



# EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

V

RESPONDENT

Ms T Linstead

Peasmarsh Place (Country Care) Ltd

## JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 37

**It is the judgment of the Tribunal that all of the claims under the above claim number be struck out.**

## REASONS

1. By a claim form presented to the Tribunal on 3 December 2018, the Claimant brings claims of unfair dismissal, notice pay, arrears of pay and holiday pay.
2. By an order made by Acting Regional Judge Davies dated 14 March 2019 the parties were required to take certain steps before the hearing date on 2 September 2019:
  - a. Exchange lists of documents 6 weeks prior to the hearing date (22 July 2019)
  - b. Exchange any relevant document required by the other party from the list 5 weeks before hearing date (29 July 2019)
  - c. Exchange witness statements 2 weeks prior to the hearing (19 August 2019)

3. The Respondent wrote to the Tribunal by email dated 12 August 2019 stating that they had received no communication from the Claimant and that she had not complied with the order at 2(a) and (b) above.
4. Employment Judge Martin wrote to the Claimant on 27 August 2019 enclosing the email at 3 above and seeking a reply within 7 days.
5. The Claimant did not respond to the letter by Employment Judge Martin.
6. The hearing on 2 September 2019 was postponed due to lack of judicial resources.
7. On 28 August 2019 the Respondent wrote to the Tribunal stating that none of the orders had been complied with by the Claimant.
8. By letter to the Claimant dated 7 September 2019, Employment Judge Hyde said that the Tribunal was considering, of its own initiative, striking out the claim due to failure to comply with an Order of the Tribunal. The Claimant was asked to write to the Tribunal within 7 days if she wanted to object and, if so, to provide reasons why a strike out order should not be made.
9. As of the date of this judgment no correspondence has been received by the Claimant in response to the strike out warning.
10. The Tribunal is permitted under Rule 37(1)(c) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013/1237 to strike out all or any part of a claim where there is a failure to comply with the above rules or an Order of the Tribunal.
11. The Tribunal is satisfied that the Claimant has failed to comply with an Order of the Tribunal. Therefore all of the claims under the above claim number shall be struck out.

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**Employment Judge Hyams-Parish**  
**31 October 2019**

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