



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms S Kosar

**Respondent:** City of Bradford Metropolitan District Council

**UPON APPLICATION** made by email dated 12 May 2020 to reconsider the judgment dated 6 May 2020 under rule 71 of the Employment Tribunals Rules of Procedure 2013, having considered the respondent's representations dated 1 June 2020 and without a hearing,

## JUDGMENT

The Judgment striking out the claimant's claim is hereby revoked

## REASONS

The claimant's tribunal claim was struck out following her failure to comply with the tribunal's order dated 21 January 2020 which required her to provide, in a prescribed form, particulars of her allegations of discrimination by not later than 18 February 2020. The claimant was warned that her failure to comply would result in consideration being given to her claims being struck out. She still failed to respond. However, the tribunal considers it to be in the interests of justice to revoke its earlier Judgment. The tribunal is satisfied that the claimant was hampered from complying with the tribunal's order both due to her mental ill health and her difficulty in accessing support due to the lockdown necessitated by the coronavirus crisis. The tribunal is satisfied that a fair trial is still possible. Nevertheless, should the claimant fail to comply with future orders or to engage in the process and actively pursue her complaint, her prior failures to comply with tribunal orders may be taken into account and there may come a point, if there is a lack of ability to engage with the proceedings, where striking out of the claims would be appropriate.

# ORDER

The claimant shall now comply with the tribunal's order of 21 January 2020 requiring her to particularise her complaints of discrimination in the form ordered on that date by Employment Judge Schulman **by not later than Friday 3 July 2020**. If the claimant has any difficulties in complying with the order by that date she shall inform the Tribunal prior to 3 July 2020 explaining any difficulties and providing a proposed alternative date for compliance.

Employment Judge Maidment

9 June 2020