGAL CLAIMS,  
DO NOT WANT TO SEND ALL THESE  
UNTIL I HAVE A REPLY FROM YOUR  
OFFICE, CANT AFFORD TO SEND ALL THIS  
PLEASE HELP ME, THIS HAS DESTROYED  
ME, AND CONTINUES, PLEASE HELP ME  
END THIS MOVIE, GREAT I ONLY BEGAN  
THROUGH THE ADVICE I HAD BEEN GIVEN  
BY EQUITY HOME RIGHT SOCIETY, IN  
JULY 2010

Your truly

Peter Seal

Monday 16<sup>th</sup> October 2013  
also email - PeterSeal1969@hotmail.co.uk,



Dear Fiona Hyslop,

regards as meeting arranged  
for 28<sup>th</sup> October 2013, please find enclosed  
the legal issues, and why I have been left  
in the position of 3 year plus legal nightmare  
if you read the emails between myself and  
Chic senior solicitor explains why I have  
also supplied a legal document regard my claims  
my main reason to contact you is to put all this  
to Alex Salmond Scottish First Minister, in  
relation to Judiciary of Law (Scotland Act 2008  
AND His Bench) INDEED, TO PUT THE JUDICIAL  
MEMBERS IN THE JOB THEY HOLD AT PRESENT

Thanks for taking  
time to meet me regards  
this your sincerely  
Peter Star

16<sup>th</sup> October 2013,

1 Peter Stum, claimant in employment tribunal claim s/111150/2010, Peter Stum v Tesco Scotland + others

9<sup>th</sup> August 2010 - Requested judge 22<sup>nd</sup> July 2011 signed by employment judge Susan A Giey

Followed by EAT Appeal August 2011, Requested dismissal of 22<sup>nd</sup> October 2012,

EAT President - Honourable Lady Anne Smith  
UK EAT President - Honourable Justice Brian Langstaff  
Court of Session - Lord Robert Doherty,  
Lord Ordinary

All of the Above have violated my human rights, Article (6)(1) of European Charter Rights, All have breached, Judiciary And Courts (Scotland) Act 2008,

Also the Judicial OATH in handling of my legal claims and continue to do so. Thus ECHR series selected Irene Henery has violated my Human Rights, by failure to act from 27<sup>th</sup> November 2012 to present date and continue



Legal claims, Scotland.  
?t S/111150/2010, 9<sup>th</sup> August 2010  
Peter Stin v Tesco Stores Ltd  
+ others.

Peter, E, W, Stin  
113 Gyle Road,  
Whitburn,  
West Lothian,  
Scotland  
EH47 0AX

Regulated judgement 22 July 2011.  
Signed - Employment Judge.  
Susan A Craig

Appeal By Peter Stin to Employment Appeal Tribunal  
(Scotland)

UKEAT/PA5/0100/11/B1  
Peter Stin v Tesco Stores Ltd + others  
August 2011, 22<sup>nd</sup> October 2012.

EAT PRESIDENT SCOTLAND (LADY ANNE SMITH)

EAT PRESIDENT (UK) (HONORABLE JUSTICE BRIAN LANGSTAFF)

COURT OF SESSION (6<sup>th</sup> September - 10<sup>th</sup> September 2012  
Lord Oram (Robtzy Doherty)

Equality AND HUMAN RIGHTS Commission  
SCOTLAND

Senior Solicitor - (IRENE HENEY)

27<sup>th</sup> November 2012, - Present Date.

I AM ASKING FIRST MINISTER, M, S, P.

ALEX SALMONO

TO INVESTIGATE ALL FOUR NAMED JUDICIAL MEMBERS, AND DO SO REGARDS

JUDICIARY AND COURTS (SCOTLAND) ACT 2008

Chapter 5 - Removal From Office.

Judges:

Section 35 - Tribunal to consider Fitness for judicial Office.

(77) This Section Provides that the (First Minister must set up a tribunal to investigate and report on whether a person is unfit to hold judicial office by reason (inability - neglect of duties or misbehaviour, when requested to do so by the Lord President, or in other circumstances as he thinks fit.)

(78)(79)

Section (35) - (37) + (38) would follow

Sheriffs

Section (40)

Considerations of fitness for and removal from shrieval offices

Sheriffs

(Section 40)(cont-) (84) - (85) - (86) - (87) - (88) - (89)  
concerns currently full time feeding sheriff based  
at Inverigor Sheriff Court, civic centre  
Lochian And Borders (sheriff Susan A Craig)

The First Minister Alex Salmond recruited  
Sheriff Susan A Craig on two occasions  
first part-time Sheriff September 2011,  
and April 15<sup>th</sup> 2013 full time Sheriff,  
After Recruitment From Judicial Appointment  
Board (Scotland)

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In Relation to UK PRESIDENT HONOURABLE  
JUSTICE BRIAN LADGEMAN, FIRST MINISTER  
COUNCIL. INCLUDE LORD CHANCELLOR AND THE  
SECRETARY OF STATE, FOR JUSTICE AND THE  
COURT CHIEF JUSTICE, THE JUDICIAL DISCIPLINE  
PRESIDENT, PROSECUTOR REGULATIONS 2006  
AS HE COMES UNDER ENGLAND AND WALES  
JUDICIARY, UK.

---

Please do not put my complaints or issues  
to anyone who has any sort of connection to  
the Scottish legal system, present or past,  
including any judicial committees, or justice  
secretary, if this is intended I would like to  
be told as I will take the matter elsewhere.

I'm asking First Minister Alex Salmond  
to investigate the position I've been left  
in in relation to Scottish Judicial Legal  
process, as it is his duty as First Minister

Yours Sincerely

Peter T. W. Stewart

date! (Wednesday 16<sup>th</sup> October 2013)

Letter to the Law Society:

Dear XX,

I am writing on behalf of a constituent of mine who has been experiencing difficulty in acquiring legal representation.

To give you some background, my constituent had worked at the Tesco Distribution centre in West Lothian until May 2010. However due to back problems he had to take time off. I understand that he supplied his employer with a doctor's note. This led to certain shift changes, he was moved to night shift in a different building.

He was given a disciplinary and eventually let go. He has informed me that his union USDAW would not intervene.

Although he wanted to appeal this decision on the grounds of Wrongful Dismissal, he was advised by (Susan Craig? Tesco Employment Manager?) that he would have a better chance of appealing on the grounds of disability – his reason for needing time off in the first place.

Despite disputing this, I understand that Ms Craig went ahead with what she felt was best for my constituent. Unfortunately, he lost his appeal and believes it is the fault of Ms Craig who is now an employment judge and cannot be called upon to question her actions in her past role.

My constituent has been told on a number of occasions that he has a case and that he is eligible for legal aid. Indeed he has spoken to (list lawyers) However he has also been informed by a number of solicitors that they will not take on his case. Further to this they informed my constituent that no solicitor would likely take on his case.

It seems that my constituent has been misled through much of his appeal procedure. I am aware that he has learning difficulties however he has assistance in this area from MHAP (Mental Health Advocacy Project West Lothian) who advised him to visit me to request further assistance.

I was hoping you could help clarify why he has been advised that he does have a case, yet no solicitor in Scotland will take it on. I would also appreciate your advice on how my constituent could obtain a lawyer to assist him with his case.

Thank you for your time and I look forward to hearing back from you.

Kind regards,

Judith Nelson  
Personnel Director - UK  
Tesco Stores LTD, Circus A  
Shire Park, Welwyn Garden City  
Hertfordshire, AL7 1AB

Peter Still  
113 Gable Road,  
Whitbury, Wilton  
Scotland, EH47 0AD

Dear Judith

Would you be able to help me with the following regards my membership of Tesco's P.C Pension Scheme, I am asking for ~~the~~ IDR procedure regards my ill-health retirement. At the time of my dismissal on 13<sup>th</sup> May 2010 I have already contacted Pension trustees who have told me that Longdon Personnel were to blame and would need to sort this with Longdon D.C. which I did and this was replied by a letter from Square Sander LLP, I have spoken to Pension Ombudsman and I want to get this sorted as soon as possible I am not looking for any reason of to blame trustees or management at Longdon D.C. I only want to have my ill-health retirement as a fully paid member, to be considered from 13<sup>th</sup> May 2010. Would you copy this and send to ~~the~~ involved, this is nothing to do with tribunal as any other best method

As quickly as possible much appreciated

Pete Siv

29/10/2013

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(Peter + w Stim)  
Ref (17917319)

PETER STILL  
113 globe road  
Whitburn, W, Lothians  
Scotland EH47 0AA

TO WHOM IT MAY CONCERN

Please find enclosed, Peter Stim

Request to consider, Peter Stim ill-health return, being a full member of Tesco Plc pension scheme would like the trustees to consider ill-health return from 13<sup>th</sup> May 2010, time of dismissal for absence due to Back pain, Spandylone + Anxiety And Stress, 174 days Back pain, and 36 days Anxiety + Stress, would like this investigated through scheme rules (IDR) not wanting any release who was to blame (ie) Gato or Margaret just want rights being a full member of Scheme. at time of dismissal on 13<sup>th</sup> May 2010 I have no worked or been employed since leaving, Request that I be considered from 13<sup>th</sup> May 2010, time of dismissal for a third time I've enclosed medical data sheets at time of dismissal, Also contacted Key Medical in regards this, I can provide any medical information required after leaving terms on 13<sup>th</sup> May 2010.

Yours Regards  
Peter Still



Letter to the Law Society:

Dear XX,

I am writing on behalf of a constituent of mine who has been experiencing difficulty in acquiring legal representation.

To give you some background, my constituent had worked at the Tesco Distribution centre in West Lothian until May 2010. However due to back problems he had to take time off. I understand that he supplied his employer with a doctor's note. This led to certain shift changes, he was moved to night shift in a different building.

He was given a disciplinary and eventually let go. He has informed me that his union USDAW would not intervene.

Although he wanted to appeal this decision on the grounds of Wrongful Dismissal, he was advised by (Susan Craig? Tesco Employment Manager?) that he would have a better chance of appealing on the grounds of disability – his reason for needing time off in the first place.

Despite disputing this, I understand that Ms Craig went ahead with what she felt was best for my constituent. Unfortunately, he lost his appeal and believes it is the fault of Ms Craig who is now an employment judge and cannot be called upon to question her actions in her past role.

My constituent has been told on a number of occasions that he has a case and that he is eligible for legal aid. Indeed he has spoken to (list lawyers) However he has also been informed by a number of solicitors that they will not take on his case. Further to this they informed my constituent that no solicitor would likely take on his case.

It seems that my constituent has been misled through much of his appeal procedure. I am aware that he has learning difficulties however he has assistance in this area from MHAP (Mental Health Advocacy Project West Lothian) who advised him to visit me to request further assistance.

I was hoping you could help clarify why he has been advised that he does have a case, yet no solicitor in Scotland will take it on. I would also appreciate your advice on how my constituent could obtain a lawyer to assist him with his case.

Thank you for your time and I look forward to hearing back from you.

Kind regards,

ok , angela thanks for the reply , and no need for the apology , heard enough of them over the last few years , take care peter still

---

From: [Angela.Barclay@equalityhumanrights.com](mailto:Angela.Barclay@equalityhumanrights.com)  
To: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)  
Date: Thu, 24 Oct 2013 14:49:20 +0100  
Subject: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still  
Dear Mr Still

My email below is in response to your letter of complaint dated 14<sup>th</sup> October 2013 (scanned copy attached). Lynn Welsh, Head of Legal Scotland is the person responsible for dealing with stage 1 complaints in Scotland and is therefore looking into this.

I am sorry but in order for your complaint to be investigated fully, we will not be able to give you a response by Monday 28<sup>th</sup> October. We will endeavour to provide you with a response as soon as possible and no later than 12<sup>th</sup> November 2013.

I have attached a copy of our complaints procedure for information.

Kind regards

Angela Barclay  
Legal Support Co-ordinator

---

**From:** peter still [<mailto:peterstill1969@hotmail.co.uk>]  
**Sent:** 24 October 2013 13:13  
**To:** Angela Barclay  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still  
**Importance:** High

DEAR ANGELA BARCLAY , HAVE A FEW QUERIES REGARDS MY EHRC COMPLAINT , (1) WHAT IS MY COMPLAINT AS YOU SAY IS BEING DEALT WITH AND WHO IS ACUTALLY DEALING WITH (2) AS IT IS EHRC COMPLAINTS STAGE 1 POLICY TO SEND THE COMPLAINT TO THE REGION WHERE THE COMPLAINTS MADE AND GIVES COMMISSION AS IN MY CASE SCOTLAND TO DEAL WITH AND RESPONED WITH A REASON AS YOU STATE BY 12/11/2013 , ON MONDAY 28TH OCTOBER 2013 , I HAVE AN APPOINTMENT WHICH HAS BEEN ARRANGED BY MY CASE WORKER AT THE MENTAL HEALTH ADVOCACY, WHO IS ATTENDING . REGARDS MY LEGAL CLAIMS , BROUGHT AGAINST MY FORMER EMPLOYERS TESCO STORES LTD AND 4 OTHERS , S/1111/50/2010 PETER STILL V TESCO STORES LTD AND OTHERS , ET1 09/08/2010 REGISTERD JUDGEMENT 22/07/2011 SIGNED BY EMPLOYMENT JUDGE SUSAN A CRAIG , AND MY EAT APPEAL SCOTLAND , UKEATPAS/0100/11/BI PETER STILL V TESCO STORES LTD AND OTHERS, ORDERS BY SCOTTISH EAT PRESIDENT , HONOURABLE LADY ANNE SMITH , FOLLOWED BY UK EAT PRESIDENT HONOURABLE JUSTICE BRIAN LANGSTAFF LAST ORDER DATED 22/10/2012 , AND LEAVE TO APPEAL APPLICATION 06/09/2012 / 10/09/2012 , ORDER BY LORD ORDINARY ROBERT DOHERTY , as i you already be aware that i was going to attend msp on that date , as i had made you aware by telling you myself , and every other detail , regards my 3 plus years misery , of where i been the procedure and how this was affecting my mental health , all this based on the advice i was given by EHRC SCOTLAND , JULY 2010 ,AND TO THE POINT THAT AFTER 21/12/2012, THE REPLY SENT BY EHRC SENIOR SOLICITOR IRENE HENERY , IWAS TAKEN TO

## Dalvi Arif

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**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:36  
**To:** Complaintsphso  
**Subject:** FW: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still

**Importance:** High

**VF-ITEM-ID:** 2456935:2069982:197518:M02878249

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**From:** peterstill1969@hotmail.co.uk  
**To:** angela.barclay@equalityhumanrights.com  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still  
**Date:** Wed, 30 Oct 2013 11:44:27 +0000

dear angela , have sent documents regards my complaint , i have addressed them to you 1 st class recorded delivery , you should have them sometime tommorow , thurs 30th october 2013 , regards peter still

---

**From:** Angela.Barclay@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Tue, 29 Oct 2013 12:14:14 +0000  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still

Dear Mr Still

In order to respond to your complaint fully, we require some additional information.

In your letter of complaint dated 14<sup>th</sup> October 2013, you mention that you received advice from the Equality and Human Rights Commission Scotland in July 2010. Do you know who you dealt with? Did you speak to someone in our helpline?

I look forward to hearing from you.

Kind regards

Angela Barclay  
Legal Support Co-ordinator

---

**From:** peter still [mailto:peterstill1969@hotmail.co.uk]  
**Sent:** 24 October 2013 17:13  
**To:** Angela Barclay  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still  
**Importance:** High

**SENT VIA POST**

Mr Peter T W Still  
113 Globe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our Ref: SCOM18**

11 November 2013

Dear Mr Still,

**Subject: Complaint dated 14 October 2013**

Thank you for your recent letter dated 14 October 2013 and the follow up emails dated 24 and 29 October 2013 in which you have made a complaint about the service you received from the EHRC.

**Summary of your complaint:-**

- That following advice given to you by the EHRC Helpline in Scotland in 2010 and 2011, you made an employment tribunal claim that was dismissed and this has exacerbated your mental health condition
- That you are not happy that the EHRC are unable to assist you further and have asked us for further help

**Our response**

Your complaint was passed to the Corporate Communications Team for the matter to be looked into and a response prepared.

- That following advice given to you by the EHRC Helpline in Scotland in 2010 and 2011, you made an employment tribunal claim that was dismissed and this has exacerbated your mental health condition

**Answer:**

We have investigated your complaint and can respond as follows.

Following a search of our Client Records Management (CRM) data base which was used by the EHRC Helpline to log issues raised by enquirers - our records show that your enquiry regarding your grievance against your employer Tesco Ltd is held under file reference 1-7692839.

2nd floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email:**  
[complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

Our records show that you contacted the Helpline on three separate occasions, firstly in June 2010, in which you received an email response dated 08 June 2010; then via email on 17 March 2011 and 30 September 2011, both times you received a call back from an advisor.

We have retrieved the email sent to you 08 June 2010. Here you were provided with general advice on the Disability Discrimination Act (DDA), specific to employment rights, as well as a number of useful links for you to access. At the beginning of the email you were advised the following: - *"We aim to give information and support that will enable people to make informed decisions about their own situation"*

Unfortunately we are unable to retrieve the calls made to you in 2011. Our Helpline call system 'Witness' did not retain every call. It kept as many as it could fit into the allocated recording space only.

Your complaint letter dated 14 October 2013 states that you began employment tribunal proceedings following advice you received in 2010. We therefore ascertain that you made this decision following the letter you received on 08 June 2010.

We have carefully considered your points and although we empathise with your situation we cannot take responsibility of the outcome of your case that was later made by the judge. The Helpline operated by providing advice and guidance in order for enquirers to make their own informed decision. At no stage did they provide you with specific or definitive advice nor were any assurances provided nor were you advised to issue proceedings. The information that you were provided was generic and guidance based.

Therefore we conclude that you were not provided with incorrect advice and that the Helpline responded to you accordingly within the remit of the Helpline as an information and guidance service both professionally and accurately.

Please note that our EHRC Helpline service has now closed and the Government has commissioned a new Equality Advisory Support Service (EASS) to replace it. Information on the EASS can be found on their website: [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

- **That you are not happy that the EHRC are unable to assist you further and have asked us for further help**

**Answer:**

Further to the advice and guidance given to you via the Helpline in 2010 and 2011, it is understood that you wrote to our Scotland office on 27 November 2012 to request assistance with your case. Our Legal department looked into your case and wrote to you on 06 December 2012. Your most recent correspondence, the complaint letter dated 14 October 2013, again asks if we are able to help you.

Unfortunately our initial decision remains the same and we must reiterate our initial response in that we will not investigate this matter any further.

2nd floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email:**  
[complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

As I am sure you will appreciate, the Commission receives a great number of requests to investigate potential discriminatory policies and practices. We cannot take action on every matter that is brought to our attention and therefore it is appropriate that the Commission has a set of clear criteria and objectives on which decisions are based. These are in line with our internal strategic priorities which are set out in our Business Plan for 2012-13, Strategic Plan 2012-15 and the Enforcement and Compliance Policy which can be found on our website.

Your issue was added to our legal database that records information about complaints of potential unlawful acts under equality legislation. This information allows the Commission to identify any patterns of, or areas of, systemic discrimination and is used to inform our strategic priorities and to decide in the future when it is reasonable and proportionate to use our legal enforcement powers.

While we appreciate this will not be the response that you were hoping to receive we trust we have addressed your complaint.

We will send back the documentation you sent to us regarding your case separately via recorded delivery.

If you are dissatisfied with our response to your complaint and require a review under stage two of our complaints procedure, please let us know, stating your reasons. On receipt I shall arrange for a review to take place by another person who has not been involved in dealing with your initial complaint.

If, however, you remain dissatisfied with the response to the review, you can ask to have your complaint reviewed externally by someone who does not work for the Commission.

To do this, you should contact your Member of Parliament and ask for your complaint to be referred to the Parliamentary and Health Service Ombudsman.

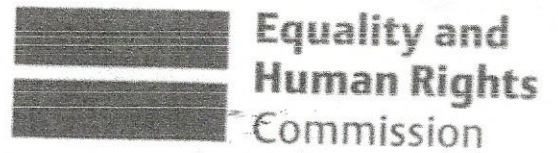
The Ombudsman can carry out independent investigations into complaints about government departments, agencies and some public bodies which include the Equality and Human Rights Commission.

The address to contact them is:  
Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP  
Telephone: 0345 015 4033

Yours sincerely  
Sarah Whelan

2nd floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email:**  
[complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)



**Equality and  
Human Rights  
Commission**

Corporate Communications Officer  
**Equality and Human Rights Commission**  
2<sup>nd</sup> Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

2nd floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

Email:  
[complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

**Dalvi Arif**

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:35  
**To:** Complaintsphso  
**Subject:** FW: SCOM18 Still 20131112 EHRC Reply to your email

**VF-ITEM-ID:** 2456935:2056505:197518:M02878248

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**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Tue, 12 Nov 2013 15:15:32 +0000  
**Subject:** SCOM18 Still 20131112 EHRC Reply to your email



**SENT VIA EMAIL**

Mr Peter T W Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our Ref: SCOM18**

12 November 2013

Dear Mr Still,

**Subject: Email dated 12 November 2013**

Thank you for your email dated 12 November 2013 which you sent following the response you received to your recent complaint dated 11 November 2013. In order to assist us in investigating your request for a review (once it is received) please could you set out clearly the reasons for requesting a review. You make specific reference to Ms Irene Henry, so we would be grateful if you could provide



specific detail of why you are not satisfied with the service you received. This must fall under the complaints policy as set out below.

### **What is a complaint?**

A complaint is an expression of dissatisfaction, whether justified or not.

### **Our policy covers complaints about:**

- the standard of service you should expect from us
- the behaviour of our staff in delivering that service
- any action, or lack of action, by our staff or others engaged on Commission business

We refer to these complaints as "service complaints".

### **Please note Our complaints policy does not cover:**

- comments about our policies or policy decisions
- dissatisfaction or complaints expressed with our policies or decisions about individual cases, funding, or requests for legal advice and assistance
- matters that have already been fully investigated through this complaints procedure
- anonymous complaints

Your complaint was dealt with by the Corporate Communications Team. If your support worker wishes to contact us to discuss to your complaint, please contact us on the details below.

Yours sincerely  
Sarah Whelan

Corporate Communications Officer  
**Equality and Human Rights Commission**  
2<sup>nd</sup> Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)  
Tel: 02920 447710

---

**From:** peter still [mailto:[peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)]  
**Sent:** 12 November 2013 10:32  
**To:** Angela Barclay  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still

i received your email yesterday regards my complaint , i will be asking for a review , but before i do that im going to show my mental health support worker your reply to my complaint , now he took me to the post office to post the documents after receiving your email requesting further information regards my complaint , which you have totally ignored in relation to irene henery senior solicitor , you havent mentioned any of the emails sent in december from myself to irene henery in fact you dont even mention her name at all , so as for taking complaints serious not once in that reply have you mentioned what my complaint is , so im asking for the name of who it my complaint is who handled my complaint , was told lynn welsh , i want this confirmed , and the contact telephone number of who that person is , when my

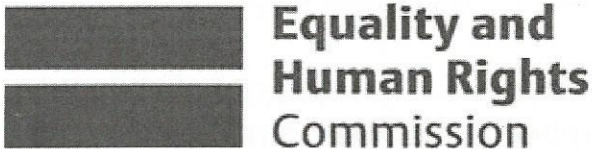
**Dalvi Arif**

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**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:35  
**To:** Complaintsphso  
**Subject:** FW: SCOM18 Still 20131115 EHRC Reply to your emails  
  
**VF-ITEM-ID:** 2456935:2041766:197518:M02878247

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**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Fri, 15 Nov 2013 16:01:57 +0000  
**Subject:** SCOM18 Still 20131115 EHRC Reply to your emails



**SENT VIA EMAIL**

Mr Peter T W Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our Ref: SCOM18**

15 November 2013

Dear Mr Still,

**Subject: Emails dated 15 November 2013**

Thank you for the emails you forwarded earlier today between yourself and Irena Henry. We still require clear reasons why you are dissatisfied with the service you received, as set out below.

In order to assist us in investigating your request for a review (once it is received) please could you *set out clearly* the reasons for requesting a review. You make specific reference to Ms Irene Henry, so we would be grateful if you could provide

specific detail of why you are not satisfied with the service you received. This must fall under the complaints policy as set out below.

### What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

### Our policy covers complaints about:

- the standard of service you should expect from us
  - the behaviour of our staff in delivering that service
  - any action, or lack of action, by our staff or others engaged on Commission business
- We refer to these complaints as "service complaints".

Please note **Our complaints policy does not cover:**

- comments about our policies or policy decisions
- dissatisfaction or complaints expressed with our policies or decisions about individual cases, funding, or requests for legal advice and assistance
- matters that have already been fully investigated through this complaints procedure
- anonymous complaints

I am aware that you also called the Cardiff office earlier. Sorry I was not able to take your call, I will call you back on Monday 18 November 2013. Please note, I can only discuss your complaint relating to the service we provided to you, not the merits of your legal case or the decision not to support you.

For your information, our Scotland team has forwarded the documents you sent to them on 29 October 2013 but we are still waiting for them to arrive.

Yours sincerely  
Sarah Whelan

Corporate Communications Officer  
**Equality and Human Rights Commission**  
2<sup>nd</sup> Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)  
Tel: 02920 447710

---

**From:** peter still [mailto:[peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)]  
**Sent:** 12 November 2013 10:32  
**To:** Angela Barclay  
**Subject:** RE: Complaint against EHRC - Ref: SCOTCOM 18 Peter Still

i received your email yesterday regards my complaint , i will be asking for a review , but before i do that im going to show my mental health support worker your reply to my complaint , now he took me to the post office to post the documents after receiving your email requesting further information regards my complaint , which you have totally ignored in relation to irene henery senior solicitor , you havent

**Dalvi Arif**

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:34  
**To:** Complaintsphso  
**Subject:** FW: SCOM18 Still 20131119 EHRC Update

**VF-ITEM-ID:** 2456935:2028056:197518:M02878246

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**From:** [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)  
**To:** [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)  
**Date:** Tue, 19 Nov 2013 15:11:09 +0000  
**Subject:** SCOM18 Still 20131119 EHRC Update



**SENT VIA EMAIL**

Mr Peter T W Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our Ref: SCOM18**

19 November 2013

Dear Mr Still,

**Subject: Original documentation sent to us 29 October 2013**

Following the email we sent you on 15 November 2013, we would like to update you on the receipt of the documentation you sent to the Scotland Office.

Our Scotland team received the documentation you sent them on 29 October 2013 and forwarded them to the Corporate Communications Team, who are based in another Commission office, on 01 November 2013. Unfortunately we are still waiting for it to arrive and given the time period since dispatch we are concerned that we may have to treat them as lost.

We understand that you previously sent some documentation to the Scotland office in December 2012. These documents were copied by EHRC staff, the copies were retained and filed and the documents you sent in were returned to you. As such the Commission does hold copies of the information that was sent in by you in 2012. I understand that the majority of the documents that you sent to the Commission

in 2013 are the same as those sent to us in 2012. However any additional documents to those sent to us dated 2013 have not, as yet, been received by the Commission's Corporate Communications Team. Please let us know if you would like the copies we made of your documentation back in December 2012 to be sent to you.

Yours sincerely  
Sarah Whelan

Corporate Communications Officer  
**Equality and Human Rights Commission**  
2<sup>nd</sup> Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

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#### Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

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--Forwarded Message Attachment--

From: peterstill1969@hotmail.co.uk

To: complaints@equalityhumanrights.com

Date: Thu, 21 Nov 2013 13:52:31 +0000

Subject: RE: SCOM18R Still 20131121 EHRC Acknowledgment of review request.doc

i,ve been trying to understand that email dated the 19/11/2013 , regards updated regards documents , dated 29/11/2013 , sent to scotland office , you know the rest , 2 days been trying to figure the email out , just before i was about to reply to it today , bingo , complaint review email , 18/11/2013 , email sent regards review , not happening , so whoever is actually in control , dont know how to explain it , be decent and sort this out , i have told countless times , how this was affecting me to the point of ending my life , and still not attempt to end this not once did anyone show any concern , if you dont give me a decision by tommorow , i will be contacting the mp to get this dealt with by parlimintary and health service ombudsman , without this continued discrimination / as i state by tommorow email reply will do . , peter still

---

From: complaints@equalityhumanrights.com

To: peterstill1969@hotmail.co.uk

Date: Thu, 21 Nov 2013 10:40:19 +0000

Subject: SCOM18R Still 20131121 EHRC Acknowledgment of review request.doc

Dear Peter Still

Please find attached an acknowledgment to your request for your complaint to be reviewed, dated 18 November 2013.

Kind regards

**Sarah Cook**  
**Corporate Communications Officer**

**Equality and Human Rights Commission**  
2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

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**SENT VIA EMAIL**

**Mr Peter T W Still**  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our Ref: SCOM18R/  
SCOM188**

22 November 2013

Dear Mr Still,

**Subject: EHRC Complaint review**

Thank you for your email to the Equality and Human Rights Commission (EHRC) dated and received 21 November 2013. For ease of reference I have copied your email directly below:

- "i,ve been trying to understand that email dated the 19/11/2013 , regards updated regards documents , dated 29/11/2013 , sent to scotland office , you know the rest , 2 days been trying to figure the email out , just before i was about to reply to it today , bingo , complaint review email , 18/11/2013 , email sent regards review , not happening , so whoever is actually in control , dont know how to explain it , be decent and sort this out , i have told countless times , how this was affecting me to the point of ending my life , and still not attempt to end this not once did anyone show any concern , if you dont give me a decision by tommorow , i will be contacting the mp to get this dealt with by parlimintary and health

2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)**



service ombudsman , without this continued discrimination / as i state by tommorrow email reply will do . , peter still”

Please be advised that we will be carrying out a review of your initial complaint to the Equality and Human Rights Commission in which you made the following complaints:

- That following advice given to you by the EHRC Helpline in Scotland in 2010 and 2011, you made an employment tribunal claim that was dismissed and this has exacerbated your mental health condition
- That you are not happy that the EHRC is unable to assist you further and have asked us for further help.

To undertake this review, we will require time to give your complaint due consideration, and will not be able to provide a response to you today. Your complaint review will be allocated the reference number **SCOM18R**.

Please note that the EHRC complaints policy does not cover the following:

- a. comments about our policies or policy decisions
- b. **dissatisfaction with our policies or decisions about individual cases or grants or requests for legal assistance**
- c. matters that have already been fully investigated through this complaints procedure, or
- d. anonymous complaints’.

We also note that in your email of 18 November (21.34) you have made a new complaint that mentions Irene Henery. Please be advised that we had not previously been asked to consider this and so the matter will now be dealt with as a new complaint and will be allocated a separate reference number which is: **SCOM188**.

In accordance with the Commission's complaints procedure we aim to provide our response to your request for a review of our stage 1 complaint response (dated 11 November) as well as your new complaint about Irene Henery (**SCOM188**), within 20 working days of receipt of

2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email:** [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

your complaint. In this instance, we will provide you with a response by no later than **16 December 2013**.

If for any reason we are not able to meet this deadline, we will notify you as soon as possible and give you an indication of when we will send you a full response. If you have any queries regarding your complaint, please contact us using the details below.

Yours sincerely

Oliver Varney

Corporate Communications Officer

**Equality and Human Rights Commission**

2nd Floor Arndale House

The Arndale Centre

Manchester

M4 3AQ

Tel: 0161 829 8324

2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Email:** [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

## Dalvi Arif

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:34  
**To:** Complaintsphso  
**Subject:** FW: KAREN , FROM PETER STILL

**VF-ITEM-ID:** 2456935:1964287:197518:M02878243

---

**From:** [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)  
**To:** [karen.campbell@mhap.org.uk](mailto:karen.campbell@mhap.org.uk)  
**Subject:** KAREN , FROM PETER STILL  
**Date:** Mon, 25 Nov 2013 10:48:26 +0000

Dear oliver varney , i am writing to you on behalf of peter still , in relation to a complaint he made dated the 14/10/2013 , ref- SCOM18 in relation to EHRC complaints policy and procedures , after receiving a email sent on friday 22 november 2013 , regards his complaint , with the ref- SCOM18R/SCOM188/ sent at 15.26pm, he has asked me to write to you on his behalf to arrange a telephone link with oliver varney and a senior solicitor within your legal department , to discuss this matter as it is affecting his health , and to arrange this as soon as possible , any futher contact to be sent to me in relation to this matter , karen send it to , OLIVER VARNEY , CORPERATE COMMUNICATIONS OFFICER , EQUALITY AND HUMAN RIGHTS COMMISSION , 2ND FLOOR ARNDALE HOUSE , THE ARNDALE CENTRE , MANCHESTER , M4 3AQ,

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**Dalvi Arif**

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:34  
**To:** Complaintsphso  
**Subject:** FW: SCOM18R/SCOM188 Still 20131122 Further acknowledgement email  
**Attachments:** SCOM18R Still 20131122 EHRC Further acknowledgement letter.doc  
**VF-ITEM-ID:** 2456935:2007382:197518:M02878245

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**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Fri, 22 Nov 2013 17:26:08 +0000  
**Subject:** SCOM18R/SCOM188 Still 20131122 Further acknowledgement email

Dear Peter Still

Please find attached a further acknowledgement to your email of 21 November 2013.

Kind regards

Oliver Varney

Corporate Communications Officer

**Equality and Human Rights Commission**  
2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

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A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

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--Forwarded Message Attachment--

From: peterstill1969@hotmail.co.uk

To: complaints@equalityhumanrights.com

Date: Thu, 21 Nov 2013 13:52:31 +0000

Subject: RE: SCOM18R Still 20131121 EHRC Acknowledgment of review request.doc

i,ve been trying to understand that email dated the 19/11/2013 , regards updated regards documents , dated 29/11/2013 , sent to scotland office , you know the rest , 2 days been trying to figure the email out , just before i was about to reply to it today , bingo , complaint review email , 18/11/2013 , email sent regards review , not happening , so whoever is actually in control , dont know how to explain it , be decent and sort this out , i have told countless times , how this was affecting me to the point of ending my life , and still not attempt to end this not once did anyone show any concern , if you dont give me a decision by tommorow , i will be contacting the mp to get this dealt with by parlimintary and health service ombudsman , without this continued discrimination / as i state by tommorow email reply will do . , peter still

---

From: complaints@equalityhumanrights.com

To: peterstill1969@hotmail.co.uk

Date: Thu, 21 Nov 2013 10:40:19 +0000

Subject: SCOM18R Still 20131121 EHRC Acknowledgment of review request.doc

Dear Peter Still

Please find attached an acknowledgment to your request for your complaint to be reviewed, dated 18 November 2013.

Kind regards

**Sarah Cook**  
**Corporate Communications Officer**

## **Equality and Human Rights Commission**

2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

---

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## Dalvi Arif

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:32  
**To:** Complaintsphso  
**Subject:** FW: SCOM

**VF-ITEM-ID:** 2456935:1897913:197518:M02878240

---

**From:** peterstill1969@hotmail.co.uk  
**To:** complaints@equalityhumanrights.com  
**Subject:** RE: SCOM  
**Date:** Mon, 23 Dec 2013 09:52:46 +0000

---

**From:** peterstill1969@hotmail.co.uk  
**To:** complaints@equalityhumanrights.com  
**Subject:** RE: SCOM18R/SCOM188 Still 20131122 Further acknowledgement email  
**Date:** Fri, 22 Nov 2013 20:36:11 +0000

Dear Oliver Varney, Sarah Whelan, Sarah Cook, EHRC, Corporate communications, Officers, also Angela Barclay, Scottish legal support co-ordinator, Lynn Welsh, Head of Legal Scotland, and Irene Henery Senior Solicitor EHRC Scotland, and any Director, Assistant Directors, or any others who are employed by, EHRC, Scotland, England, Wales, UK, think that is everyone who has been involved, in some sort regards PETER t w STILL, complaint to the EHRC, RE-SCOM18/SCOM18/R /SCOM188-STILL/ Now ive received email, stage1 documents, 11/11/2013, and 13/11/2013, stage 1 decision re-SCOM18/STILL/ and stated what the outcome of my complaint regards EHRC, complaints policy and procedures, Stage 1, if not happy complainer can request a review, which is Stage 2, and final stage within EHRC COMPLAINTS POLICY PROCEDURES, and if complainer thinks that the complaint or decision has not been resolved or not dealt with properly, can have a third choice and have it looked into by someone that is has no connection, independent, from the EHRC, The PARLIMENTARY and HEALTH SERVICE OMBUDSMAN, this needs to legally be made on behalf of the complainer, by a member of parliament, mp, uk, at present in regards to complainer peter t w still ive been sent all sorts of emails, by those mentioned in this email, all different, issues, relating to my EHRC complaint, SCOM18/ REVIEW/SCOM18R, and now another complaint SCOM188/STILL/ a new seperate complaint regards EHRC SENIOR SOLICITOR IRENE HENERY, Please start doing what it says in your equality and human rights commission, job title, COMMUNICATE> i HAVE MADE ONLY [ONE COMPLAINT THIS IS REF-SCOM18/STILL/PETER / WHICH I RECEIVED/ THE STAGE 1, outcome by email/ on monday 11/11/2013 and by post on 13/11/2013 / this was the complaint 14/10/2013, which was passed on to ehrc corporate communications team, to deal with stage 1 of ehrc complaint policy - procedures/ signed by SARAH WHELAM .corporate communications officer, ehrc manchester /england/cardiff/uk/glasgow/scotland/ now i have on the receiving the email with the outcome on monday 11/11/2013/

---

**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Fri, 22 Nov 2013 17:26:08 +0000  
**Subject:** SCOM18R/SCOM188 Still 20131122 Further acknowledgement email

Dear Peter Still

Please find attached a further acknowledgement to your email of 21 November 2013.

Kind regards

Oliver Varney

Corporate Communications Officer

**Equality and Human Rights Commission**

2nd Floor Arndale House

The Arndale Centre

Manchester

M4 3AQ

Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

---

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**Dalvi Arif**

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:34  
**To:** Complaintsphso  
**Subject:** FW: SCOM18R/SCOM188 Still 20131122 Further acknowledgement email  
  
**VF-ITEM-ID:** 2456935:1985735:197518:M02878244

---

**From:** peterstill1969@hotmail.co.uk  
**To:** complaints@equalityhumanrights.com  
**Subject:** RE: SCOM18R/SCOM188 Still 20131122 Further acknowledgement email  
**Date:** Mon, 25 Nov 2013 10:09:46 +0000

this is for the attention of sarah whelham , sarah cook and oliver varney all corporate communication officers at EHRC , i have contacted my case worker karen campbell at mental health advocacy project , who is going to write to your office in manchester , regards this complaint , asking to arrange a telephone link between peter still , karen campbell , and one of your legal solicitors , and oliver varney , until then dont contact me regards this matter until this has been arranged , regards peter still

---

**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Fri, 22 Nov 2013 17:26:08 +0000  
**Subject:** SCOM18R/SCOM188 Still 20131122 Further acknowledgement email

Dear Peter Still

Please find attached a further acknowledgement to your email of 21 November 2013.

Kind regards

Oliver Varney

Corporate Communications Officer

**Equality and Human Rights Commission**  
2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

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From: peterstill1969@hotmail.co.uk

To: complaints@equalityhumanrights.com

Date: Thu, 21 Nov 2013 13:52:31 +0000

Subject: RE: SCOM18R Still 20131121 EHRC Acknowledgment of review request.doc

i,ve been trying to understand that email dated the 19/11/2013 , regards updated regards documents , dated 29/11/2013 , sent to scotland office , you know the rest , 2 days been trying to figure the email out , just before i was about to reply to it today , bingo , complaint review email , 18/11/2013 , email sent regards review , not happening , so whoever is actually in control , dont know how to explain it , be decent and sort this out , i have told countless times , how this was affecting me to the point of ending my life , and still not attempt to end this not once did anyone show any concern , if you dont give me a decision by tommorow , i will be contacting the mp to get this dealt with by parlimintary and health service ombudsman , without this continued discrimination / as i state by tommorow email reply will do . , peter still

---

From: complaints@equalityhumanrights.com

To: peterstill1969@hotmail.co.uk

Mental Health Resource Centre  
Stathbrock Partnership Centre  
189a West Main Street  
BROXBURN  
West Lothian  
EH52 5LH

Oliver Varney  
Corporate Communications Officer  
Equality and Human Rights Commission  
2<sup>nd</sup> Floor Arndale House  
The Arndale Centre  
Manchester  
MA 3AQ

Tel: 01506 857230  
Fax: 01506 852954  
Email: [admin@mhap.org.uk](mailto:admin@mhap.org.uk)

27<sup>th</sup> November 2013

Dear Mr Varney

I am writing to you on behalf of Mr. Peter Thomas Still and have enclosed a mandate authorising me to do so.

Mr. Still lodged a complaint, dated 14<sup>th</sup> October 2013, ref – SCOM18, which was in relation to EHRC complaints policy and procedures. Following receipt of an email sent Friday 22<sup>nd</sup> November 2013, ref SCOM18R/SCOM188 regarding his complaint. Mr. Still has asked me to see if it would be possible to arrange a telephone link with yourself and a senior solicitor within your legal department. His is keen to discuss this matter as soon as possible as he says it is affecting his health.

He has requested that any further contact regarding this matter been sent to me.

Thank you for your time in this matter.

Yours Sincerely,



Karen Campbell  
Senior Development Worker,  
Mental Health Advocacy Project

**SENT BY POST**

**Karen Cambell**  
MHAP  
Mental Health Resource Centre  
Strathbrock Partnership Centre  
189 a West Main Street  
Broxburn  
West Lothian  
EH52 5LH

Email: [admin@mhap.org.uk](mailto:admin@mhap.org.uk)

05 December 2013

Our ref: **SCOM18R**

Dear Ms Cambell

**Subject: Your letter to the Equality and Human Rights Commission (EHRC) dated 27 November 2013 regarding Mr Peter Still**

Thank you for your letter dated 27 November, which we received by post on 03 December 2013, in which you have provided a form signed by Mr Peter Still giving his consent for you to contact the EHRC on his behalf. In your letter you state that your client, Mr Peter Still, has requested a telephone link with an EHRC solicitor.

Please be advised that we will respond to your letter of 27 November, together with the review of our initial complaint response to Mr Still (dated 11 November 2013) by no later than **16 December 2013**.

Yours sincerely

Oliver Varney  
Corporate Communications Officer  
Equality and Human Rights Commission

2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ

**Tel:** 0161 829 8324  
**Text phone:** 0203 117 0238

**Email:** [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

## Dalvi Arif

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:33  
**To:** Complaintsphso  
**Subject:** FW: Your Complaint: SCOTCOM 188  
**Attachments:** Document.pdf

**VF-ITEM-ID:** 2456935:1910282:197518:M02878241

> From: [Angela.Barclay@equalityhumanrights.com](mailto:Angela.Barclay@equalityhumanrights.com)

> To: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

> CC: [admin@mhap.org.uk](mailto:admin@mhap.org.uk)

> Date: Mon, 9 Dec 2013 11:33:31 +0000

> Subject: Your Complaint: SCOTCOM 188

>

> Dear Mr Still

>

> Please find attached a response to your complaint.

>

> Kind regards

>

> Angela Barclay

> Legal Support Co-ordinator

>

> We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit:

> [www.equalityhumanrights.com/webaccessibilityessentials](http://www.equalityhumanrights.com/webaccessibilityessentials)

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Equality and  
Human Rights  
Commission

Scotland  
equalityhumanrights.com

**SENT VIA EMAIL**

Mr Peter T W Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX  
Email:  
[peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

Lynn Welsh  
Head of Legal  
0141 228 5968

[Lynn.Welsh@equalityhumanrights.com](mailto:Lynn.Welsh@equalityhumanrights.com)

9 December 2013

Dear Mr Still

**Complaint No. SCOTCOM 188**

Thank you for your email of 18 November making a complaint in relation to Irene Henery. Your email indicates that you feel Ms Henery violated your human rights.

I have reviewed all of the correspondence between yourself and Ms Henery. As I understand it, you wrote to the Commission on 27 November 2012 asking us to investigate the way Tesco Stores Ltd had treated you. Ms Henery reviewed all of the documentation you sent and wrote to you on 6 December 2012 setting out the Commission's criteria for strategic action and advising that unfortunately the matter did not fall within our criteria and we would not take further action in regard to the matter.

Equality and  
Human Rights  
Commission

151 West George Street  
2nd floor  
Glasgow G2 2JJ

Tel: 0141 228 5910  
Fax: 0141 228 5912

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

You emailed Ms Henery on 19 December setting out further information: she responded reiterating that we were unable to help. You emailed again on 19 December looking for advice. Ms Henery responded on 21 December advising that the Commission cannot advise individuals and providing you with details of some organisations who might be able to help.

You then emailed on 16 February 2013 asking for your documents to be returned and indicating that you wished to make a complaint. On 19 February Ms Henery emailed confirming your documents were being sent to you and attaching the Commission's complaints policy.

You next contacted Ms Henery by email on 3 October 2013, explaining that you had been in touch with Fox Cross solicitors. You emailed again on 5 October regarding the judges who had been involved in your case. You then emailed on 6 October asking Ms Henery to speak to your advocate at Mental Health Advocacy. She did so and explained the Commission's position to them. She confirmed this to you on 8 October. You then responded by email on 8 October asking Ms Henery to meet with you and indicating that she was "covering up for senior judicial members of the legal system". She replied advising that Commission legal staff are unable to meet with individuals and confirming our position remained the same as it had been in December 2012.

You then emailed on 13 October apologising to Ms Henery for your previous accusation.

Having reviewed all of this correspondence I do not think that Ms Henery has at any time breached your human rights. She has endeavoured to set out the Commission's position in regard to your requests for assistance, explaining our limited resources and our criteria for using our powers. I know that you are disappointed that we were unable to help you. However, Ms Henery explained the Commission position in a respectful way and provided you with as much information as she could. On this basis therefore, I am unable to uphold your complaint.



If you are dissatisfied with my response to your complaint and require a review under stage two of our complaints procedure, please let me know, stating your reasons. On receipt I shall arrange for a review to take place by another person who has not been involved in dealing with your initial complaint.

If, however, you remain dissatisfied with the response to the review, you can ask to have your complaint reviewed externally by someone who does not work for the Commission.

To do this, you should contact your Member of Parliament and ask for your complaint to be referred to the Parliamentary and Health Service Ombudsman.

The Ombudsman can carry out independent investigations into complaints about government departments, agencies and some public bodies which include the Equality and Human Rights Commission.

The address to contact them is:  
Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP  
Telephone: 0345 015 4033

Yours sincerely

*Angela Barclay*

PP **Lynn Welsh**  
Head of Legal



Mental Health Resource Centre  
Stathbrock Partnership Centre  
189a West Main Street  
BROXBURN  
West Lothian  
EH52 5LH

Tel: 01506 857230  
Fax: 01506 852954  
Email: [admin@mhap.org.uk](mailto:admin@mhap.org.uk)

Peter Still  
113 Glebe Road  
Whitburn  
West Lothian

11<sup>th</sup> December 2013

Dear Peter

I hope this letter finds you well

As I said in my email today I have enclosed copies of the email I received in response to your complaint to EHRC and the response I received in relation to your request for a telephone link with them.

If I hear any further I will be in touch, however just to advise I will be on holiday from 22<sup>nd</sup> December until 6<sup>th</sup> January 2014.

Yours Sincerely,

Karen Campbell  
Senior Development Worker  
Mental Health Advocacy Project

**Dalvi Arif**

---

**From:** peter still <peterstill1969@hotmail.co.uk>  
**Sent:** 15 August 2014 08:31  
**To:** Complaintsphso  
**Subject:** FW: Acknowledgement of complaint dated 19 December 2013 (Reference: COM417)  
**Attachments:** Equality-Monitoring April2013.pdf  
**VF-ITEM-ID:** 2456935:1876066:197518:M02878239

---

**From:** complaints@equalityhumanrights.com  
**To:** peterstill1969@hotmail.co.uk  
**Date:** Tue, 24 Dec 2013 11:13:02 +0000  
**Subject:** Acknowledgement of complaint dated 19 December 2013 (Reference: COM417)



Mr Peter T W Still  
113 Glebe Road  
Whitburn  
West Lothian  
Scotland  
EH47 0AX

Email: [peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)

**Our ref: COM417**

24 December 2013

Dear Mr Still

**Subject: Complaint dated 19 December 2013**

Thank you for your email to the Equality and Human Rights Commission (EHRC), dated 19 December 2013, in which you have made a complaint about lost documents.

Your complaint has been passed to our Head of Correspondence, Jackie Driver, for the matter to be looked into and a response prepared.

In accordance with the Commission's complaints procedure we aim to provide our response to you within 20 working days of receipt of your complaint. In this instance, we will provide you with a response as soon as possible, and no later than **22 January 2014**.

If for any reason we are not able to meet this deadline, we will notify you as soon as possible and give you an indication of when we will send you a full response.

Please note, it is usual for us to send complaint responses directly to the individual making the complaint. However, we understand from your email dated 23 December, that you may prefer us to contact you via mental health advocacy. If this is understanding is correct, **please can you provide us with the details of who we should send the response to, and let us know whether you would like to also receive a copy.**

Finally, to help us improve our services, please can you spare a few minutes of your time to complete the attached equality monitoring form and kindly return to the following email address:

[EHRCCorporateCommsmonitoring@equalityhumanrights.com](mailto:EHRCCorporateCommsmonitoring@equalityhumanrights.com)

If you have any queries regarding your complaint, please contact us using the details below.

Yours sincerely

**Philippa Bullen**  
**Corporate Communications Officer**

Equality and Human Rights Commission  
2nd Floor Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
Email: [complaints@equalityhumanrights.com](mailto:complaints@equalityhumanrights.com)

Tel: 0161 829 8323

Text Phone: 0203 117 0238

Fax: 0161 829 8332

---

**From:** peter still [mailto:[peterstill1969@hotmail.co.uk](mailto:peterstill1969@hotmail.co.uk)]

**Sent:** 19 December 2013 19:08

**To:** Complaints

**Subject:** PETER T W STILL , REF SCOM18 STILL ,data protection complaint, documents sent recorded deliver to scottish commission office and losing these documents , also documents copied back in nov dec 2012 , documents that i was never told this at time up until e

peter still ref-scom18 still breached data protection act by losing medical , legal , i am making an official complaint about these documents , along with the original complaint , which will be to palimentary and health servies ombudsman , i have been made aware that i can also make a complaint regards lost within

commission offices , i believe this is something i can complain about , and that is what im doing , signed peter t w still ref-scom18 still. thursday 19/12/2013 ,

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