



EMPLOYMENT TRIBUNALS

Claimant: Mr S Jenkins

Respondents: (1) Pureshare Ltd – in Creditors’ Voluntary Liquidation
(2) The Secretary of State for Business, Energy and Industrial Strategy

Heard at: Cardiff by CVP On: 14 February 2023

Before: Employment Judge C Sharp
(sitting alone)

Representation:

Claimant: Not in attendance

Respondents: Ms M Buckley (representative for Second Respondent)

JUDGMENT

The judgment of the Tribunal is that:

1. the claims are dismissed under Rule 47 of the Employment Tribunal Rules of Procedure (as amended) due to the non-attendance of the Claimant or a representative. The Claimant and his former representative were properly notified of the hearing, and lack of funds is not an acceptable reason to fail to attend. The Tribunal contacted the Claimant more than once today and he failed to respond in time. The Claimant’s failure to comply with case management directions and provide evidence in relation to the two matters before the Tribunal (other than one document which raised concerns requiring further evidence or oral examination) meant that the Tribunal was not willing to deal with the issues to be determined today in his absence. The Claimant’s later call to the office after the hearing that “*he was not prepared for it* [the hearing]” does not excuse his failure to attend or provide

evidence as directed; the decision to dismiss the claims under Rule 47 will not be reconsidered on this basis as it has no prospect of success.

Employment Judge C Sharp
Dated: 14 February 2023

JUDGMENT SENT TO THE PARTIES ON 15 February 2023

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.