



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Mir
Respondent: IQVIA Limited

JUDGMENT ON CLAIMANT'S STRIKE OUT APPLICATION

There are no grounds on which to strike out the response and the claimant's application is dismissed.

REASONS

1. At the 11 July 2025 case management hearing the claimant made an application to strike out the response. The application had been sent to the tribunal and the respondent at 03:24 on the morning of the hearing. As the case had only been listed to make case management directions for the remission from the Court of Appeal and the respondent had only just received the application it was not dealt with on that occasion.
2. A direction was made that the claimant advise within 14 days whether she wished to pursue the application. She did not do so.
3. On 21 August 2025 the claimant advised that she had been in a car accident and was 'unable to handle my case as usual'. She asked for more time to meet tribunal deadlines. She was given until the 1 September 2025 to advise her position on the strike out application.

4. On 1 September 2025 the claimant wrote again 'for more time and privacy'. She wished to keep her medical information private and no fit note was sent as she did not want it shared with the respondent. The judge does not recall seeing any fit note(s).
5. On 29 October 2025, the claimant wrote that health and technical problems had prevented her from complying with the direction. She resubmitted her strike out application.
6. The claimant's application was initially contained in an email of the 11 July 2025 and has been supplemented by the following:
 - a. 29 October 2025 – 18 pages
 - b. 31 October 2025
 - c. 3 November 2025 – resending strike out application and the respondents submissions for the 6 May 2022 Preliminary Hearing.
 - d. 14 November 2025 – a postponement request due to a clash with family court proceedings.
 - e. 16 November 2025
 - f. 17 November 2025 – Family Court order clash with the tribunal proceedings and the 'tribunal has failed to take any effective steps to prevent this' and this is 'retaliation' because of the strike out application
 - g. 3 December 2025 – 10 pages
7. The employment judges are reliant on the administration to forward correspondence to them that requires judicial attention. In view of the number of claims received in the employment tribunal system and the resultant backlog in the listing of cases it is not always possible for correspondence to be referred to the relevant judge upon receipt of it. The parties' correspondence since the judge's direction of the 8 December 2025 was consequently seen by the judge on the 27 January 2026. This included:

- a. Correspondence from the claimant of the 3, 8, and 15 December 2025, and 12 and 19 January 2026.
 - b. Correspondence from the respondent of the 15 December 2025 attaching their submissions in opposition to the strike out application and 13 and 19 January 2026.
8. It may be that further correspondence has been received by the parties which has not yet been seen by the judge.
 9. In their letter of 6 November 2025 the respondent's solicitors objected to the strike out application being dealt with stating that the claimant had not complied with the tribunal orders in relation to it. If it was to be considered it should be dealt with at the listed hearing on 11/12 December.
 10. The judge granted the claimant's application to postpone the 11 & 12 December 2025 hearing and gave further directions on 8 December for the respondent to file its submissions in relation to the strike out application which would then be dealt with on the papers without a hearing. This has always been the claimant's stated preference.
 11. The strike out application is the claimant states based on 'a persistent pattern of non-engagement, procedural abuse, cumulative prejudice and 6 new grounds that have arisen since the matter was remitted by the Court of Appeal' (strike out application 29 October 2025)
 12. The first part of the strike out application lists why the claimant does not agree with the case management decision made on the last occasion when the tribunal determined it was not appropriate to hear the strike out application at that hearing. They are not reasons to now strike out the respondent.
 13. The details that follow are taken from the application dated 29 October 2025.

September 2022 decision of another Employment Tribunal

14. The hearing before this Employment Judge was on **6 May 2022** and the judgment sent to the parties on 30 June 2022. Clearly the September 2022 decision of another tribunal had not yet been made but even if it had been it

would not be binding on this tribunal. That is a judicial decision and not an action of the respondent that would justify strike out

Six new grounds for strike out

Misrepresentation of instruction date

15. The Claimant alleges that the new solicitor for the respondent has given an incorrect date on which they were instructed stating March 2025 rather than January 2025. If that were the case, which is not accepted, it would not be a ground for strike out of the response

Breach of tribunal directions of 14 January 2025

16. That is the date the Notice of Hearing was sent out for the 4 April 2025 case management hearing that this judge had directed on the remission from the Court of Appeal. There were no directions made in it. The claimant requested a postponement of the 4 April 2025 hearing, and it was granted.

Misleading the ET and non – engagement

17. This repeats the allegation about the date the respondent's solicitor was instructed and suggests that they had her strike out application from November 2024 when it was sent to the Court of Appeal. What has occurred in the Court of Appeal procedurally is not a matter for this tribunal but the Court of Appeal. This tribunal is unaware of any applications made by the claimant to that court and even if another strike out application was made to it the fact remains that the respondent and this tribunal did not have the application to strike out these proceedings until the hearing on the 11 July 2025.

Procedural unfairness and double standard in admitting evidence

18. The Claimant alleges that the tribunal allowed the respondent to object to her request to record the last case management hearing and failed to deal with the strike out application and compares this to the judge stating that she would not consider the supplemental impact statement filed before the May 2022 hearing.

19. This is a judicial decision and not a ground for strike out of the Response. As the judge has made clear this is a remission to the same judge and as there has been no order of the Court of Appeal to the contrary should be a

consideration of the points that the Court of Appeal has found were not considered but on the evidence that was before the tribunal in May 2022. That is why the supplemental bundle has not been allowed.

Misrepresentation of the scope of the favourable judgment and fabrication of dismissal minutes

20. As already stated above the 'favourable judgment' (that of another Employment Tribunal) is not binding on this tribunal.

21. The dismissal minutes are not relevant to the remitted issue. That is a judicial decision and not a ground for strike out of the response.

Misleading the Court of Appeal and Abuse of Process

22. The claimant alleges that the respondent has 'misled the Employment Tribunal but has also made false statements to the Court of Appeal claiming that the non-disclosure issue was 'finished' at the ET'. The claimant says this was 'demonstrably untrue'. This is a matter for the Court of Appeal and not this tribunal and not a ground to strike out the response'.

Pattern of delay and procedural manipulation

23. The claimant states that the respondent had notice of the strike out application since 28 November 2024 when she submitted it as part of the Court of Appeal proceedings. She states that the listing of the July 2025 hearing as a case management hearing was a 'significant procedural error and a deliberate delaying tactic'. The July 2025 hearing was listed as a case management hearing on the direction of the judge having seen the decision of the Court of Appeal. The judge was not aware of the strike out application until the morning of the hearing.

24. The claimant asserts she has 'experienced similar procedural tactics and delays in other legal matters'. This tribunal is only responsible for listing the cases that appear before the Employment Tribunal and not those in any other jurisdiction. If there have been conflicting dates in different cases the claimant is involved in that is not a reason to strike out the response.

Pattern of non-compliance and procedural abuse across proceedings (claimant's point 6a)

25. The Claimant refers to 'opposing teams in my Employment Tribunal and family court matters' repeatedly breaching court orders showing a 'parallel pattern of non-compliance and procedural abuse'. This tribunal has no jurisdiction over litigation in other courts.

Ongoing pattern of non – compliance and non – disclosure (claimant's point 6b)

26. As was stated at the July 2025 case management hearing on the remission there is no need for further disclosure as the judge will be considering the remitted matters on the evidence before her in May 2022.

Ongoing non-disclosure and deliberate obstruction (claimant's point 6c)

27. This repeats the point about disclosure. The claimant refers to an unless order of the 5 December 2022 being sent to the wrong address of her then legal representative and then again in 2023 'suggesting a deliberate attempt to prevent me receiving critical documents and to obstruct my ability to appeal'. The sending out of correspondence is an administrative matter and the administration is overburdened with the backlog of cases. It is not within the control of the respondent or a ground to strike out the Response.

Exclusion of new evidence and failure to address remitted issues (claimant's point 7)

28. This point has been covered above. It is a judicial decision and not a ground to strike out the response.

Possible influence of respondent in withholding written reasons (claimant's point 8)

29. The Claimant alleges that the tribunal 'withheld the written reasons from the 6 May 2022 hearing until 3 November 2022 – a critical time as other acts of coordinated retaliation were taking place and I was facing multiple legal pressures...'. The judge addressed in the written reasons why there was delay and that was because the administration did not forward to her the request for written reasons. This was nothing to do with the respondent and is not a ground for strike out of the response.

Procedural bias, non-engagement by respondent and judicial abdication (claimant point 9)

30. The claimant refers to the findings of another employment tribunal which as already stated are not binding on this tribunal and occurred after its May 2022 hearing.

31. The Claimant also alleges that the Employment Appeal Tribunal and Court of Appeal have failed to engage with that judgment. That is a matter for those courts and not this tribunal. It is not a reason to strike out the response.

Procedural abuse and retaliation (claimant point 10)

32. The claimant states that since the July 2025 hearing she has suffered a serious car accident two weeks later, 'the escalation of my family case and ongoing procedural abuse in both the ET and family court'. The claimant believes that the 'timing and pattern of these events are not coincidental' suggesting they all point to 'a coordinated effort to silence me and prevent me from pursuing my matters'. The claimant also refers to an 'interim charging order' and notifying the tribunal immediately on receiving it but that she received no response. If that is the case that is again an administrative matter and not a reason to strike out the respondent. As already stated neither the employment tribunal or the respondent have any control over the listing of cases in other courts.

Blatant misrepresentation and judicial abdication (claimant point 11)

33. The claimant refers to her physiotherapist's questionnaire. This was dealt with in the tribunal's written reasons sent to the parties on the 31 October 2022. The claimant has forwarded a copy of the submissions made on behalf of the respondent at the May 2022 hearing and states that 'the judge's acceptance of this argument and the EAT's repetition of it, is a clear abdication of judicial responsibility and demonstrates a pattern of collusion and procedural abuse'.

34. The Court of Appeal has now overturned the EAT's decision and remitted the matter to this judge. It has set out clearly the remitted matters. These are not grounds to strike out the response.

December 2025 Hearing request (claimant point 12)

35. This has now been postponed

Failure to consider key evidence (claimant point 13)

36. The claimant refers to her supplemental impact statement which she states should have been allowed at the May 2022 hearing. The tribunal's reasons for disallowing it were contained in the written reasons sent to the parties on the 31 October 2022. The EAT stated at paragraph 15 of its decision that 'I do not think that the decision is open to legal challenge'. Nothing is mentioned about it in the Court of Appeal orders. The claimant alleges that there is a 'pattern of higher courts and tribunals failing to engage with the substance of my ground and simply deferring to the ET judge's original flawed decision'. The Court of Appeal has overturned the EAT decision and remitted the matter. These are not grounds to strike out the response.

Claimant's points 14 and 15 – the receipt by the respondent of the strike out application and alleged hearing clashes and cumulative impact.

37. These have already been dealt with.

38. EAT Matters (claimant point 16)

a) judicial responsibility for EAT matters

The claimant asserts that this tribunal 'has a duty to take responsibility for the procedural errors, non-disclosure and unfairness that have occurred in these proceedings' and suggests that it is in some way responsible for the decision of the EAT. The claimant did not agree with that decision, and she appealed as she was entitled to do. This does not give rise to a ground to strike out the response.

b) False narrative and procedural failure in the EAT judgment.

These are matters for the EAT and subsequently the Court of Appeal and not grounds for striking out the response

c) procedural manipulation and narrative control in Court orders and EAT judgment

The claimant takes issue with the wording of the Court of Appeal's order. That is a matter for the Court of Appeal and not this tribunal. It is not a ground to strike out the response.

d) circular reasoning and judicial abdication in exclusion of key evidence

This refers again to the Supplemental Impact statement which has been addressed above. It is not a reason to strike out the response.

Exclusion of key evidence and procedural unfairness/judicial and professional failures (claimant point 17)

39. This refers again to the Supplemental Impact statement which has been addressed above. It is not a reason to strike out the response.

40. Unlawful and coordinated procedural abuse (claimant's point 17a))

The claimant suggests that the listing of a case management hearing to discuss the remission was 'the result of a coordinated effort by the Respondent, EAT and Court of Appeal to ensure that my Supplemental Impact Statement is never allowed or considered, regardless of the merits'. The EAT and Court of Appeal are separate branches of the judicial system. The decision to list a case management hearing was made by the employment tribunal and not the other courts. It was considered a necessary step to clarify the issues being remitted and list the remitted hearing. It is not a reason to strike out the response.

41. Contradictory and unfair reasoning in the EAT sift decision (claimant's point 17b))

That is not a matter for this tribunal and not a reason to strike out the response.

42. Failure to engage with evidence and judicial abdication in the EAT. (claimant's point 17c)

That is not a matter for this tribunal and not a reason to strike out the response.

43. Failure to engage with substantive legal errors (claimant's point 17d)

Again, this is referring to hearings before the EAT and is not a matter for this tribunal and not a reason to strike out the response.

44. Public interest and systemic cover up (claimant's point 17e)

The claimant asserts a 'pattern of procedural abuse, document manipulation, and institutional betrayal'. The case has been through two appeals and the claimant succeeded in the Court of Appeal. The remission remains to be dealt with. That is not a reason to strike out the response.

45. Possible ex parte communications and procedural unfairness (claimant's point 18)

The claimant states that she has 'real concerns that the Respondent has engaged in ex parte communications with the Court of Appeal or at the very least has influenced the court's handling of my case through selective engagement'. She asks this tribunal to 'investigate' this possibility. That is not the role of the Employment Tribunal and not a ground to strike out the response

46. Failure of legal representation and ongoing non – disclosure (claimant's paragraph 19)

The claimant refers to a letter to the Court of Appeal of 24 September 2024 to which she attached seven documents including emails with her counsel highlighting non disclosure of documents from the DSAR. That is not a matter for this tribunal and not a reason to strike out the response.

47. Falsified dismissal notes, HR knowledge and disability discrimination (claimant's paragraph 20)

The claimant refers to an email from the respondent's HR of the 10 March 2020 as evidence they were aware of her disability. This tribunal is not currently dealing with the issue of knowledge but whether the claimant had a disability within the meaning of the Equality Act 2010

48. The claimant's letter to respondent's solicitors of the 13 November 2025

In this letter the claimant sets out further grounds for strike out of the response. These include:

- a. The delay in the filing of the ET3 in September 2020 – this was addressed at the time and an extension of time granted

- b. The failure by the respondent to state its position on disability until 21 December 2021 – the hearing on the 6 May 2022 was to deal with the issue of disability. That the respondent did not states its position until 21 December 2021 is not a reason to now strike out the response
- c. That the tribunal suddenly listed a hearing on 29 December 2021 for the 7 January 2022 – this was not sudden. The hearing for the 7 January 2022 was listed at a hearing on the 13 July 2021 to determine the issue of disability. It appears the notice of 29 December 2021 was to advise the parties that the hearing would be on the Cloud Video Platform and they should not attend a hearing centre.
- d. The tribunal delay in providing written reasons – this has already been addressed.
- e. The timing and release of those reasons was to cause a clash with other litigation.

49. None of the above matters are reasons to now strike out the response.

The Relevant Rules

50. The Employment Tribunal Rules of Procedure 2024 Rule 38

- (1) The Tribunal may, on its own initiative or on the application of a party, strike out all or part of a claim, response or reply on any of the following grounds–
 - (a) That it is scandalous or vexatious or has no reasonable prospect of success:
 - (b) That the manner in which the proceedings have been conducted on or on behalf of the claimant or the respondent (as the case may be) has been scandalous, unreasonable or vexatious
 - (c) For non-compliance with any of these Rules or with an order of the Tribunal
 - (d) That it has not been actively pursued
 - (e) That the Tribunal considers that it is no longer possible to have a fair hearing in respect of the claim, response or reply (or the part to be struck out)

51. Tribunal conclusions

The claimant, as a litigant in person, does not state which particular provision she relies upon. From a reading of her application and correspondence it is assumed that she relies on (b) above. Whichever ground is relied upon the application is refused and the response is not struck out as there are no grounds to do so.

52. The claimant relies on matters that are not within the power or control of the respondent, including administrative delays, actions and listing of other courts in different jurisdictions and matters on which decisions have already been made in this tribunal or the appeal courts.
53. The claimant states that she is dealing with other litigation in the family court. That is a matter for her and not something that either this tribunal or the respondent has any control over or involvement in. It may be that as a result the claimant has several hearings to deal with but that is not the fault of the respondent.
54. The claimant has exercised her right to appeal to the Employment Appeal Tribunal and then to the Court of Appeal. What has transpired in those courts is separate to the Employment Tribunal and neither the tribunal nor the respondent have any control over those courts. Any issues the claimant has with those decisions would need to be taken up with the court that made them. What has transpired in other courts during the appeal process is not a reason to strike out the response.
55. The case will proceed. At the last case management hearing on 11 July 2025 the matters remitted by the Court of Appeal were discussed. The remission hearing was to be listed for 2 days and it was for dates in December. That hearing had to be postponed. It has now been relisted for the 12 and 13 May 2026 on dates to avoid having been provided by the parties. The tribunal will consider the remitted issues on submissions from the parties and taking account of the documents that it had at the original hearing in May 2022. The respondent is to ensure that the original bundle is sent electronically to the tribunal and copied to the claimant at least 7 days before the hearing.

Approved by:

Employment Judge Laidler

Date: 30 January 2026

Case number: 3307564/2020

Sent to the parties on:

16 February 2026

For the Tribunal: