



THE EMPLOYMENT TRIBUNAL

BETWEEN:

Ms A Rogers

Claimant

and

Citizens Advice Merton and Lambeth

Respondent

JUDGMENT

The claim is struck out as it is no longer being actively pursued.

REASONS

1. Despite her previous active participation in these proceedings, the claimant did not attend a telephone hearing on 16 June 2020. That hearing had originally been listed as the first day of the full merits hearing but due to the coronavirus pandemic was converted to a telephone case management discussion. The claimant was properly put on notice of the original hearing and the conversion.
2. Judge Wright ordered that the claimant should provide by 30 June 2020 an explanation for her nonparticipation in the hearing accompanied by any relevant documents. That order was sent to the parties on 14 July 2020. Also on 14 July a separate strikeout warning letter was sent to the claimant informing her that consideration was being given to striking out her claim because it had not been actively pursued and that if she wished to object to that proposal she should give her reasons in writing or request a hearing at which to make them, by 21 July 2020.
3. No response was received from the claimant.
4. On 28 July 2020 the respondent wrote to the tribunal, with a copy to the claimant, applying for the claims to be struck out. They confirmed that the last correspondence they had received from the claimant was on 11 March 2020 and that since then they had made numerous attempts to contact her by email and by telephone but were unsuccessful. They also enclosed a

copy email they had sent to the claimant on 16 June 2020 informing her of the outcome of the case management hearing and warning her of their likely application to strike out her claim if she did not provide the required explanation for her non-attendance.

5. The tribunal wrote again to the claimant on 14 August 2020 on the instruction of Judge Hyams-Parish warning her that it was considering striking out her claims for the reasons set out in the respondent's letter dated 28 July 2020. The claimant was again asked to provide written reasons on or before 21 August 2020 as to why her claim should not be struck out.
6. No reply has been received from the claimant. It is therefore appropriate to strike out the claim pursuant to rule 37(1)(d) of the Employment Tribunal Rules of Procedure 2013 as it is no longer being actively pursued.
7. The hearing listed for 12 to 16 July 2021 is vacated.

Employment Judge K Andrews
Date: 13 October 2020