



EMPLOYMENT TRIBUNALS

Claimant: S Kirkland

Respondent: M&S

JUDGMENT

The complaint of **Unfair dismissal** is struck out.

REASONS

1. The Tribunal wrote to the claimant on **6 June 2025** warning them that the Tribunal was considering striking out part of the claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that, in relation to that part,

the Claimant does not have 2 years of continuous service.
2. The letter gave the claimant an opportunity to explain why that part of 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 that part of the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out that part of the claim.
4. That part of the claim is therefore struck out. The rest of the claim is not affected by this judgment.

Approved by:

Employment Judge Cowen

Date: 6 March 2026

JUDGMENT SENT TO THE PARTIES ON

9 March 2026

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FOR THE TRIBUNAL OFFICE