



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss Clarke

**Respondent:** Network Rail Infrastructure Limited

**Heard at:** London South (by CVP)      **On:** 17 October 2025

**Before:** Employment Judge Hart

**Representation:**  
For the claimant: Mr Duhur (solicitor)  
For the respondent: Ms Hicks (counsel)

## JUDGMENT

The Judgment of the Tribunal is that:

1. The Claimant's claim is struck out under rule 38(1)(a) of the Employment Tribunal Procedure Rules 2024 ('ET Rules'), on the grounds that it is scandalous or vexatious, because it is subject to a cause of action estoppel and / or an abuse of process.
2. In the alternative, the Claimant's claim is struck out under rule 38(1)(b) of the ET Rules on the grounds that the manner in which proceedings have been conducted by or on behalf of the Claimant has been scandalous, unreasonable or vexatious, because it is subject to a cause of action estoppel and / or an abuse of process.

3. In the alternative, the Claimant's claim is struck out under rule 38(1)(a) of the ET Rules, on the grounds that it is has no reasonable prospect of success, because the complaints are out of time.

This judgment has been approved by:

Employment Judge **HART**

Date: 17 October 2025

**Note**

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.

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**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>