



EMPLOYMENT TRIBUNALS

Claimant: Lauren Feasey

Respondent: Tesco Stores Ltd

Heard at: Cambridge

On: 14 December 2022

Before: Employment Judge Tynan (sitting alone)

Appearances

For the Claimant: Did not attend and was not represented

For the Respondent: Ms A Griggs, Solicitor

JUDGMENT

The Claim is dismissed pursuant to Rule 47 of the Tribunals Rules of Procedure.

REASONS

1. On 30 June 2022 the Claimant presented a Claim to the Employment Tribunals in which she complained that she had been constructively dismissed and discriminated against as a disabled person. Her Claim Form does not state in terms the disability relied upon by her, though she refers in section 8.2 of the Claim Form to "Borderline Personality Disorder".
2. Employment Judge Ord made various case management orders on 10 September 2022, including that the Claimant must serve an Impact Statement and copies of her relevant medical records. She has not complied with that Order in any respect and has not contacted the Tribunal to offer any explanation for that non-compliance.
3. The Respondent wrote to the Claimant on 25 August, 11, 17 and 31 October and 15 November 2022. They also sent the Claimant a copy of their application dated 21 November 2022 for an Unless Order. She has not replied to any of their communications, including the application, notwithstanding the communications required a response and a response was specifically sought. I find that the Claimant has deliberately ignored their communications over an extended period of time, including their application to the Tribunal.

4. Notice of today's Hearing was sent to the parties, in the case of the Claimant to the address she gave in her Claim Form. I am satisfied it will have come to her attention, but that she has decided not to attend the Hearing. She has not offered any explanation for her non-attendance and has not requested that the Hearing be postponed or made any other representations in the matter.
5. I attempted to contact the Claimant five times before deciding that it would be appropriate to continue in her absence.
6. It is incumbent upon the Claimant to progress her Claim. She has not done so, indeed she is in breach of the Tribunal's Order of 10 September 2022. As far as I can discern she has taken no action on her Claim beyond presenting it. Ms Griggs confirmed that her firm has received no communications at all from the Claimant.
7. I am satisfied that the Claim should be dismissed, the power to do so under Rule 47 being applicable to all hearings. I see no reason to make an Unless Order and permit the Claimant one further opportunity to get her Claim back on track, as I am satisfied that she has had every reasonable opportunity to date to progress her Claim.

Employment Judge Tynan

Date: 14/12/2022

Sent to the parties on:

26/1/2023

For the Tribunal:

N Gotecha