



EMPLOYMENT TRIBUNALS

Claimant: Mr B Ansell

Respondent: The Green Dragon & Kitchen and The Green Dragon Inn

Heard at: Cardiff by video **On:** 9 January 2024

Before: Employment Judge Harfield

Representation:

Claimant: Did not attend

Respondent: Mr Gee

JUDGMENT

1. These two claims were listed for final hearing today. The Claimant did not attend. On 5 January 2024 the Claimant emailed the Tribunal saying his father was in hospital and he was on the Isle of Wight, and would be back in Wales on 12 January. He asked if it would be possible to change the date of the hearing. Employment Judge Moore directed the Claimant to provide a copy of his travel documents for the 12 January by midday on 8 January 2024. The Claimant did not do so, and Employment Judge Sharp directed that in the absence of evidence the hearing remained listed. Mr Gee for the Respondent duly attended but the Claimant did not. The clerk attempted to telephone the Claimant and could not get through so left a message on the Claimant's answerphone. He also sent the Claimant an email. The Claimant still did not attend the hearing.
2. It is also relevant to note that there appears to be a history in these claims of the Claimant not complying with case management orders or actively pursuing his claims. Case management orders were sent to the parties on 11 October 2023 and to the best of my knowledge the Claimant does not appear to have complied with orders such as the provision of a Schedule of Loss, disclosure of documents or provision of a witness statement. He has also failed

to comply with Regional Employment Judge Davies' direction of 8 December 2023 to confirm that the case management orders had been complied with and the case was ready for hearing, or the further direction on 14 December 2023 to again confirm that the case management orders had been complied with and the case was ready for hearing.

3. Rule 47 of the Employment Tribunal Rules states:

“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.”

4. I have considered the information available to me which shows a history of non compliance/ not actively pursuing these claims. The Tribunal staff have attempted to make enquiries with the Claimant who knew this hearing was listed and going ahead but who has not attended. I therefore decided under Rule 47 to dismiss the Claimant's claims.
5. The Claimant's claims against the Respondent are therefore dismissed under Rule 47.

Employment Judge Harfield
Dated: 9 January 2024

JUDGMENT SENT TO THE PARTIES ON 10 January 2024

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche