



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4110059/2019

Miss A MacKay

Claimant

Holland & Barrett Retail Limited

Respondents

JUDGMENT

The claim is struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the grounds that the claim has not been actively pursued in terms of rule 37(1)(d)

REASONS

1. The claimant advised the Employment Tribunal by letter of 22 November 2019 that she wished to withdraw the claim because she no longer had representation and was unable to represent herself due to stress.

2. An Employment Judge directed that the letter be placed on file and the claimant informed that she did not need representation to proceed with her claim.
3. The case was listed for hearing on 30 March – 2 April 2020.
4. The respondent's representative, by email of 10 January 2020, sought an Order for Additional Information. The Employment Tribunal wrote to the claimant seeking her comments regarding this request.
5. The claimant did not respond to the Employment Tribunal's letter.
6. An Employment Judge, noting the claimant had not responded to our letter and noting the terms of the claimant's letter of 22 November, directed that a letter be sent to the claimant asking whether she was pursuing her claim.
7. On 20 January 2020 the Tribunal gave the claimant an opportunity to give written reasons by 3 February 2020 or to request a hearing in order to consider why the claim should not be struck out.
8. The claimant has failed to give an acceptable reason why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim.

Employment Judge : Lucy Wiseman
Date of Judgment : 5 February 2020
Date sent to parties : 6 February 2020