

- (c) for non-compliance with any of these Rules or with an order of the Tribunal;
- d) that it has not been actively pursued;
- (e) that the Tribunal considers that it is no longer possible to have a fair hearing in respect of the claim or response (or the part to be struck out).

(2) A claim or response may not be struck out unless the party in question has been given a reasonable opportunity to make representations, either in writing or, if requested by the party, at a hearing.

- 41. In my judgment, the claim against the RIBA has no reasonable prospect of success. It appears to be about matters that are outside the jurisdiction of the Employment Tribunal, primarily the failure to respond to her membership application or to her offer of an article for publication. A claim is not brought by ticking a box and no grounds had been given for the boxes in the claim form (the ET1) that were ticked. If the claims indicated in the ET1 were intended to be brought against the RIBA, they all require a status as an employee or a worker for the Employment Rights Act 1996 or as someone in employment as defined in the Equality Act 2010.
- 42. Ms Onyia has not at any time said that she had a contract with the RIBA or worked directly for them. Asked whether she had worked for the RIBA, her answer was,

“I do not for my knowledge know if I am doing work for RIBA.”

- 43. That does not indicate that she has the status to bring claims to this Tribunal.
- 44. The Claimant has provided no grounds for her claim that fall within the jurisdiction of the tribunal and has not put forward any arguable case that she has the required status to bring the claims she indicated.
- 45. On the basis of her account I find that the claims against the RIBA have no reasonable prospect of success because they are out of the jurisdiction of the Tribunal.
- 46. I direct that the claim is served on the Royal Institute of British Architects together with this strike out notice and the Judgment and Reasons in respect of the Royal Town Planning Institute.

Employment Judge Street
28 June 2023

JUDGMENT SENT TO THE PARTIES ON

13 July 2023

GDJ
FOR THE TRIBUNAL OFFICE