

EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss C Seward v Barrow Dental Aesthetic

Heard at: Carlisle Magistrates Court (by CVP)

On: 15 December 2025

Before: Judge Miller-Varey acting as an Employment Judge

Representation

For the Claimant: Did not attend

For the Respondent: Did not attend

JUDGMENT

The Claim is dismissed pursuant to rule 47 of the Employment Tribunal Procedure Rules 2024.

REASONS

1. A final hearing in this matter was due to be heard by way of video hearing this afternoon, commencing at 14.15pm.
2. It is right to record, the listing of the hearing has been subject to change, whereby:
3. The original notice of hearing of 18 August 2025 indicated the final hearing would take place today in person at Carlisle Magistrates Court, with a start time of 10am;
4. By letter to the parties of 5 November 2025, the hearing was converted to video; and
5. By email to the parties on 12 December 2025 (10.22am) the Tribunal indicated the hearing would proceed at the changed time of 14.15pm but in person; and
6. By email to the parties of 15 December 2025 (10.55am) the Tribunal indicated the hearing would take place at 14.15pm and enclosed a video hearing link.
7. The Judge is sitting physically in Carlisle. No parties have checked in with reception for a hearing in person. The Judge joined the video link at 14.10pm. They had not checked in there either.

8. At about 14.20pm the Judge personally checked outside of her hearing room. Neither party was present.
9. As at 14.30pm neither party had appeared via video either. The Tribunal clerk attempted to reach the Claimant a number of times on her mobile phone at 14.30pm but the call just rang out.
10. The central email box of Manchester ET has also been checked. No correspondence from either side has been located.
11. The Judge notes her discretion to dismiss arising under r.47. Clearly, the sheer amount of change in the hearing arrangements means there is a greater than usual risk that one or both of the parties has not attended through misunderstanding or confusion. However, in addition to the enquiries attempted of the Claimant, the Judge also notes that the Claimant has not taken steps to comply with either the original directions which accompanied the first notice of hearing or those made more recently by EJ Holmes. The same is true of the Respondent. However, it has to be remembered, this is the Claimant's claim which she has chosen to bring and for which she bears the onus of proof.
12. The clear impression given is that the Claimant is no longer actively pursuing the claim. This is an important factor which points to a dismissal of the claim being in the interests of justice. The resources of the Tribunal are scarce. Many parties are awaiting management and determination of their claims. This afternoon could have been used for that purpose. An adjournment to another day simply in order to clarify the Claimant's position or give her the option of continuing cannot be justified against the background.

**Approved by Tribunal Judge A Miller-Varey
(acting as an Employment
Judge)**

15 December 2025

Sent to the parties on:

12 February 2026

For the Tribunals Office

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