



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 8000629/2023

Preliminary Hearing Held in person in Glasgow on Friday 15 December 2023

Employment Judge Russell Bradley

Ms Joanna Chapman

Claimant
No appearance
or representation

Primark Stores Ltd

Respondent
No appearance
or representation

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal is that the claims of unfair dismissal and for interim relief are dismissed under Rule 52 of the Employment Tribunals Rules of Procedure 2013 having been withdrawn by the claimant in her email of 1 December 2023.

REASONS

1. In an ET1 presented on 30 November 2023 the claimant brought the single claim of unfair dismissal. In that form she indicated that her claim consisted only of a complaint of unfair dismissal and contained an application for interim relief.
2. By email the next day, 1 December, the claimant said, "*I wish for you to disregard the ET1 form sent yesterday in error, I cannot find a reference number but you should be able to link it with this email address.*"

3. By Notice on 5 December the parties were advised of the date and time of this hearing, convened to consider the interim relief application. There was further correspondence to the claimant from the tribunal on 6 and 13 December, to which there was no reply.
- 5 4. On 13 December, solicitors for the respondent emailed the tribunal and copied the claimant to say that they were instructed to act for the respondent in relation to the claim.
- 10 5. At the time fixed for the start of the hearing, neither party appeared or were represented. At my request and with Rule 47 of the 2013 Rules in mind, the clerk telephoned the claimant. In that call, she was clear that her email of 1 December was a withdrawal of her claims. She indicated that while she had not used the word "*withdraw*", her use of the word "*disregard*" meant withdrawal and indeed could not mean anything else in its context. That being so, and in her absence at this hearing I have dismissed the claims
- 15 under Rule 52.

20 **Employment Judge: R Bradley**
Date of Judgment: 15 December 2023
Entered in register: 18 December 2023
and copied to parties