



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Peter  
**Respondent:** Midkent College

**Heard at:** Ashford **On:** 28 November 2019

**Before:** **EMPLOYMENT JUDGE CORRIGAN**  
**Sitting Alone**

## **Representation**

**Claimant:** No appearance  
**Respondent:** Mr M Curtis, Counsel

## **JUDGMENT**

1. The Claimant's claim is dismissed due to his non-attendance under Rule 47 Employment Tribunals Rules of Procedure.

## **REASONS**

1. The Claimant did not attend. The Tribunal received an email sent at 6am this morning saying simply that the Claimant was unwell and unable to travel to the hearing today.
2. The Tribunal emailed the Claimant to ask the Claimant to confirm if he was asking for an adjournment, requesting a doctor's note in relation to today's absence and requesting a telephone number. The Claimant replied saying he was not asking for an adjournment. He said he is currently residing and working in United Arab Emirates. He said his journey to the hearing was 8 hours by plane followed by 1 hour 25 minutes by car. He said he had been suffering from severe back pain since yesterday afternoon and could not travel. He said he does not have a doctor's note and could provide his telephone number, but did not do so. He did not call the Tribunal himself.
3. It appears he knew yesterday that he would not be attending (if not before). Yet the Claimant only informed the Tribunal this morning with minimal explanation and no number was provided. He does not have medical evidence and despite a request for his telephone number did not provide it. A further request was made by the Tribunal for evidence of the airline ticket to be here today and his

telephone number at 11.34am but the Tribunal had received no reply by the end of hearing at 12.45pm.

4. This is the second adjournment of the Preliminary Hearing and the matter has little chance now of being ready for the final hearing listed for January 2020. The impression is that the Claimant is not now actively pursuing the matter and it is unclear whether he will travel from the United Arab Emirates for the hearing listed in January 2020. In these circumstances I decided to dismiss the claim due to his non-attendance.

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**Employment Judge Corrigan**  
Ashford  
28 November 2019