



# EMPLOYMENT TRIBUNALS

## London South Employment Tribunal 28th January 2025 (papers)

**Claimant:** Holly Harrop

**Respondent:** Elder Branch Limited

### JUDGMENT

1. In accordance with Rule 38(1)(c) of the Employment Tribunal Procedure Rules 2024, I am striking out the claimant's claim in its entirety due to her failure to comply with the order made by Employment Judge Sudra on 20 December 2024. On that date, the claimant was ordered to do the following by no later than 3 January 2025:
  - a. Confirm whether or not she was withdrawing her claim.
  - b. If not withdrawing her claim, provide the respondent with the medical evidence requested to explain her non-attendance at the preliminary hearing on 10 September 2024.
2. The claimant failed to comply with either of these instructions by the deadline of 3 January 2025. Rule 38(1)(c) permits the Tribunal to strike out all or part of a claim for non-compliance with any order of the Tribunal.
3. In the circumstances where the claimant has repeatedly failed to comply with orders and instructions from the Tribunal, despite being warned that her claim was at risk of being struck out, I consider it a proportionate step to strike out the claim in its entirety in accordance with the overriding objective. The claimant has had ample opportunity to provide the information requested but has chosen not to engage with these proceedings.

**Judge M Aspinall**  
**Tuesday, 28 January 2025**