



EMPLOYMENT TRIBUNALS

Claimant: Mr Hawkes
Respondent: Serco Group plc
Heard at: London South
On: 24 January 2019
Before: Employment Judge Fowell

JUDGMENT

The claim is struck out for failure to comply with Tribunal directions.

REASONS

1. The claim form was submitted on 26 May 2018. On 2 July 2018 the Tribunal wrote to the claimant giving case management orders including, among other things:
 - a. That the parties send each other a list of documents that they wish to refer to;
 - b. That a file of documents be prepared; and
 - c. that full written statements of the evidence they intend to give be exchanged in good time for a hearing on 8 November 2018.
2. None of these steps was taken. An 'unless order' was issued by the Tribunal on 13 September 2018, giving the claimant until 28 September 2018, failing which the claim would stand dismissed without further order.
3. That order does not appear to have been actioned by the Tribunal prior to the hearing date, and a further Strike Out warning was given on 28 December 2018, allowing the claimant until 4 January 2019 to object.
4. That date was also missed. Despite an email from the claimant's mother (and representative) on 7 January 2019 explaining that the procedure was

difficult to follow. That however was too little and too late. It is not sufficient for a party to simply attend on the date of a hearing and explain their case in person. The other party has to have the opportunity to know in advance the case it has to meet.

5. There has been a wholesale failure to comply with the Tribunal's directions in this case, even belatedly, and in the circumstances the only appropriate course is not to strike out the claim.

Employment Judge Fowell

Dated: 30 January 2019