



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms H Trowbridge

**Respondent:** Mr R Milroy

**Heard at:** Cardiff (via video)

**On:** 31 October 2025

**Before:** Employment Judge R Russell

## Representation

**Claimant:** Did not attend

**Respondent:** In person

# JUDGMENT

The claim is dismissed under Rule 47 of the Employment Tribunal Rules of Procedure as the Claimant has failed to attend or be represented at the hearing.

In deciding to dismiss the claim I considered the following:

1. At a previous case management hearing before EJ Sharp on 19 August 2025, it was explained to the Respondent that he was only entitled to participate in proceedings to the extent permitted by a judge due to him not having presented a response. I considered that it was in accordance with the overriding objective to permit the Respondent to participate in today's hearing. This was so that I could make enquiries of him as to any reasons of which he may be aware about the Claimant's non-attendance. He explained that he was no longer in contact with the Claimant.
2. The Claimant failed to attend this hearing and failed to provide any reasons for her non-attendance.
3. Under Rule 47 of the Employment Tribunal Procedure Rules 2024, if a party fails to attend or 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.
4. The Claimant's email address and telephone number have been included on the claim form. The Claimant indicated on the claim form that she would be able to participate in a video hearing.

5. This is the second hearing that the Claimant has failed to attend.
6. The Claimant failed to attend a case management hearing on 19 August 2025. The Tribunal had emailed the Claimant on 18 August 2025 to remind her to provide an agenda for the hearing as a matter of urgency. The Claimant did not provide an agenda. She did not attend. When contacted by the Tribunal, she said that she had forgotten about the hearing and was at the hospital with her nephew. EJ Sharp, in paragraph 1 of her orders of 19 August 2025, wrote (the sentence in bold was in bold in the orders of EJ Sharp):

*The Claimant is required to attend hearings, particularly as her claim is unclear and contains matters outside of the Tribunal's jurisdiction.*  
**A failure to attend the next hearing could result in the dismissal of the claim.**

7. EJ Sharp's orders of 19 August 2025 were sent to the Claimant on 27 August 2025 using the email address she provided on her claim form. Paragraph 4 of the orders states that a public preliminary hearing will be held on 31 October 2025 to consider issues of time limits. At paragraph 5, EJ Sharp ordered the Claimant to send to the Tribunal and the Respondent a signed witness statement and copies of any relevant documents within 14 days of the sending of the orders. The Claimant has failed to comply with this order.
8. A notice of the preliminary hearing on 31 October 2025 was sent to the Claimant on 19 September 2025 using the email address she provided on her claim form. Joining details were sent to the Claimant on 22 October 2025.
9. Tribunal staff have attempted to make enquiries with the Claimant including by telephone and email. The start of the hearing was delayed to 10.18am to allow these enquiries to be made. This included (i) an email from the Tribunal to the Claimant at 10.08am re-sending the joining details; and (ii) the Tribunal leaving a voicemail for the Claimant at 10.13am.
10. Having started the hearing at 10.18am to make enquiries of the Respondent, the hearing was adjourned until 10.30am so that Tribunal staff could make further enquiries. I considered this proportionate and in accordance with the overriding objective. The Tribunal waited until 10.30am. No contact had been received from the Claimant by this time. I did not consider that it was proportionate or in accordance with the overriding objective to delay the start of proceedings further. The hearing had been listed for 3 hours and the start had been delayed for 30 minutes.
11. It was not possible to determine the issues in the absence of the Claimant. The Tribunal had made all reasonable attempts to contact the Claimant. No explanation for the Claimant's non-attendance had been given. The Claimant has taken no active steps to pursue her claim.
12. In all the circumstances, I considered it in accordance with the overriding objective to dismiss the claim under Rule 47.
13. The hearing ended at 10.34am. At 11.15am I was made aware of an email

sent by the Claimant to the Tribunal at 10.39am. It says: "I can't seem to join for some reason Sent from my iPhone".

14. The Claimant's email does not alter my decision to dismiss the claim. No reason is given as to why the Claimant was not ready to participate at 10am. It does not explain why the Claimant has not actively pursued her claim or why she has failed to comply with the orders of EJ Sharp in respect of today's hearing.
15. It is also unclear why, when the Claimant had clearly received notice of the hearing and joining instructions, she had not contacted the Tribunal before 10.39am to explain her joining difficulties. She had access to her iPhone. She can send emails from her iPhone. The Tribunal noted that even if she had experienced technical difficulties with the video platform, this did not explain why she failed to inform the Tribunal of these difficulties (whether by telephone or email) at 10am when the hearing was due to start. It did not explain why she failed to reply to the telephone call from the Tribunal at 10.13am. It also did not explain the delay of over 30 minutes between the Tribunal's email at 10.08am with a reminder for her to join and her reply at 10.39am after the hearing had ended.
16. The claim is dismissed.

Approved by:

**Employment Judge Russell**

**31 October 2025**

JUDGMENT SENT TO THE PARTIES  
ON  
07 November 2025

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