



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Miss C Lindsay**

**v**

**Alternative Networks Ltd**

## JUDGMENT

The claim is struck out, and the hearing listed on 13 July 2018 is cancelled.

## REASONS

1. The ET1 in this matter states no Early Conciliation number. The claimant ticked the box to state that an exemption applied, 'ACAS doesn't have the power to conciliate.' However, the ET1 did not appear to indicate a claim to which that exemption applied.
2. On 12 June Employment Judge Bloom issued an order which required the claimant to show cause by 26 June why her claim should not be struck out, on grounds of her failure to provide an EC Certificate or number.
3. The claimant replied by email the same night to say that she had not engaged ACAS because it was 'not appropriate' in light of the respondent's intransigence in earlier correspondence. (The claimant failed to copy her email to the respondent, in breach of the requirements of rule 92).
4. The claimant's reason for not engaging ACAS fails to show cause as directed, and the claim is struck out. The requirement to enter into early conciliation is not avoided by the perceived intransigence of the opposing party.

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Employment Judge R Lewis

Date: ...05/07/2018.....

Sent to the parties on: .....

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For the Tribunal Office