



4. On 12 March 2020 the Respondent applied for an Unless Order requiring the details and statement provided for in the Order of 3 March 2020 to be provided. On 18 March 2020 the Tribunal wrote to the Claimant warning her that it was considering striking out the claim because she had not complied with the Order of 5 December 2019. She was given until 25 March 2020 to provide any objections to the proposal in writing or request a Hearing at which she could make them. She did not respond.
5. On 22 April 2020 the Tribunal ordered that the issue of whether the claim should be struck out for non-compliance with the Order of 5 December 2019 would be considered at the Preliminary Hearing on 22 May, along with the issue of whether the claim had been presented out of time. The Claimant was again ordered to provide a witness statement explaining why she had not presented her claim earlier, this time by 8 May 2020. She did not comply. In addition, she was ordered to provide by 8 May 2020 details of the protected acts on which she relied for the purposes of her victimisation claim and the acts she alleged to be victimisation, direct discrimination, harassment or on the ground of protected disclosures. She did not comply with these Orders either.
6. On 8 May 2020 the Respondent applied under Rules 76(1)(a) and 76(2) of the Rules of Procedure for an Order that the Claimant be ordered to pay towards its costs in defending the claim because she had conducted the claim unreasonably and failed to comply with Tribunal Orders. The Tribunal was due to decide that application at the Preliminary Hearing on 22 May 2020 but the Claimant did not attend. The Tribunal therefore gave the Claimant until 2 June 2020 to respond to the application and provide any evidence she wanted to submit on her ability to pay, so that the Tribunal could take this into account under Rule 84, if it considered appropriate. She has not provided a response to the application or any evidence of her ability to pay.
7. The Tribunal is satisfied that the Claimant's repeated and unexplained failure to comply with Tribunal Orders gives the Tribunal power to make a Costs Order against her under Rules 76(1)(a) and 76(2). She has not objected to the size of the Costs Order sought, which the Tribunal accepts as a reasonable reflection of the time the Respondent has spent addressing the Claimant's failures to comply with Orders. The Claimant has not provided any evidence on her ability to pay. The Tribunal therefore considers it appropriate to order her to pay the full amount claimed, namely £560, but giving her one month to pay.

Employment Judge Cox  
Date: 3 June 2020