

IN THE EMPLOYMENT TRIBUNAL

Case No. 46/22

BETWEEN

THOMAS HUGH RICHARDSON-JONES

Claimant

-and-

PAUL JOHNSON and JOHN POTTON

Respondents

RULING

1. In these proceedings by Claim Form submitted to the Tribunal on the 28th September 2022 the Claimant names **Paul Johnson** and **John Potton** as Respondents and in paragraph 3 thereof gives their respective details as the employer against whom the claim is made.
2. Accompanying the Claim Form is a 3-page document which goes on to detail the Claimant's dealings with and grievances against the two named gentlemen between October 2016 (although he states in his Claim Form that his employment started on the 15th June 2018) and the termination of his employment on the 29th June 2022.
3. In his missive, he starts off by alleging that he "started working for Crest Rope Access Ltd [*sic.*] in October 2016" and he ends his narrative with the words "This is my experience with Crest Rope Access Ltd. [*sic.*]"
4. Throughout the document detailing his grievances during the period of his employment, there is no mention of the company, Crest Rope Access Limited (apart from the matters referred to in paragraph 3 of this Ruling.)
5. On the 29th September, the Employment Tribunal Office wrote to **Crest Rope (Gibraltar) Limited** (naming that company as the Respondent) to inform it of the Claim Form submitted by the Claimant and advising it of the need for it to complete and deliver to the Tribunal Office the Response Form and the consequences of its failure to do so.

6. No Response was presented to the Claim Form by Crest Rope (Gibraltar) Limited nor by either of the Respondents and on the 25th October 2022 the Tribunal Office wrote to **Crest Rope (Gibraltar) Limited** drawing to its attention that omission and warning it of the possible consequences.
7. On the 11th November 2022, in the absence of a Response from either of the named Respondents (or, for that matter, Crest Rope (Gibraltar) Limited), the Tribunal Office wrote to Mr Adam Moon drawing to his attention the absence of a Response to the Claim Form and re-stating the likely consequence.
8. All of the aforementioned letters from the Tribunal Office captioned Crest Rope (Gibraltar) Limited as the Respondent
9. On the 23rd November 2022, the Tribunal Office wrote to the Claimant and to Mr. Paul Johnson – but correctly naming Mr. Paul Johnson as the Respondent, for the first time – advising them of my appointment as Chairman to preside over this case.
10. Finally, on the 29th January 2024 the Tribunal Office sent out a Notice of Preliminary Hearing on the 20th February 2024 of a matter captioned, once again, as between the Claimant -v- Crest Rope (Gibraltar) Limited.
11. A brief Preliminary Hearing was duly held on the 20th February 2024 and it was confirmed that the Respondents had not delivered their Response to the Claimant's Claim nor was any application made for an extension of time to deliver the Response. I, therefore, adjourned the hearing for my formal decision and directions for a further hearing on the remedies to which the Claimant might be entitled.
12. I regret that I had not at that stage focused my mind on the identity of the Respondents and it was not until I examined all the documents on the record while (rather belatedly) writing this ruling that I asked myself Who is/are the proper Respondent(s) and has it/have they been properly served with the Claim Form and the subsequent communications from the Tribunal Office?

13. In the circumstances, I direct that a Case Management Hearing be convened by the Tribunal Office at an early date so that this Claim may be put on its proper and just course.

Dated the 18th July 2025



H.K. Budhrani, KC

Chairman