



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Sandra Messi

v

Nicholas Howard Ltd

Heard at: Bristol

On: 18 August 2021

Before: Employment Judge Housego

Appearances

For the Claimant: Did not attend, was not represented, and sent no submissions.

For the Respondent: K Chehal, external consultant for the Respondent

JUDGMENT

The claim is struck out.

REASONS

1. The hearing was a case management hearing. The Claimant did not attend. The Respondent has not heard from her for a while. EJ Midgely made directions requiring the Claimant to prepare and file a statement setting out information about her claimed disability. She has not done so.
2. I strike out this claim under Rule 47. That Rule is contained within a section of the Rules headed "Rules Common to all Kinds of Hearings". It states:

"If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."

3. The Claimant did not put a telephone number in the ET1, so I was unable to contact the Claimant.
4. The Respondent's representative stated that the Claimant had not complied with EJ Midgely's directions, that he had not heard from the Claimant for some



time, that she was a serial litigant and the last case she brought in which he was involved she again did not attend, and it was struck out for that reason.

5. There is no reason to waste the time of the Tribunal or of the Respondent further. The claim itself contains nothing beyond headline allegations. The Claimant has not engaged with the Tribunal or with the Respondent since filing her claim and is in breach of Directions made on 02 April 2022.
6. In these circumstances, I consider it right, and in accordance with the Overriding Objective, to utilise the power under Rule 47 to strike out the claim for non-attendance at this hearing.

Employment Judge Housego

Dated: 18 August 2022

Judgment & Reasons sent to the parties on
01 September 2022 by Miss J Hopes

For the Tribunal Office