



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Christopher Butler  
**Respondent:** Starcross Limited trading as British Emergency Ambulance Response Service (BEARS)

## JUDGMENT

The claimant’s claims are struck out pursuant to Rule 37(1)(d) of The Employment Tribunals Rules of Procedure, Schedule 1 Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013.

## REASONS

Very shortly before the final hearing the claimant emailed the respondent’s solicitor stating “I have decided to cease all further activity in this matter and would ask you to close the file and note that I formally withdraw from this action”. This development necessitated a postponement of the final hearing, and the Employment Tribunal emailed the claimant to confirm that he wished to withdraw his case. No response was received from the claimant. On 10 September 2021 Employment Judge R Lewis wrote to the claimant advising him that his claim would be struck out as it was not being actively pursued. The claimant was given a time limit in which to show cause or object to this outcome. It has been almost a month since Judge Lewis’ time limit has expired and the Employment Tribunal has not heard from the claimant. I conclude that the claimant’s claim is no longer being actively pursued and, because of his repeated failures to engage with the Tribunal process, I also determine a fair hearing is no longer possible. Consequently, I make the order as set out above.

\_\_\_\_\_  
Employment Judge Tobin  
20 October 2021

JUDGMENT SENT TO THE PARTIES ON  
.....10 November 2021.....  
.....GDJ.....  
FOR THE TRIBUNAL OFFICE

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