



EMPLOYMENT TRIBUNALS

Claimant: Mr M Ritchie

Respondent: IMS Euro Limited

JUDGMENT

The claim is struck out.

REASONS

1. By a letter dated 11 July 2025, the respondent made an application to the Tribunal seeking the strike out of this claim because the claimant was seeking to bring a complaint of disability discrimination arising out of the same facts as those complaints raised in earlier claims brought under case number 6004181/2024 and 6006649/2024.
2. The earlier complaint of disability discrimination had been dismissed by operation of unless order 2 made by Judge Tobin following a preliminary hearing case management which took place in relation to the two earlier claims on 22 November 2024.
3. The claimant sought relief from sanction following the dismissal of the disability discrimination complaint which was heard by me at a preliminary hearing on 4 April 2025. I refused the application for relief for the reasons given within the Note produced at that hearing and the disability discrimination complaint remains dismissed.
4. The claim brought under case number 6017206/2025 was presented on 10 May 2025 and the claimant brought a single complaint of disability discrimination arising from the respondent's decision to dismiss him on 13 May 2024. This was the same background information provided by the claimant in relation to his two earlier claims.
5. The respondent presented a response on 10 July 2025 resisting the claim and requesting that it be struck out because the claimant was seeking to bring a new claim relating to the same issues and which was determined by reason of its dismissal.
6. The Tribunal gave the claimant an opportunity to make representations in writing and at the preliminary hearing today concerning why the claim should not be struck out.

7. However, having considered the claimant's representations, which appear to be limited to advice he believes he received from ACAS, I do not accept that he has persuaded me that this amounts to a new claim involving new facts unrelated to the earlier claims. Consequently, I concluded that this claim amounts to an attempt to relitigate a complaint that has already been determined and a fair hearing was no longer possible because:
 - it is scandalous or vexatious (in the sense that it is being pursued for some improper motive, to cause disruption or without any expectation of success). (Rule 38(1)(a))
 - it has no reasonable prospect of success. (Rule 38(1)(a))
 - the manner in which the proceedings have been conducted by or on behalf of the claimant has been scandalous, unreasonable or vexatious. (Rule 38(1)(b)).
8. The claim is therefore struck out.
9. This decision is without prejudice to the claims brought under case numbers 6004181/2024 and 6006649/2024 and which proceed in relation to the remaining complaint of unfair dismissal. The hearing fixed for 2 and 3 December 2025 to determine that complaint will still take place.

Approved by:

Employment Judge Johnson

7 October 2025

JUDGMENT SENT TO THE PARTIES ON

20 November 2025

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FOR THE TRIBUNAL OFFICE