



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Humphries

Respondent: Cascade (Charlton House) Ltd

JUDGMENT

The claimant's claims made under the above case number (of (1) "constructive" unfair dismissal within the meaning of section 98(4) of the Employment Rights Act 1996 ("ERA 1996"), (2) direct discrimination within the meaning of section 13 of the Equality Act 2010 because of sex and/or race, and/or sexual orientation and/or religion or belief, contrary to section 39 of that Act, (3) harassment with the protected characteristics for the purposes of section 26 of that Act being (a) race and/or (b) sexual orientation, and/or (c) religion or belief, contrary to section 40 of that Act, (4) detrimental treatment for "whistleblowing", contrary to section 47B of the ERA 1996, and (5) for financial compensation for being required to work alone at nights at a care home) are struck out.

REASONS

1. By a letter dated 30 January 2025, Employment Judge Hyams gave the claimant an opportunity to make representations or to request a hearing as to why her claims should not be struck out
 - a. under rule 38(1)(c) of the Employment Tribunal Procedure Rules 2024 because she had failed to comply with order number 5 of those set out in a document signed by Employment Judge Clarke KC on 21 December 2025 and sent to the parties on 6 January 2025. That order required the claimant to provide further information in relation to her claims by 20 January 2025; and/or
 - b. under rule 38(1)(b) of the Employment Tribunal Procedure Rules 2024 because the hearing date of 5 February 2025 was plainly agreed with the claimant on 12 December 2024 and she was now asserting that she could not attend it because of work commitments.

The claimant was given until 13 February 2025 to respond to that letter.

2. The claimant responded on the same day (30 January 2025) by email in terms which indicated no intention to comply with the order referred to in paragraph 1(a) above.
3. On 1 May 2025 the claimant had still not complied with that order. On that day, the tribunal wrote to the claimant asking her whether she was abandoning her claim and giving her 7 days to respond.
4. On 6 May 2025, the claimant wrote in terms which indicated that she had no intention of complying with the order referred to in paragraph 1(a) above or of pressing her claim in any other way.
5. In the above circumstances, the claims as described in the above judgment are struck out under rule 38(1)(b) and/or (c) and/or (d) of the Employment Tribunal Procedure Rules 2024.

Approved by Employment Judge Hyams

On 29 May 2025

JUDGMENT SENT TO THE PARTIES ON

18/6/2025

FOR THE TRIBUNAL OFFICE