



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Caspar Thomas v GH London Ground Handling Services Limited

Heard at: Watford by CVP

On: 10 May 2024

Before: Employment Judge Alliott (sitting alone)

Appearances

For the Claimant: Did not attend

For the Respondent: Mr Dan Soanes (solicitor)

JUDGMENT

The judgment of the tribunal is that:

1. The claimant's claim is struck out pursuant to The Employment Tribunal's (Constitution and Rules of Procedure) Regulations 2013.
 - 1.1. Rule 37(1)(c) (non-compliance with orders),
 - 1.2. Rule 37(1)(d) (not actively pursued), and
 - 1.3. Rule 47 (non-attendance)

REASONS

1. Notice of this case management preliminary hearing was sent to the parties on 27 February 2024. It was sent by post to the claimant's address. The notice set out that the preliminary hearing by video would take place at 14:00 on 10 May 2024. The notice also contained case management orders that the claimant was to send to the respondent details of each detrimental (bad) thing he said was done to him because of sexual orientation, as to what physical or mental impairment he relied upon, information concerning his disability and the effect it had on him and GP and other medical records by 26 March 2024.
2. The claimant has not complied with the orders of the tribunal.
3. On 9 May at 2.45 the tribunal sent the CVP link by email to the claimant. At 2.52 the claimant responded:-

“Hello there

May I ask what the reasoning is for this?

And if I need to attend as the entire process has been incredibly difficult and stressful for me bringing back bad memories of my time at Luton Airport and will find it incredibly challenging to be in attendance.

Feel free to call me on my number which is [mobile number given].”

4. At 3.30pm on 9 May the respondent’s representatives sent an email to the claimant attaching the respondent’s case management agenda, stating, “Ahead of tomorrow’s CMPH, we attach a case management agenda on behalf of the respondent.”
5. At 14:00 today the claimant was not in attendance.
6. The claimant was telephoned twice and there was no answer.
7. At 2.13 an email was sent to the claimant by the tribunal as follows:-

“Hello,

There is a CVP for your case ongoing right now and the judge would like to know if you will be attending. If not please state why.”
8. The claimant responded at 2.36 as follows:-

“I won’t be attending as I’m currently at work with British Airways at London Gatwick.”
9. I find that the claimant was fully aware of this hearing date and, for whatever reason, has decided not to attend. I find that the claimant has failed to comply with orders of the tribunal. I find that this case is not being actively pursued.
10. Accordingly, I have struck out the claimant’s claim pursuant to rules 37(1)(c), 37(1)(d) and 47 of The Employment Tribunal’s (Constitution and Rules of Procedure) Regulations 2013.

Employment Judge Alliott

Date: 28 May 2024

Sent to the parties on: 26/06/2024

For the Tribunal Office

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>