



EMPLOYMENT TRIBUNALS

Claimant: Mrs Adiola Barnes

Respondent: Mitie Limited

JUDGMENT

The claimant's entire claim is struck out.

REASONS

1. The Tribunal wrote to the claimant on **3 December 2025** warning her that the Tribunal was considering striking out her claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that,
 - the claimant had not complied with the Orders of the Tribunal, dated 17 September 2025, and/or
 - the claim had not been actively pursued,and because of that, it was no longer possible to have a fair hearing of the claim.
2. The letter gave the claimant an opportunity to explain why the claim should not be struck out, or to request a hearing at which to do so. The claimant has not replied.
3. 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:
 - a. The claimant has failed comply with the Tribunal's orders, despite being warned of strike out as a possible consequence in the case management orders of 17 September, and again on 3 December 2025.
 - b. She is not actively pursuing her claim, despite the respondent's repeated attempted to engage with her.
 - c. She has failed to provide any explanation for her non-compliance and

- disengagement with the proceedings.
- d. Due to the claimant's failure to comply with the Tribunal Orders and disengagement from the proceedings, the claim is not ready to be considered on the merits.
 - e. In the circumstances, it is no longer possible to have a fair hearing of the claim at the allocated trial date of 18 February 2026.
4. The claim is therefore struck out.
5. The hearing on 18 February 2026 is vacated (cancelled).

Approved by:

Employment Judge Klimov

17 January 2026

JUDGMENT SENT TO THE PARTIES ON

10 February 2026

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FOR THE TRIBUNAL OFFICE