



# THE EMPLOYMENT TRIBUNALS

## PUBLIC PRELIMINARY HEARING

**Claimant:** Mrs L Emson

**Respondent:** The Trustees of the Late 18<sup>th</sup> Earl of Strathmore's Will Trust

**Heard at:** North Shields                      **On:** Tuesday 30 April 2019

**Before:** Employment Judge Shore

### *Representation:*

**Claimant:** Mr R Gibson, Solicitor

**Respondent:** Mr B Harwood-Ferreira, Solicitor

## JUDGMENT

1. The respondent's application dated 24 January 2019, timed at 13:32, for a strike out of the claimant's entire claim for failing to comply with the Tribunal's Order of 11 September 2018 regarding evidence of her medical condition and/or because her case has no reasonable prospect of success is refused.
2. The respondent's application dated 24 January 2019, timed at 13:32, that the claimant be ordered to pay a deposit to be able to continue her claims is granted. The claimant shall pay a deposit of £100 on each of her two claims, being a total of £200.
3. The respondent's application dated 6 March 2019 for a strike out of the claimant's entire claim for failure to comply with the Orders of the Tribunal and/or failing to actively pursue her claim is refused.
4. The respondent's application dated 6 March 2019 that the claimant be ordered to pay a deposit to be able to continue her claims is granted, but no separate deposit order is made.
5. The claimant's claims shall be struck out in their entirety without further reference to the parties unless, by **4:00pm on Tuesday 14 May 2019**, she files medical

evidence from a medical professional of at least the qualification of a GP, which gives an up to date diagnosis of her current medical issues and indicates when, if ever, she will be fit to attend a Tribunal hearing and/or give evidence. The report shall also give an opinion as to whether the claimant can attend the North Shields Hearing Centre or any other HMCTS facility now or at some defined point in the future.

**EMPLOYMENT JUDGE SHORE**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON  
30 April 2019**

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