



EMPLOYMENT TRIBUNALS

Claimant

Miss M Baulch

Respondent

Milton Keynes Veterinary Group

Heard at: Watford (CVP)

On: 24 June 2026

Before: Employment Judge S Moore (sitting alone)

Appearances

For the Claimant: Mr J Keenor (partner)

For the Respondent: Ms E Bright, litigation consultant

JUDGMENT

The application to strike out the claim is dismissed.

REASONS

1. This is an application by the Respondent to strike out the claim in its entirety.
2. The Claimant was employed by the Respondent as the Client Care Advisor between 5 September 2004 and 19 December 2024, when she resigned.
3. ACAS Early Conciliation took place between 11 December 2024 and 9 January 2025.
4. On 7 February 2025 she brought a claim for constructive unfair dismissal.
5. The claim was initially listed for 3-5 December 2025 and case management orders made which included exchange of witness statements by 5 August 2025.
6. On 2 December 2025 the case was adjourned due to lack of judicial resources.
7. On 16 December 2025 the parties were informed the case had been relisted for 12-14 August 2026.
8. On 23 January 2026 the Respondent made an application to strike out the claim pursuant to rule 38(1)(a) of the Employment Tribunal Procedure Rules 2024, on the basis that the Claimant had behaved in a way which was scandalous or vexatious.

9. The basis of the application was that the Claimant had had lunch with three employees of the Respondent in a pub called "The Tawny Owl" near the Respondent's premises. The three employees were Maria Coleman (MC), Emily Day (ED), and Dani Ashton (DA). The Claimant had been invited to lunch by ED.
10. The manager of the pub, a Lesley Deacon (LD), overheard one woman say, "Oh Vickie can be like that". She also thought that the Claimant had been taking notes of the conversation.
11. This subsequently came to the attention Vickie Roberts (VR) of the Respondent, who, on 6 January 2026, interviewed each of the three woman who had had lunch with the Claimant, in the presence of an HR consultant.
12. MC agreed she had been asked a lot of questions but couldn't remember if notes were being taken.
13. ED said she didn't think any confidence was breached. The Claimant had brought statements along, which she showed them towards the end of the meal, but she had just skimmed through them. The Claimant had asked her if she (ED) could contact Charlotte, an ex-employee, to see if Charlotte could give a statement, but ED said she should ask Charlotte herself.
14. DA said she didn't speak about anything work related. She just spoke about her plans for Christmas. She said she had missed the Claimant and didn't go for work related matters. She said she had been asked to read the statements, and she just read one of them quickly. She said she didn't see any notes being taken.
15. The employees were told by VR that the Claimant was manipulating them and pumping them for information, and that they were breaching the trust and confidence of their employer, which appeared to cause them distress.
16. The Respondent also submitted a statement from VR in which she said that on 18 December 2025 she received an anonymous offensive Christmas card to her work address. The comments made reference to a Christmas party ("Don't fuck with the Christmas party"). Further on 6 March 2026 she received a mum-to-be card (although she was not pregnant) with a hurtful comment inside.
17. A statement of Andre Cilliers says that on 18 December 2025 he received a similar offensive card to that received by VR with a similar comment inside about the Christmas party. Further, in around January 2025 about four offensive stickers were placed on his car over a period of time. He also said that on 23 February 2023 he had received an offensive card at work. He said this first card had been sent at a time when the Respondent was experiencing challenges managing the Claimant, although there is no evidence he linked the card with the Claimant at the time.
18. A statement of Deborah Kilkenny said that in early December 2020 she had received an anonymous offensive Christmas card. She said this was at a time when the Claimant was unhappy about decisions being made by the Respondent, although again there is no evidence the card was linked with the Claimant at the time.

19. It was suggested to me that the Claimant was responsible for both the cards and the bumper stickers, and this was further evidence of her vexatious behaviour.
20. There is plainly no basis for striking out the claim and I consider the application to have been misconceived.
21. There is absolutely no evidence that the Claimant was responsible for sending the cards or placing the stickers on the car.
22. As regards the lunch in the pub, the Respondent's application submitted the Claimant had attempted to "extort" information from the Respondent's employees. Extortion means to obtain something by threats, or force or coercion and, even taking the statements and interview notes at face value, there is no evidence of this kind of behaviour whatsoever. In fact, there is no evidence that the primary purpose of the lunch in November 2025 was for the Claimant to attempt to "pump" her colleagues for information or manipulate them – as VR believed. In this respect it appears LD was wrong about the Claimant taking notes, because that is not corroborated by the individuals at the lunch. In any event there was nothing to stop the Claimant from speaking to them about the case or exploring with them – if indeed she did (she says she didn't) – whether Charlotte would be a witness for her. Notably none of the three individuals were witnesses in the then upcoming hearing, so there was no question of the Claimant attempting to persuade them to change their evidence.
23. As regards showing the individuals the witness statements, witness statements are not "confidential" as the Respondent submitted. Rather, the principle is that there is an implied obligation only to use them for the purposes of the litigation in which they are served and not for a collateral purpose. Here the purpose of the Claimant showing the witness statements to her ex-colleagues – if indeed she did (she says she didn't) – appears to have been for the purpose of investigating that evidence and/or obtaining rebuttal evidence, and she is not alleged to have had any collateral purpose. In any event even if the Claimant's conduct crossed the line, and she was intending merely to recruit support for her cause, she is a litigant in person who cannot be expected to know about the implied obligation in respect of witness statements and I do not consider her behaviour would, even in that scenario, have amounted to scandalous or vexatious conduct or have come close to being so.
24. There is no basis for striking out her claim and the Respondent's application is dismissed.

Approved By:

Employment Judge S Moore

Date:

24 June 2026

Sent to the parties on:

6 July 2026

For the Tribunal:

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