



EMPLOYMENT TRIBUNALS

Claimant: Ms G Delaney

Respondent: Miss A Byrne (by her litigation friend, Mr A Byrne)

Heard at: Birmingham

On: 25 July 2018

Before: Employment Judge Connolly (sitting alone)

Appearances

For the claimant: No attendance or representation
For the respondent: Mr G Davies (tribunal advocate)

JUDGMENT

1. The proceedings are dismissed following withdrawal of all claims by the claimant.

REASONS

1. Today, I orally delivered a Judgment in which I dismissed this claim in circumstances where the claimant failed to attend the hearing and I had no explanation for her absence. Since announcing but before promulgating that Judgment, I received the attached email which was sent to the tribunal late last night but did not come to my attention until after the hearing. In the email the claimant informs the tribunal that she does not wish to continue with her claim and that she will not be attending the hearing.
2. In the circumstances, on my own initiative, I decided to reconsider my Judgment under rule 73 of the tribunal Rules 2013. I took the view that it was in the interests of justice to do so because my earlier Judgment was

Case No.1304059/2017 & 1304062/2017

reached without having possession of all the relevant facts. I have decided to revoke my earlier Judgment and concluded that the above is the appropriate Judgment in the case.

3. In my view a further hearing is not in the interests of justice nor is it in accordance with the overriding objective to receive representations in relation to my reconsideration because the claim remains dismissed and to proceed by way of hearing or representations would cause unnecessary delay and cost. Had the tribunal received timely notice of the claimant's withdrawal, it would simply have actioned the same without seeking representations from the respondent.

Employment Judge Connolly
25 July 2018