



MMD

MONDAY MORNING DISPATCH

BY Chadwick Lawrence

WEEK 4

10 FEBRUARY 2025

Welcome back to this week's MMD! **Don't miss our Media Law & Defamation Seminar next week**, register here <https://www.eventbrite.co.uk/e/1119667147579?aff=oddttdtcreator>. Take a look at our other seminars and events for the year, along with upcoming Mental Health First Aid courses. Daniel's video discusses the options when drafting commission arrangements. Our news article this week explores an Employment Tribunal ruling that a Claimant cannot revoke their withdrawal of a claim.



UPCOMING EVENTS



THE LEGAL ALTERNATIVE



THE MEDIA HUB



WHAT'S GOING ON

UPCOMING EVENTS

Seminars & Events

We're excited to share our 2025 seminar and events line-up – register now!

This year, our free events are tailored to offer something for everyone – take a look below to see what we have to offer:

➡ [Register here](#)

UPCOMING
EVENTS



26 Feb, 8:30 AM – 10:00 AM |
Hays Leeds Office
Media Law & Defamation



13 Mar, 8:30 AM – 10:00 AM |
Sedulo Leeds Office
*Planning Your Business
Future with Sedulo*



27 Mar, 8:30 AM – 10:00 AM |
Location TBA
*Conducting a Disciplinary
on Harassment*



30 Apr, 8:30 AM – 10:00 AM |
Location TBA
Equality & Diversity



8 May, 8:30 AM – 12:00 PM |
Headingley Stadium Leeds
*Health & Safety Mock Trial
with Lighthouse*

Mental Health Awareness Sessions

In partnership with Tailored Learning Solutions, we're hosting Mental Health First Aid courses at our Wakefield office. These courses are designed to equip businesses with the tools needed to support mental health in the workplace.

The available dates for 2025 are:

- 23-24 April 2025
- 25-26 June 2025
- 24-25 September 2025



For more details or to book your place, visit the Tailored Learning Solutions website <https://www.tailoredlearningsolutions.co.uk/book-online?category=all-services> or contact Carol Gledhill at carolgledhill@chadlaw.co.uk.

THE LEGAL ALTERNATIVE PODCAST

New Year, New Podcast

Our podcast will be back soon! We have rebranded our podcast with a brand new logo. Take a look at our Spotify to listen to our old episodes.

➡ [Listen here](#)





➤ [Watch here](#)

THE MEDIA HUB

Commission Impossible? Not with these tips! 1/3

We kick off this three-parter on drafting commission arrangements with an examination of whether such terms should be written down at all? We consider the options of making no mention of commission at all, using a brief discretionary paragraph in the contract or introducing a detailed but flexible commission schedule.

WHAT'S GOING ON

A Withdrawal is a Withdrawal: Employment Tribunal rules that Claimant cannot revoke his withdrawal of a claim.

Cardiff Employment Tribunal has ruled that a solicitor who withdrew his claim could not go back on his withdrawal and continue to pursue his claim.



The Preliminary hearing heard how the Claimant had sent an email to the Tribunal on 9 July 2024 asking for his claim to be withdrawn, explaining that he no longer wished to pursue his claim due to personal reasons. However, on the same day he sent another email stating that he did not wish to withdraw his claim and that his previous email amounted to a 'miscommunication'.

In spite of this, the Tribunal acknowledged receipt of his first email and vacated the hearing on 2 August. Yahya Wiseman, the Claimant, responded to this email clarifying that he did not want to withdraw his claim and that he wanted to go ahead with the preliminary hearing.

The purpose of the preliminary hearing was thus to decide whether the Claimant was allowed to withdraw the withdrawal of his claim.

Wiseman argued that he was not thinking straight at the point at which he withdrew his claim and asserted that he did not know what he was doing. He argued that he was under excessive pressure which “made everything too much”. However, he clarified that it was not his intention to withdraw the claim.

However, the Judge found Wiseman’s account of his withdrawal of the claim to be inconsistent. He concluded that whilst there was some medical evidence which may have explained his decision, it was not sufficient to indicate that he was not capable of making rational decisions. Instead, the Judge found that his withdrawal decision was in fact very clearly articulated. The Judge took his clearly articulated withdrawal decision with the fact that he was working at the time as evidence that the withdrawal was a rational decision which reflected the stress was under at the time.

As such, the Judge ruled that the Claimant’s withdrawal amounted to a “clear, unambiguous and unequivocal withdrawal”, that there was no jurisdiction for a notice of withdrawal to be revoked, and that any attempt to re-litigate the same case would amount to an abuse of process.

The Judge concluded, in plain terms, that Mr Wiseman had withdrawn his claim, that there were no exceptions which applied, and thus that his claim must be dismissed.

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