



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Howarth

Respondent: Chief Constable of West Yorkshire Police

JUDGMENT

The claimant's application dated 21 July 2021 for reconsideration of the judgment sent to the parties on 21 July 2021 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because it is not in the interests of justice to do so.

An order was made on 25 January 2021 for the claimant to provide information fundamental to the tribunal and the respondent understanding the nature of her complaints. It was always anticipated that there would be a further preliminary hearing to take stock and to consider information provided.

No attempt has been made since by the claimant to provide that information. The tribunal wrote to the claimant on 6 May 2021 expressing concern about the lack of progress in the case saying that, should she fail to provide the information, consideration would be given to a strike out warning. The claimant did not comply, hence the issuing of a strike warning on 14 June. The claimant did not comply. On 20 June she wrote to the tribunal explaining her difficulties but without any attempt to address the tribunal's orders. The tribunal declined at that stage to strike the complaints out but wrote to the claimant on 6 July giving a further chance for the claimant to provide the required information with the warning that, if she did not, further consideration would be given to the claim being struck out for failure to comply with the tribunal's directions and to actively pursue her case. The claimant's difficulties were acknowledged but it was said that a lack of prioritisation of the tribunal's orders was not an acceptable explanation. It was noted that the claimant had given no indication as to when she would be able to comply with the tribunal's directions. The claimant did not respond by 16 July as directed. In such circumstances the claim was struck out.

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The reasons for the tribunal striking out of the claimant's complaint still now apply. The claimant has made effectively an application for reconsideration by email of 21 July only on having received the strike out judgment. She has not again sought to address the information required pursuant to the tribunal's January orders. She says that she is too ill to pursue the claim at the moment and to attend a hearing but without medical evidence or any specifics as to what she is able or unable to do, particularly with reference to responding to the tribunal's orders. No indication is given as to when the claimant might be fit to participate. The claimant comments that she is working full-time from home whilst her children are on school holidays, which is not affording her the time to pursue the case. That does not provide an explanation for the lack of attention given now to legal proceedings and to her failure to do so over the preceding 7 months.

This complaint was submitted almost 13 months ago without any material progress in understanding the claims the claimant is seeking to bring. There has been in this case a failure to engage with her own case.

Employment Judge Maidment

Date 3 August 2021