



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss J Russell

**Respondent:** NHS Professionals Limited

**Heard at:** Watford (in private; by CVP)

**On:** 17 June 2025

**Before:** Employment Judge Dick

## Appearances

For the claimant: Did not attend

For the respondent: Mr Price (counsel)

## JUDGMENT

The claim is dismissed under rule 47 as the claimant did not attend, and was not represented, at the hearing.

## REASONS

1. This claim was presented on 5 June 2024. The claimant did not attend today's preliminary hearing, which was the first hearing in the case. My clerk was able to tell me the following. The link for the hearing was sent to the claimant yesterday afternoon. It was sent to the email address given by the claimant on her claim form. An email to the claimant sent by my clerk at 10:10 a.m. today was unanswered as at 10:35 a.m. When my clerk telephoned the claimant, an automated message said that the claimant was unavailable and there was no facility to leave a message. The Tribunal has not had any contact by email from the claimant this year (and, it appears before that). On 19 March 2025 the claimant was ordered to provide further information about her claim (and in particular about the disability on which she relies) by 16 April 2025. No response has been received that order.
2. On behalf of the respondent, Mr Price told me that so far as he was aware the respondent had had no correspondence with the claimant since receipt of the claim form, despite having "chased" a response to the March orders several times. The bundle for today's hearing had been sent to the claimant, also with no response. In that bundle were two of the "chaser" emails, sent on 15 April and 4 June 2025.

3. Rule 47 says that 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 the party, having made any enquiries that may be practicable about the party's absence. Having made those enquiries, in this case I decided to dismiss the claim.
4. In the circumstances set out above I accepted Mr Price's submission that this did not appear to be an unexpected failure to attend – indeed all the available information pointed to the conclusion that the claim was no longer being actively pursued. In those circumstances I considered that neither a postponement of the hearing nor an adjournment of the claim more generally would achieve any useful purpose. It was therefore in the interests of justice to dismiss the claim.
5. If there is in fact a good reason for the claimant's absence today, she may of course ask me, under rules 68 to 70, to reconsider my decision. Any such application must be made in writing within 14 days of receipt of this document. In such an application the claimant might wish to set out not only the reasons she did not attend the hearing but also the reasons why she did not comply with the Tribunal's orders of 19 March. The claimant should also keep in mind that the Tribunal will likely require evidence in support of any such application.

Approved by:

**Employment Judge Dick**

**17 June 2025**

SENT TO THE PARTIES ON

23 July 2025

FOR THE TRIBUNAL OFFICE

## **Notes**

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/](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/)