



EMPLOYMENT TRIBUNALS

Claimant: Mr Terrell Morris
Respondent: Goom Electrical Ltd
Heard at: Bury St Edmunds (by video)
On: 30 March 2026
Before: Employment Judge Graham

Representation

Claimant: No attendance
Respondent: Mr S Keohan, Operations Director

JUDGMENT

1. The claim is dismissed in full.

REASONS

Background

1. The Claimant filed his ET1 claim form on 19 April 2024 and makes complaints of unfair dismissal and unauthorised deductions from wages. An ET3 Response denying the claim was filed by the Respondent which argued that the Claimant was neither an employee nor a worker, and disputing that any sums were due.
2. On 12 December 2025 a private preliminary hearing for case management was listed to take place. The Claimant failed to attend. The unfair dismissal claim was struck out, and today's hearing was listed to determine whether the Claimant had been a worker, and also to determine the deductions complaint.
3. Case management directions were issued for today's hearing. The Respondent complied in full, the Claimant did not comply at all.
4. I started the hearing after 10am as the Claimant had not joined. I asked the administrative staff to check the Tribunal email inbox to see if anything had been received from the Claimant to explain his non-attendance however nothing was received.

5. At 10:08am I discussed the chronology briefly with Mr Keohan who tells me he has heard nothing from the Claimant since early December 2025 prior to the last hearing which he did not attend. The Claimant apparently said they had different contact details, however Mr Keohan has been using these but still there has been no reply.
6. Mr Keohan provided with me a bundle of 29 pages including a witness statement from Lewis Parmenter and also a small number of contemporaneous documents.

Law

7. Rule 3 of the Employment Tribunal Rules of Procedure 2024 sets out the Overriding Objective of the Tribunal as follows:

“Overriding objective

3.—(1) The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.

(2) Dealing with a case fairly and justly includes, so far as practicable—

(a) ensuring that the parties are on an equal footing

(b) dealing with cases in ways which are proportionate to the complexity and importance of the issues,

(c) avoiding unnecessary formality and seeking flexibility in the proceedings,

(d) avoiding delay, so far as compatible with proper consideration of the issues, and

(e) saving expense.

(3) The Tribunal must seek to give effect to the overriding objective when it—

(a) exercises any power under these Rules, or

(b) interprets any rule or practice direction.

(4) The parties and their representatives must—

(a) assist the Tribunal to further the overriding objective, and

(b) co-operate generally with each other and with the Tribunal.”

8. Rule 47 provides:

“Non-attendance

47. If a party fails to attend or to be represented at a hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that

party. Before doing so, it must consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."

9. In ***Arrow Nominees Inc v Blackledge*** [2000] 2 BCLC 167 the court held that a fair trial *"is a trial conducted without undue expenditure of time and; and with a proper regard to the demands of other litigants upon the finite resources of the court."* [55]

Conclusion and decision

10. I am satisfied that the Claimant was aware of today's hearing as both the Tribunal and the Respondent had written to him.
11. I could not proceed in the absence of the Claimant as I needed to hear from him about why it is that he says (i) he was a worker; and (ii) why he says he is owed money by the Respondent. I had nothing before me from the Claimant save from his ET1 which contained scant detail.
12. I formed the view that a postponement or a strike out warning would be inappropriate. The Claimant failed to attend the last hearing; he has not responded to Tribunal directions, this hearing has been listed for some time, and other Tribunal users are waiting in the queue and could have made use of today's hearing instead.
13. I did consider combining a postponement with an unless order under Rule 39, however I reached the same conclusion that this would unlikely have any result as the Claimant has twice failed to attend and has done nothing to progress this matter after issuing the ET1 almost two years ago.
14. I considered that the Respondent had already been put to expenditure of time and cost without any progress being made on the matter.
15. I was also mindful of the cost to the Tribunal of listing hearings which make no real progress. I was further mindful of the impact upon other Tribunal users waiting patiently in the queue for their hearings.
16. I reminded myself that a fair trial is one which is conducted without undue expenditure of time and costs, and which takes into account the needs of other Tribunal users.
17. In such circumstances I considered that the appropriate way forward was to dismiss the claim under Rule 47 due to the Claimant's non-attendance and the inability to proceed with the hearing in his absence. This appeared to me to be in furtherance of the Overriding Objective of the Tribunal to deal with cases in a manner which is fair and just to both parties and to avoid the further unnecessary expenditure of time and costs for all concerned.
18. I thanked Mr Keohan for his assistance today.
19. The claim is dismissed in full under Rule 47.

Approved by:

Employment Judge Graham
30 March 2026

JUDGMENT SENT TO THE PARTIES
ON 8 May 2026

FOR THE TRIBUNAL OFFICE

Notes

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. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/