



EMPLOYMENT TRIBUNALS

Claimant: Miss E Blake

Respondent: Turney & Associates Ltd

Heard at: Bury St Edmunds (in public, via CVP)

On: 7 November 2023

Before: Employment Judge Graham

Representation

Claimant: Did not attend

Respondent: Ms S Turney, Mr M Turney

JUDGMENT

1. The Claimant failed to attend the preliminary hearing listed for today to consider whether the Tribunal has jurisdiction to consider her complaints. It appears that the claim is not being actively pursued and is therefore dismissed under Rule 37(1)(d).

Reasons

1. The Claimant has brought proceedings against the Respondent for defamation and for providing a misleading reference. The matter was listed for a preliminary hearing today to consider whether the Tribunal had jurisdiction to consider the claim. The Claimant did not attend.
2. I was satisfied that the Claimant had been aware of the hearing as the notice was sent to the parties on 16 August 2023 which the Respondent clearly received as they were in attendance. On 29 August 2023 Ms Turney of the Respondent wrote to the Tribunal copying in the Claimant in which she made reference to today's hearing, including the time. The Claimant clearly had notice of today's hearing.
3. The Tribunal staff attempted to make contact with the Claimant today via

her mobile telephone number, her home telephone number, and by email. No response was received.

4. Having received no response from the claimant, at 10:15am I noted that a previous preliminary hearing listed for the same purpose on 23 March 2023 was adjourned as the Claimant failed to attend that hearing. The Respondent informed me that the Claimant said that she had not received notice of that hearing.
5. I further noted that this was the second occasion that the Claimant had not attended a hearing which had been listed to consider the matter of jurisdiction. I therefore concluded that it was not in furtherance of the overriding objective of the Tribunal, nor in the interests of justice, for this matter to be postponed a further time.
6. I therefore struck the claim out in full.

Employment Judge **Graham**

Date 7 November 2023

JUDGMENT SENT TO THE PARTIES ON

21 December 2023

T Cadman
FOR THE TRIBUNAL OFFICE

Notes

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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