



EMPLOYMENT TRIBUNALS

Claimant: Ms Bianca Louise Lee

Respondent: (1) Mr Anthony Goodrich
(2) Openmart Ltd

In the Watford Employment Tribunal

JUDGMENT

1. All the claims, as against both Respondents, are struck out.

REASONS

2. When this matter first came before me on 5 July 2022 as a Preliminary Hearing, there was no attendance by the Claimant, but a Mr J Symons (Solicitor) attended to represent the Respondent. I enquired about service of the Notice of Hearing and was satisfied it had been sent to Claimant at the address nominated by her for all purposes in her ET1.
3. I noted at the last hearing that on 9 March 2022 EJ Postle had previously ordered that “the Claimant shall by 30 March 2022 particularise the nature of the alleged less favourable treatment on grounds of age and race about which she claimed and that she set out the dates of such treatment, by whom perpetrated, and with whom she compares herself as having more favourable treatment.” The Claimant did not comply by that date. Therefore, EJ Postle issued an Unless Order dated 09 June 2022 that if the Claimant did not comply by 23 June 2022, because of such failure, her claims of race and age discrimination would stand as automatically dismissed without further Order.
4. At the hearing conducted by me on 5 July 2022, I considered in detail the terms of what I described as a “stream of consciousness response” the Claimant had issued by email dated 23 June 2022 and I found it did no more than restate without particularity what she had set out in her ET1 and did not address the specific particulars which she was required to provide in the manner envisaged by EJ Postle. I therefore concluded she had still not complied therewith, and that thus her race and age discrimination claims stand as dismissed automatically. The first purpose of this Judgment is make such Strike Out clear.

5. On 5 July 2022 I also directed that the Claimant was by 26 July 2022 to provide Further and Better Information about her constructive dismissal claim and her claims for allegedly unpaid holiday pay and wages. I further directed that this was an UNLESS Order and that thus if she did not comply, her claims under these heads would also be automatically dismissed without further Order.
6. Lastly, I directed that by the same date she was to show cause why her claims should not be struck out both for non-compliance with Orders and because she was not pursuing her claims actively. I note that there has been no reply from her in compliance with all my Orders made 5 July 2022 nor with the preceding Orders made by EJ Postle.
7. Therefore, the second purpose of this Judgment is to strike out all the balance of the Claimant's claims and thirdly to confirm that therefore, all her claims are struck out.

Employment Judge R S Drake

Signed 25 April 2023

Sent to the parties on:

5th May 2023

For the Tribunal Office:

GDJ

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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