



EMPLOYMENT TRIBUNALS

Claimant: Mr Spencer Black
Respondent: Edenbeck Ltd

Heard at: Watford (by CVP)

On: 28/5/2025
Before: Employment Judge Mr J S Burns

Representation

Claimant: In person
Respondent: Mr G Lee (Solicitor)

JUDGMENT

1. The Respondent's application to strike out the claims is dismissed.
2. The Claimant must pay the Respondent's costs of the application to strike out, assessed at £2000, not to be enforced except but way of set-off against any compensation/damages which the Claimant may be awarded in these proceedings.

REASONS

1. The Claimant, after presenting his claim on 31/5/24, and during June 24, sent a series of abusive and vindictive emails about the Respondent, its director Mr S Mayall and its employee Mr G Ince, to the Respondent, its employees, clients and other stakeholders, with the intention of causing maximum damage to the Respondent's business and its reputation. This included the false suggestion that the Respondent was being wound up. The purpose of these emails was to try to blackmail or extort from the Respondent payment of the money (about £15000) which the Claimant thought was owing to him. Also on 16/6/24 (a Sunday and non-work day) the Claimant went round to Mr S Mayall's home (which however is also used as an office) at 9.30am in morning, where an altercation occurred between the two of them. Also on 21/6/24 (a Friday work day,) at 8.40am, the Claimant went round to the Respondent's office premises at Alma Rd Chesham and made demands for money.
2. The Claimant accepts that his conduct (and in particular his sending of the vexatious emails) in June 24 was wrong and unreasonable. It related closely to the subject matter of the proceedings and I find it was scandalous, unreasonable and vexatious conduct of the proceedings themselves as contemplated by Rule 38(1)b) of the 2024 ET Procedural Rules.
3. However, in June 2024 the Claimant was suffering from ill-health and was upset about his dismissal and worried about the money he felt was due to him. This does not excuse his conduct but it does explain and mitigate it to some extent. Furthermore, there has been no continuation or repeat of the unreasonable behaviour since June 2024 - since then the Claimant has dealt reasonably with the Respondent's solicitor Mr Lee and has not contacted the Respondent directly. I think it is likely that he will continue to do so until the proceedings are concluded
4. I have received no evidence or witness statement from Mr Mayall or any other potential

Respondent's witness about any effect of the unreasonable conduct on them - for example as to whether or not they feel they can still give evidence at the FMH. It is not shown that a fair trial is no longer possible.

5. In all the circumstances I regard making a costs order and issuing a direction to the Claimant (to refrain from direct contact with the Respondent etc) - see separate CMO - as a sufficient response, and conclude that striking out would be disproportionate.
6. Mr Lee told me that the costs of the application to strike out/obtain some other protection for the Respondent on the grounds of Claimants unreasonable conduct has cost the Respondent about £2000 plus Vat in additional legal costs. The Respondent is Vat registered so it can recover its VAT elsewhere. The Claimant is currently unemployed and out of funds but conceded that he had been unreasonable and did not oppose the costs order in the terms which I have made it.

Employment Judge J S Burns

28/05/2025

For the Tribunals:

Date sent to parties: 26/06/2025
