



EMPLOYMENT TRIBUNALS

Claimant: Mr R Ansen

Respondent: South Wales Campers Limited

Heard at: Cardiff via video

On: 14 April 2023

Before: Employment Judge R Russell

Representation

Claimant: Did not attend

Respondent: Mr G Sibley, Director

JUDGMENT

The Claim is dismissed under Rule 47 of the Employment Tribunal Rules of Procedure as the Claimant had failed to attend or be represented at the hearing.

In deciding to dismiss the Claim I considered the following:

1. This claim was part of a multiple. The Claimant's postal address has been included on the claim form but not his telephone number or email address. The Claimant was not the lead claimant in the multiple. The other claims in the multiple had been settled via ACAS in February 2023.
2. On 07 December 2022 the Tribunal wrote to the Claimant and others in the multiple with a strike out warning in respect of the unfair dismissal element of the claim. The Claimant was given a deadline of 21 December 2022 to give reasons why the unfair dismissal complaint should not be struck out. He did not contact the Tribunal. This aspect of his claim was struck out.
3. On 12 January 2023 the Tribunal wrote to all claimants in the multiple. In that letter, the Claimant was directed to clarify the spelling of his surname. He did not respond.
4. On 31 January 2023 the Tribunal wrote to all the claimants in the multiple. The Claimant was given a further 7 days to clarify the spelling of his surname. He did not respond.

5. On 09 February 2023 a Preliminary Hearing was held. It appears that the Claimant had not been given notice of the Preliminary Hearing. Only two of the four claimants in the multiple had been given notice. The Respondent said at the preliminary hearing that he understood the Claimant's claim to have settled.
6. On 20 March 2023 the Claimant was sent a notice of the hearing at the address provided on his claim form.
7. On 28 March 2023 the Tribunal wrote to the Claimant reminding him of his need to comply with the case management orders dated 09 February 2023 and particularly the requirement to provide documents and a witness statement by 31 March 2023. He did not respond.
8. The hearing today was due to start at 10:00 and had been listed for three hours. Neither party attended at this time. No reasons were given by the Claimant to explain his absence. No correspondence has ever been received by the Claimant since his claim had been filed.
9. The clerk made all reasonable attempts to contact the parties. The clerk was unable to contact the Claimant today as there was no email address or telephone number on file for him. The clerk was able to contact the Respondent, who had understood that the case had settled and there was no need to attend.
10. The Tribunal waited until 10:42 before starting the hearing. It heard from the Respondent that the Claim had been settled directly with the Claimant some time before the remaining claims in the multiple had been settled via ACAS. The Respondent had understood that the Claimant was to withdraw his Claim. The Claimant had not done so.

In all the circumstances, I considered it in accordance with the overriding objective to dismiss the Claim under Rule 47.

Employment Judge R Russell

Date 14 April 2023

JUDGMENT SENT TO THE PARTIES ON 17 April 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

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.

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