



EMPLOYMENT TRIBUNALS

Claimant: Miss S Courtney Harris
Respondent: Thurst Hurdle Ltd
Heard at: Bury St Edmunds (by video)
On: 27 May 2025
Before: Employment Judge Graham

Representation

Claimant: Did not attend
Respondent: Ms A Fisher

JUDGMENT

1. The claim is dismissed in full under Rule 47 Employment Tribunal Rules of Procedure 2024.

REASONS

1. The Claimant filed her ET1 claim form on 5 August 2024 and makes complaints of maternity and pregnancy discrimination, unfair dismissal, as well as various complaints under the Working Time Regulations 1998. An ET3 Response denying the claim was filed on 16 December 2024.
2. On 14 March 2025 a private preliminary hearing for case management was listed to take place today. The Claimant was directed to provide additional information concerning her claim, however she did not comply.
3. I started the hearing after 10am as the Claimant had not joined. I asked the administrative staff to check the Tribunal email inbox to see if anything had been received from the Claimant to explain her non-attendance however nothing was received.
4. At 10:15am I discussed the chronology briefly with Ms Fisher who tells me she has heard nothing from the Claimant since the claim was lodged.
5. The Overriding Objective of the Tribunal under Rule 3 provides:

"Overriding objective

3.—(1) *The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.*

(2) *Dealing with a case fairly and justly includes, so far as practicable—*

(a) *ensuring that the parties are on an equal footing*

(b) *dealing with cases in ways which are proportionate to the complexity and importance of the issues,*

(c) *avoiding unnecessary formality and seeking flexibility in the proceedings,*

(d) *avoiding delay, so far as compatible with proper consideration of the issues, and*

(e) *saving expense.*

(3) *The Tribunal must seek to give effect to the overriding objective when it—*

(a) *exercises any power under these Rules, or*

(b) *interprets any rule or practice direction.*

(4) *The parties and their representatives must—*

(a) *assist the Tribunal to further the overriding objective, and*

(b) *co-operate generally with each other and with the Tribunal.”*

6. Rule 47 provides:

“Non-attendance

47. If a party fails to attend or to be represented at a hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it must consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party’s absence.”

7. I could not proceed in the absence of the Claimant as the Respondent and the Tribunal need to understand what it is that the Claimant seeks to complain about.

8. I formed the view that a postponement and a strike out warning would be inappropriate. The Claimant has not responded to Tribunal directions, this hearing has been listed for some time, and other Tribunal users are waiting in the queue and could have made use of today’s hearing instead.

9. In such circumstances I considered that the appropriate way forward was to dismiss the claim under Rule 47 due to the Claimant’s non-attendance and the inability to proceed with the hearing in her absence. This appeared to me to be in furtherance of the Overriding Objective of the Tribunal to deal

with cases in a manner which is fair and just to both parties and to avoid the further unnecessary expenditure of time and costs for all concerned.

10. The claim is dismissed in full under Rule 47.

Approved by:

Employment Judge Graham
27 May 2025

JUDGMENT SENT TO THE PARTIES ON

26/6/2025

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. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/