



EMPLOYMENT TRIBUNALS

Claimant: Lottie Simmons

Respondent: Fone Customize UK Ltd

Heard at: Southampton **On:** 18 January 2019

Before: Employment Judge Housego

Representation

Claimant: Did not attend, was not represented and sent no submissions

Respondent: Likewise

JUDGMENT

1. The claim is dismissed under Rule 47.

REASONS

1. Neither party attended the hearing, listed to commence at 10:00. I waited until 10:30 before commencing the hearing. I had the usher check the waiting room again. No one was there for this case. There had been no telephone contact from either party to the Southampton Tribunal. I had the clerk check to see whether either party had contacted the Bristol office. The last time either party contacted that office was August 2018.
2. I considered Rule 47 in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013. This gives the power to strike out a claim, or proceed in the absence of any party. Before doing either I must consider any information available to me, after making any enquiries that are practicable, about why the party may be absent.
3. I have no information about why either party is absent. I do not consider that it is incumbent on me to telephone the parties myself to enquire why they are not here.
4. There is no point in proceeding with a hearing in the absence of both parties. It is for the claimant to prove her claim. There is no evidence before me on which the claim might succeed (there is nothing save claim form and response, and no contact from either since August 2018) and accordingly I decided to dismiss the claim.

Employment Judge Housego

Date 19 January 2019

