



EMPLOYMENT TRIBUNALS

Claimant: Miss K Kamaruddin
Respondent: Hartford Health Centre
Heard at: East London Hearing Centre
On: 15 September 2022
Before: Employment Judge Housego

Representation

Claimant: None
Respondent: None

JUDGMENT

The claims are struck out under Rules 37 & 38.

REASONS

1. On 24 May 2022 the Tribunal made an order for disclosure of documents and about witness statements.
2. The Claimant has not complied with that order.
3. The Tribunal wrote to the Claimant on 07 July 2022 stating that the Claimant had not complied with the Order and requiring the Claimant to state why the Order had not been complied with.
4. The Claimant did not respond to that letter.
5. The Tribunal wrote to the Claimant on 18 August 2022 with a warning that the Employment Judge was considering striking out the claim for non-compliance with the Order of 24 May 2022.

6. The Claimant has not responded to that letter.
7. Rule 37 relates to striking out a claim for non-compliance with orders. It states:

“Striking out

37.—(1) At any stage of the proceedings, either on its own initiative or on the application of a party, a Tribunal may strike out all or part of a claim or response on any of the following grounds—

- (a) that it is scandalous or vexatious or has no reasonable prospect of success;
- (b) that the manner in which the proceedings have been conducted by or on behalf of the claimant or the respondent (as the case may be) has been scandalous, unreasonable or vexatious;
- (c) for non-compliance with any of these Rules or with an order of the Tribunal;
- (d) that it has not been actively pursued;
- (e) that the Tribunal considers that it is no longer possible to have a fair hearing in respect of the claim or response (or the part to be struck out).

8. This claim is struck for failing to comply with the Order of 24 May 2022, and because it is not being actively pursued.

**Employment Judge Housego
Dated: 15 September 2022**