



EMPLOYMENT TRIBUNALS

Claimant: Mr. W. Maseke

Respondent:
1) Telefonica UK Ltd.
2) O2

Heard at: Watford Employment Tribunal
In person

On: 17 November 2025
Before: Employment Judge Coll

Appearances

For the Claimant: did not attend

For the Respondent: Mr. Greaves, Counsel instructed by Shoosmiths LLP

JUDGMENT

1. The claimant's claim is struck out in its entirety due to the complaints within being scandalous or vexatious or having no reasonable prospect of success (under Rule 38(1)(a) of the Employment Tribunal Procedure Rules 2024).
2. In the alternative, the claimant's claim is struck out in its entirety due to the manner in which the proceedings have been conducted by the claimant being scandalous, unreasonable or vexatious (under Rule 38(1)(b) of the Employment Tribunal Procedure Rules 2024).
3. The respondent's costs application was successful (under Rule 74 of the Employment Tribunal Procedure Rules 2024) and the claimant is ordered to pay the sum of £30 to the respondent within 35 days of this judgment being sent. The claimant should liaise with the respondent's solicitors to obtain details of how to pay this.

REASONS: STRIKE OUT

4. As a result of an application by the respondent dated 7th of April 2025, the Tribunal wrote to the claimant on 5th of August 2025 notifying them of a hearing on 17th of November 2025 for the Tribunal to consider whether to strike out the claim. This was because it appeared from the respondent's application, under

Rule 38 of the Employment Tribunal Procedure Rules 2024, that the following might apply:

- the claim was scandalous or vexatious;
- the claim had no reasonable prospect of success; and
- the manner in which the proceedings were being conducted by or on behalf of the claimant was scandalous, unreasonable or vexatious

5. During the week commencing 10th of November 2025, the claimant made contact with the respondent in readiness for the hearing.
6. The claimant did not attend the hearing. There was no message about why. The clerk telephoned the claimant but received no answer. I am satisfied that the grounds for striking out the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out the claim. This is because this is the claimant's 11th claim concerning employment which ended in 2022 and which has been the subject of previous claims. In particular, the subject matter of this claim is duplicated taking the 5th and 8th claims together. The 5th claim was struck out after a consideration of its merits and the 8th claim was struck out on procedural grounds.

REASONS: COSTS ORDER

7. The Tribunal exercised its discretion to make a costs order on the basis that the claimant had acted vexatiously, abusively, disruptively or otherwise unreasonably in either bringing of the proceedings or the way that the proceedings have been conducted (under Rule 74 of the Employment Tribunal Procedure Rules 2024).
8. Since the amount claimed is under £20,000, I could have assessed the application by the respondent summarily, had I been given a schedule of costs (under Rule 76(1)(a) of the Employment Tribunal Procedure Rules 2024). Counsel indicated, however, that fees for the hearing were well in excess of £4,000 but being aware of the claimant's situation, the respondent declined to ask for anything approaching actual costs.
9. In a letter sent to him in early September 2025, the claimant had been put on notice about the respondent's intentions to apply for costs, in the event of a successful strike out application. The respondent explained clearly their view of this, his 11th claim, and the implications of continuing to pursue it. He also had the chance to attend the hearing but gave no reason for his non-attendance in advance or on the day. He therefore had the opportunity to make written or oral representations, including as to his means. As the respondent asked for a "token amount" in order to deter further such claims, I have identified the sum of £30 as appropriate.

Approved by: Employment Judge Coll

Date: ... 01/12/2025.....

Sent to the parties on:
.10 December 2025.....

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For the Tribunal Office