



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr E Isaacs

**Respondent:** 1. Optimistic Fox Ltd in Creditors Voluntary Liquidation  
2. The Secretary of State for Business Energy and Industrial Strategy

**Heard at:** London South Employment Tribunal

**On:** 14 June 2023

**Before:** Employment Judge Yardley

## Representation

**Claimant:** Did not attend  
Did not attend

**Respondent:**

# JUDGMENT

All of the Claimant's claims are struck out under Rule 47 of the Employment Tribunal Rules.

# REASONS

1. Rule 47 of the Employment Tribunals Rules 2013 provides that "*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.*"
2. The Claimant failed to attend today's hearing. The Tribunal attempted to contact the Claimant by telephone and left a voicemail but with no response.

3. By an order dated 28 November 2022, the Claimant was asked to quantify his claim and provide copies of all supporting documents and evidence. The Claimant did not respond.
4. The Claimant had been advised of the hearing by a noticed dated 28 November 2022 and was sent an email with the link to join the hearing on 13 June 2023.
5. I am therefore satisfied that practicable enquiry was made to establish thereasons for the Claimant's absence and without any representation or evidence, the Tribunal is unable to determine the claim.
6. I noted that the powers under the Rules must be exercised in accordancewith the overriding objective in Rule 2, which is to deal with a case fairly and justly.
7. I concluded that the appropriate course was to dismiss the claim as I hadinsufficient evidence on which I could determine the claim in the Claimant's absence.

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Employment

Judge

**EJ**

**Yardley**

Date: 14 June 2023