



EMPLOYMENT TRIBUNALS

Claimant: Mr J Revill
Respondent: Beds of Paradise
Heard at: Bury St Edmunds
On: 12 August 2025
Before: Employment Judge Graham

Representation
Claimant: No attendance
Respondent: Mr J McGuffog, Director

JUDGMENT

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

REASONS

1. The Claimant filed his ET1 claim form on 10 February 2023 and appears to make a complaint of automatic unfair dismissal. An ET3 Response denying the claim was filed on behalf of the Respondent.
2. On 15 March 2023 the Claimant was directed to provide additional information concerning his claim but he failed to comply.
3. The matter was listed for a private preliminary hearing for case management on 8 June 2023 however this was postponed due to lack of judges. The parties had been asked to send documents for the use at the hearing. Whereas the Claimant did not comply, the Respondent provided the completed case management questionnaire as directed.
4. For reasons unknown there was a delay in the Tribunal dealing with the matter again until this year. The matter was listed for a private preliminary hearing for case management to take place on 5 June 2025 however I postponed that on the application of the Respondent who was due to be abroad. The hearing had been listed without consultation with the parties, a postponement and re-listing was therefore appropriate.

5. On 10 June 2025 the matter was listed a third time for a private preliminary hearing for case management to take place today. The parties were asked to send documents for the use at the hearing. The Claimant again did not comply.
6. I started the hearing after 2pm 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 his non-attendance however nothing was received.
7. I discussed the chronology briefly with Mr McGuffog who tells me he has heard nothing from the Claimant since the claim was lodged and he reminds me of the Claimant's repeated failure to engage with this claim and to provide documents or replies to the Tribunal.
8. The Respondent has complied fully with the Tribunal directions, the Claimant has not.
9. 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."

10. 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.”

11. 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.
12. I formed the view that a postponement and a strike out warning would be inappropriate. The Claimant has not responded to Tribunal directions; there have been repeated postponements and delays; 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.
13. I considered that simply re-listing today’s hearing would not have been an appropriate use of Tribunal time and resources; it is unlikely the Claimant would engage or attend; and it would serve only to increase delay, the costs to the Respondent, and to deprive other Tribunal users of their day in court.
14. In such circumstances I considered that the appropriate way forward (in the absence of any reasonable alternative) was to dismiss the claim under Rule 47 due to the Claimant’s non-attendance and the inability to proceed with the hearing in his 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, taking into account the needs of other Tribunal users as well.
15. The claim is therefore dismissed in full under Rule 47.

Approved by:

Employment Judge Graham
12 August 2025

JUDGMENT SENT TO THE PARTIES ON

10 September 2025

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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/