



EMPLOYMENT TRIBUNALS

London South Employment Tribunal

Claimant: Maria Anna Holland

Respondent: Simon Whitehead Architects Ltd

JUDGMENT

The claim is struck out

REASONS

1. By letter, dated 26 February 2024, the Tribunal gave the Claimant until 18 March 2024 to make representations or to request a hearing, as to why her claim should not be struck out because:
 - a. She had not complied with the Order of the Tribunal dated 2 May 2023;
 - b. It has not been actively pursued.
2. The Claimant failed to make any such representations or to request a hearing within the time required by that letter.
3. By a lengthy email sent on 19 March 2024, the Claimant firstly states that she had tried to send her response a week earlier but had been unable to do so due to a computer failure. She does not appear to have contacted the Tribunal (perhaps by telephone) any sooner to explain this. She provides no evidence of the failure.
4. I note that her email reads as a single message and does not *appear* to be a document from an earlier date which she has resent on a later one.
5. In her email she makes several allegations regarding the Respondent's compliance with the Case Management Orders of EJ Lacey from May 2023.
6. She raises issues with disclosure of documents but in none of those instances does she provide any sufficient or specific examples of which documents she refers to, whether she *knows* them to exist, *believes* them to exist, *hopes* that they *might* exist, or none of those options.
7. She makes other allegations against the Respondent and their legal representatives but does not provide any material to substantiate them.
8. I note, with disapproval, that even if there is any merit in any of these allegations, the Claimant appears to have taken no steps to raise these with the Tribunal even though the final hearing of her claim was due to commence yesterday (20 March 2024). Even if I had been able to

consider her detailed email (from 19 March) on the day it arrived at the Tribunal, I would have been entirely powerless to rescue the fixture on 20, 21 and 22 March 2024.

9. According to her allegations in the email, some of these failures date back to October, November, and December 2023 as well as earlier in 2024. She has, singularly, failed to take any proper steps to move the case forward in those circumstances; by notifying the Tribunal if there were such issues.
10. I note, from the file, that she had last contacted the Tribunal on 28 September 2023 when she served her Schedule of Loss.
11. Her response to my instructions – letter of 26 February 2024 – was received after the date on which I ordered her to respond by. That alone would be sufficient for me to strike out the claim since my warning to her was clear and the Tribunal must be prepared to enforce its own orders and warnings if they are to have any meaning or effect.
12. Considering the other issues which her email raises, the lack of any substantiating evidence for her computer failure, the lack of any substantiating evidence for her allegations raised there against the Respondent; and her complete failure to address any such issues to the Tribunal, I find that she has evinced insufficient reasons or evidence to satisfy me that she has actively and properly pursued her claims.
13. The entire claim is therefore struck out.

Judge M Aspinall
Thursday, 21st March 2024