



EMPLOYMENT TRIBUNALS

Claimant: Mr M Annoh
Respondent: Ladbrokes Betting and Gaming Ltd
Heard at: London South (by CVP Video Conference)
On: Monday 3 June 2024
Before: Employment Judge Musgrave-Cohen

Representation

Claimant: Did not attend
Respondent: Mr J English (solicitor)

JUDGMENT

The claim is struck out pursuant to Rule 37(c) Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, Schedule 1.

REASONS

1. At a preliminary hearing on **20/11/2023**, the Tribunal sought to clarify the claimant's complaints of unfair dismissal and disability discrimination. The claimant was ordered to write to the Tribunal by **15/12/2023** to provide further information about his complaint of disability discrimination and to provide particulars of the "other sums" he sought (case management orders at paragraphs 6 and 7).
2. The claimant sent correspondence to the Tribunal on **22/11/2023** but did not provide the ordered information on this date or any other date up to and including **03/06/2024**.
3. A second preliminary hearing was originally listed for **30/01/2024** but did not go ahead. The respondent applied for the hearing to be relisted and informed the Tribunal that the claimant had not complied with the case management orders of the Tribunal at paragraph 6 and 7 of the **20/11/2023** order. The claimant was copied in to this correspondence.
4. By a letter dated **15/04/2024** the Tribunal told the claimant that the Tribunal were considering striking out the claim for the failure to comply with the

Tribunal's Orders dated **20/11/2023**. The matter was set down for a hearing at 10am on **03/06/2024**.

5. The claimant did not attend the hearing fixed for **03/06/2024**. The respondent did attend. Several attempts were made to contact the claimant by telephone at both numbers provided within his ET1 but he was not reachable. One number was disconnected and the other had a voicemail service. Voicemails were left to confirm that the hearing was proceeding and to provide a telephone number for him to contact the Tribunal. The claimant was asked to contact the Tribunal by 11am. An email was sent to the claimant reminding him about the hearing, the CVP contact details, the Tribunal phone number and resending the notice of hearing and accompanying letter.
6. The claimant was given time to contact the Tribunal in response to the voice messages and email but failed to do so.
7. The Tribunal do not have any record of the claimant attempting to comply with the orders of **20/11/2023** or any explanation as to why he has not done so. The Tribunal do not have any record of why the claimant did not attend the hearing on **03/06/2024**.
8. The respondent's representative confirmed at the hearing on **03/06/2024** that they had not received any contact with the claimant by email or telephone in preparation for either the January hearing or today's hearing. Mr English provided dates of 7 emails which he or his colleagues had sent to the claimant to discuss the case or the preliminary hearings but the claimant had not replied. They had not received bounce backs from the emails sent which suggests that the claimant's email address was correct. The subject of their email of **31/05/2024** had included the words "Urgent" and the date of the **03/06/2024** preliminary hearing. Mr English also confirmed that the claimant had not contacted the respondent directly to discuss the case.
9. The claimant has failed to comply with the Tribunal orders and has not given any explanation for his failure. He has had a reasonable opportunity to make representations in writing or at a hearing. The claim is therefore struck out.
10. The hearing fixed for **08/10/24-11/10/2024** will not take place.

Employment Judge Musgrave-Cohen

3rd June 2024

JUDGMENT SENT TO THE PARTIES
ON

4th June 2024

Case No:2303711/2022

FOR THE TRIBUNAL OFFICE

P Wing