



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Mr C Valentine**

**v**

**Metroline Travel Ltd**

**Heard at:** Watford

**On:** 25 January 2018

**Before:** Employment Judge R Lewis

## **Appearances**

**For the Claimant:** No attendance or representation

**For the Respondent:** Ms H Norris, solicitor

## **JUDGMENT**

1. The claimant's claims are dismissed on withdrawal.

## **REASONS**

1. These reasons are given of the tribunal's own initiative, as it is in the interests of justice to do so.
2. The claim was presented on 18 September 2017. In accordance with the usual practice of the tribunal in a discrimination claim, it was automatically listed for case management. Notice of today's hearing was given on 10 October.
3. At 1.18pm on the day before the hearing the claimant sent an email to the tribunal, Ms Norris, and ACAS. He wrote about twelve lines of narrative, describing briefly the impact on him of the loss of his late wife on 13 December 2016. The email included the statement,  
  
'Whilst I stand by my claims I am now unable to focus my mind in order to effectively present them ..'
4. The subject heading of the email was 'Withdrawal of Claims re.case number 3327890/2017.'

5. I have interpreted the heading, in context with the rest of the email, as a withdrawal of all claims, in accordance with rule 51, and I have therefore dismissed the claims in accordance with rule 52.
6. If I have proceeded in accordance with the claimant's intention, he need do no more. The tribunal process is at an end.
7. If I have misunderstood his intention, and the claimant wants to continue with the tribunal process, he should seek professional advice about all aspects of the case. While I cannot advise him, it would seem to me that the correct procedure in that event would be to apply in writing for a reconsideration in accordance with rule 70. Rule 71 sets a time limit for taking that step, which is 14 days from the date on which this Judgment is sent out (written at the foot of this document).
8. While I cannot predict what would then happen, it is right to inform the claimant that the current delays and backlog at the Watford Employment Tribunal mean that if his case were reinstated, it might not be heard until 2019.

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Employment Judge R Lewis

Date: .....30/1/18.....

Sent to the parties on: .....

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For the Tribunal Office

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