UNEXPECTED CONSEQUENCES OF THE EMPLOYMENT TRIBUNAL

One claimant with over a hundred claims and appeals across the Employment Tribunal and Employment Appeal Tribunal.

Keywords: restriction of proceedings orders; repeat reconsideration applications; asymmetric default judgments; use of two names.

THE Employment Appeal Tribunal recorded the tally of some 66 ET claims and 42 EAT appeals[1] brought by one litigant using two names[2].

I. Why it matters

BARKER set the test for a vexatious litigant when the Attorney General unsuccessfully applied to make an order, requiring a citizen seek permission from courts to further litigate, following their initiation of twenty actions over a three month period[3].

The first case under Section 33[4] in the Employment Appeal Tribunal, applying the test in *Barker*[5], was *Wheen*[6] who had made thirteen claims and subsequent appeals[7]. A Section 33 Restriction of Proceedings Order of the Employment Tribunals

[1] *Mr L Ramos v Chalcot House Services Ltd* [2025] EAT 16 para. 18

[2] See section IV and *Mr L Ramos v Chalcot House Services Ltd* [2025] EAT 16 para. 17

[3] *Attorney General v Barker* [2000] 1 F.L.R. 759. A decision arising from a civil proceeding under the Supreme Court Act 1981.

[4] *Attorney General v Mr G Wheen* EAT/1301/99 para. 12

[5] *Ibid.* para. 2

[6] *Attorney General v Mr G Wheen* EAT/1301/99

[7] *Attorney General v Mr G Wheen* EAT/1301/99 para. 7

Act 1996 was made for an indefinite period[8].

Since *Wheen*, a search of Employment Appeal Tribunal decisions published on GOV.UK[9] shows a further 18 applications to the Employment Appeal Tribunal by the Attorney General under section 33, with 17 resulting in an indefinite[10] order.

Table 1: RPO actions by the Attorney General

Litigant	Citation	Notes	Year
Wheen	EAT/1301/99	13 ET claims plus appeals. First of its kind under the 1996 Act.	2000
King	PA/0074/00	One ET claim fails followed by 12 more plus appeals.	2000
Bennett	EAT/0112/01	One claim, withdrawn, and then repeated yearly over a decade. Appealed after each dismissal or strike-out.	2001
England	EAT/367/00	Adjourned for one year.	2001
Tyrrell	EAT/236/03	One settled claim at the ET then eight more on the same matters over eight years, with appeals to the EAT. All subsequent actions dismissed.	2003
Ayouvare	EAT/0614/03	46 claims identified with evidence of eleven more. Habitual applicant to the same job.	2003

[8] *Attorney General v Mr G Wheen* EAT/1301/99 para. 12

[9] https://www.gov.uk/employment-appeal-tribunal-decisions

[10] Decisions alternately use synonymous terms such as permanent and unlimited.

Litigant	Citation	Notes	Year
D'Souza	EAT/0139/04	Eight cases against a former employer.	2004
Pandya	EAT/0794/04	No success in 60 odd applications in 20 different substantive actions.	2005
Roberts	EAT/0058/05	24 ET applications in six years. Costs awarded against nine times. Five deposit orders made, unpaid, struck-out.	2005
Kuttappan	EAT/0478/05	At least 33 ET claims in nine years, and nine appeals to the EAT.	2005
Bruce	EAT/0586/05	78 applications with 80 claims over 10 years.	2006
Deman	EAT/0113/06	At least 40 claims in nine years to the ET and at least 40 appeals to the EAT.	2006
McCluskey	EAT/0118/09	All 12 applications to the ET, all applications for review, all 31 appeals to EAT, and all applications for leave to appeal to the Court of Appeal dismissed.	2009
Bentley	EAT/0556/11	31 sets of proceedings at the ET, 29 in just over two years.	2012
Groves	EAT/0162/14/RN	19 claims in under five years.	2014
Iteshi	EAT/0435/13/RN	30 claims in four years, none successful.	2014

Litigant	Citation	Notes	Year
Taheri	[2022] EAT 35	Over 40 claims at the ET over ten years. Claims withdrawn or struck-out when deposit orders made or unpaid respectively.	2022
Mallon	[2025] EAT 168	17 page appendix listing judgments and decisions. The claimant lost count of proceedings launched in the ET, estimated 60 or 70.	2025
Messi	[2026] EAT 34	More than 50 claims at the ET. 27 appeals at the EAT. At least two costs awarded against claimant of £15,000 and £2,000.	2026

Read together, the nineteen judgments and eighteen orders describe recurring features rather than a single profile. The volume of claims stands out, from thirteen in *Wheen*[11] to a low of eight in *D'Souza*[12], and the sixty or seventy according to the litigant in *Mallon*[13], over fifty in *Messi*[14], and seventy-eight in *Bruce*[15]. The judgments often refer to conduct around the claims: appeals against nearly every decision (e.g. *Ayouvare*[16], *McCluskey*[17], and *Deman*[18]), deposit orders followed by withdrawals or unpaid

[11] *Attorney General v Mr G Wheen* EAT/1301/99 para. 7
[12] *Attorney General v Mr D C D'Souza* EAT/0139/04 para. 3
[13] *Attorney General v Mr Christian Mallon* [2025] EAT 168 para. 8
[14] *Attorney General v Ms Sandra Messi* [2026] EAT 34 para. 19
[15] *Attorney General v Mr V Bruce* EAT/0586/05 para. 2
[16] *Attorney General v Mr O F Ayouvare* EAT/0614/03 para. 10
[17] *Attorney General v Ms A P McCluskey* EAT/0118/09 para. 3
[18] *Attorney General v Mr S Deman* EAT/0113/06 para. 3

strike-out (e.g. *Roberts*[19], and *Taheri*[20]), repeated requests for review or reconsideration (*Deman*[21]), costs orders (e.g. nine in *Roberts*[22], and two in *Messi*[23]), and late adjournments or absence from hearings (e.g. *Roberts*[24], *Bentley*[25], and *Groves*[26]).

The court does not make all Section 33 orders pursued by the Attorney General. In the case of *England*[27], the parties agreed to adjourn for a year[28] on account of the litigant's age and the stated absence of intent to seek further employment[29]. *Mallon*[30] shows the Attorney General will take action against a litigant with prior success[31] and achieve a Section 33 Order[32]. Eighteen successes and one adjournment does not define the case selection criteria of the Attorney General. In *Mallon* the Employment Appeal Tribunal stated that the resources of the system are limited and it is unacceptable to waste them[33].

The sections that follow set out one litigant against the above nineteen cases. At the time of writing, in October 2026, no section 33 applications concerning this litigant appear in the decisions searched. It is not a question for this article, but one the Attorney General or, for Scottish proceedings like *Lady Coco*[34],

[19] *Attorney General v Mr James Roberts* EAT/0058/05 para. 18
[20] *Attorney General v Mr David Taheri* [2022] EAT 35 para. 17
[21] *Attorney General v Mr S Deman* EAT/0113/06 para. 186
[22] *Attorney General v Mr James Roberts* EAT/0058/05 para. 18
[23] *Attorney General v Ms Sandra Messi* [2026] EAT 34 para. 33
[24] *Attorney General v Mr James Roberts* EAT/0058/05 para. 19
[25] *Attorney General v Mr A Bentley* EAT/0556/11 para. 6
[26] *Attorney General v Mr M Groves* EAT/0162/14/RN para. 1
[27] *Attorney General v Mr C P England* EAT/367/00
[28] *Ibid.* para. 8
[29] *Ibid.* para. 3
[30] *Attorney General v Mr Christian Mallon* [2025] EAT 168
[31] *Ibid.* para. 11
[32] *Ibid.* para. 56
[33] *Attorney General v Mr Christian Mallon* [2025] EAT 168 para. 46
[34] *Mr Lorenzo Ramos v Lady Coco Ltd ta Shamela's Fresh Hot and Cold Food [2023]*

the Lord Advocate whether this case meets the statutory test.

II. Mechanisms in play

RECONSIDERATION rules at the relevant time are the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013/1237. Rule 70 is the principle: A tribunal may reconsider any judgment where it is necessary in the interests of justice to do so. Rule 72(1) is the process: If the judge considers that there is no reasonable prospect of the original decision being varied or revoked, the application for reconsideration shall be refused.

Of the sixteen decisions published in the case of *Mr L Ramos v Lady Coco Ltd*[35] seven are refused applications for reconsideration of judgments: two described as applications[36]; three described as second applications[37], and two described as further applications[38]. Each is refused under rule 72(1) as having no reasonable prospects of the judgment being revoked, including where the application is substantially the same as that having already been refused[39].

The Employment Tribunal cases of *Mr L Garcia v British Airways*[40], *Mr L Garcia v The Leadership Factor*[41], *Mr L Garcia v Landbased*[42], *Mr L Garcia v Software Academy*[43], *Mr L Ramos v Not-*

EAT 99 para. 76

[35] *Mr L Ramos v Lady Coco Ltd T/a Shamela's Fresh Hot and Cold Food* 4110531/2021

[36] dated 15 September 2022 and 24 November 2022

[37] dated 24 November 2022, and two dated 1 March 2023

[38] dated 20 March 2023 and 13 April 2023

[39] Successful applications for reconsideration as well as decisions referred to but unpublished are not counted.

[40] *Mr L Garcia v British Airways* 3331562/2018

[41] *Mr L Garcia v The Leadership Factor Ltd* 1805271/2019

[42] *Mr L Garcia v Landbased Ltd T/a JP Pharmacy* 2204604/2020

[43] *Mr L Garcia v Software Academy Ltd and A Reza Nemati* 3327155/2019

tinghamshire Women's Aid[44] and *Mr L Ramos v Auxistencia*[45] each feature one or more applications for reconsideration refused under rule 72(1)[46].

APPEALS to the Employment Appeal Tribunal are actions further to applications for reconsideration. The claimant appealed Employment Tribunal decisions in *Lady Coco.* These appeals were dismissed for failure to identify a question of law that would engage the EAT[47]. The decisions of the Employment Tribunal in *Nottinghamshire Women's Aid* were also appealed, with the same result by different means: The Employment Appeal Tribunal found that the Employment Tribunal was correct[48] or there were no reasonable grounds for the appeal[49]. The EAT in *Chalcot House*[50] (opening this article) writes at paragraph 85[51]

> *[...] we formally allow the claimant's appeals [...]. We are, however, satisfied that no injustice arose from the transfer decisions [...]. In these circumstances [...], we are clear that the errors identified can have no material effect on the*

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[44] *Mr L Ramos v Nottinghamshire Women's Aid Ltd and Ms A J Bloomer* 2601315/2021

[45] *Mr L Ramos v Auxistencia Ltd and D Ibiza Sanchez* 2202967/2023 and 2202968/2023

[46] Judgments include explicit references or verbatim language from the rules.

[47] *Mr Lorenzo Ramos v Lady Coco Ltd ta Shamelas Fresh Hot and Cold Food* [2023] EAT 99 para. 75

[48] *Mr L Ramos v (1) Nottinghamshire Women's Aid Ltd (2) Ms A J Bloomer* [2024] EAT 67 para. 30

[49] *Mr L Ramos v (1) Nottinghamshire Women's Aid Ltd (2) Ms A J Bloomer* [2024] EAT 67 para. 31

[50] *Mr L Ramos v Chalcot House Services Ltd* [2025] EAT 16

[51] *Mr L Ramos v Chalcot House Services Ltd* [2025] EAT 16 para. 85 Ellipses denote case references, statutory powers, and previous judge's reasonings. Omitted for brevity.

> *result [...] and that it is appropriate to [...] confirm each of the transfer decisions made [...].*

Other appeals in decisions headed Mr L Garcia were met with findings that the Employment Tribunal was correct[52], concluding that each of the grounds of appeal are rejected and thus dismissed[53] and, in another, that a ground was allowed and that the claim can be tried at the Employment Tribunal[54].

III. Asymmetry

CONSEQUENCES differ between a claimant and a respondent when defaulting. Rule 37(1) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013/1237 empowers the Tribunal to strike out all or part of a claim for non-compliance with an Order of the Tribunal (Rule 37(1)(c)) and/or a lack of active pursuit of the claim (Rule 37(1)(d)). *Mother Hubbard's*[55], *Preem*[56], and *Madneat Cleaning Services*[57] are each struck out under Rule 37 for lack of compliance with an Order of the Tribunal and lack of active pursuit of the claim.

Failure to engage by the respondent invokes Rule 21 as was made clear in *Bellus Print*[58]. Employment Judge Wade writes

> *No response to the claim has been presented by either respondent. Pursuant to Rule 21 of the Employment Tribunal*

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[52] *Mr L Garcia v The Leadership Factor Ltd* [2022] EAT 19 paras. 63 and 64
[53] *Mr L Garcia v The Leadership Factor Ltd* [2022] EAT 19 para. 83
[54] *Mr L Garcia v Market Probe Europe Ltd EAT/0024/13/BA* paras. 9 and 10
[55] *Mr L Ramos v Mother Hubbard's East Ham and Z Ahmed* 3200146/2023
[56] *Mr L Ramos v Preem Ltd and F Mert* 3200153/2023
[57] *Mr L Ramos v Madneat Cleaning Services* 2303565/2021
[58] *Mr L Garcia v Bellus Print Ltd and S E Tayefe* 2206048/2019 decision dated 23 February 2021

> *Rules 2013, the claimant's complaints of age and sex discrimination therefore succeed against both respondents.*

and continues to set the date for the remedy hearing[59] that awarded £9,515.85[60]. The respondents made no appearance or representation in *Westfield* resulting in an application of Rule 21 in favour of the claimant, awarding £1,251.18[61].

When a claim is struck out for lack of active pursuit (Rule 37), the claim ends per *Mother Hubbard's*, *Preem*, and *Madneat Cleaning Services*. When a respondent makes no response (Rule 21) a judgment is made for liability. *Bellus Print* deferred the amount to a second hearing whereas *Westfield* was issued in a single judgment.

IV. Two names

On 9 March 2020, the Employment Tribunal writes in *Gift Corner*[62]

> *16. In the course of preparation for this case, Mr Ashraf found a number of tribunal judgments in cases brought by a Mr L. Garcia against various companies (one of them was by a Mr I Garcia against the Dolce Vita restaurant). One of these judgments (part of which appeared at page 12 of the respondents' bundle) refers to the claimant having seen an advert for a cleaning job posted under the name of a "recruiter", named Prascovia Cravtova. The advertisement,*

[59] *Mr L Garcia v Bellus Print Ltd and S E Tayefe* 2206048/2019 decision dated 23 February 2021

[60] *Mr L Garcia v Bellus Print Ltd and S E Tayefe* 2206048/2019 decision dated 5 March 2021

[61] *Mr L Ramos v Westfield Estates Ltd (Company number 06895622) and A Ali* 3302264/2022

[62] *Mr L Garcia v The Gift Corner 3 Wishes Ltd and Muhammad Ali Ashraf* 3318988/2019 paras. 16-18 quoted in full for accuracy.

from what the claimant eventually told us, was for female speakers of Spanish and Romanian.

17. The claimant submitted a document which was in the form of a witness statement, which he produced as his evidence under oath. At paragraph 7 he said:

> *"The respondent put forward other claims and alleges that I am involved in them simply because the name of the claimant contains the initial and surname "L Garcia". However, these claims are irrelevant and prove nothing for the following reasons:*
>
> a. *The surname "Garcia" is very widespread in the Spanish speaking countries. Hence there are many people with the initial and surname "L Garcia" and there is no evidence that I have something to do with these claims.*
>
> b. *It is not illegal to have several claims in the Employment tribunal because discrimination in the workplace is widespread and the respondent is certainly not the only employer who discriminates. And, contrary to what says the Respondent this does not prove that an applicant did not have the intention to look for work."*

18. In evidence the claimant flatly denied that any of the judgments referred to in the respondent's bundle, had anything to do with him. In particular, he stated that the case L Garcia v Market Probe Europe Limited was not to do with him nor was the case against Prascovia Cravtova. He accepted that a judgment (on a preliminary

> *issue) in a claim against British Airways on 27 January 2020, did relate to him. He said that the judgment at page 12 of the bundle was not to do with him (we note from the commencement of the Reasons on the first page of that decision (the only page in the bundle) that reference is made to the "recruiter named Prascovia Cravtova", so there seems to be some overlap with the above complaint against Prascovia Cravtova. He doggedly maintained that he had not issued any of these claims, except the one admitted by him against BA. When he was shown the tribunal file in relation to the claim against Ms Prascovia Cravtova, (case number 3313977/2019) and that the name, date of birth, address and email details of the claimant matched his own, he then accepted that this was his claim. However, he said that it had been settled which is why he had not referred to it earlier. The tribunal could not accept this as being an honest answer, given his earlier firm and repeated denials that this case had anything to do with him. He said he had been looking for jobs on the internet and had found the job which referred to a female Spanish and Romanian speaker.*

On 10 March 2022, Employment Judge Welch at The Employment Tribunal writes in *L Ramos v Nottinghamshire Women's Aid (ET)*[63]

> *23. The claimant's name, as stated on the claim form, is Mr Lorenzo Ramos. During the hearing, he offered me his Spanish passport which showed his name as Lorenzo Garcia Ramos. The claimant explained that he sometimes uses his middle name and sometimes uses his surname.*

[63] *Mr L Ramos v Nottinghamshire Women's Aid Ltd and Ms A J Bloomer* 2601315/2021

> *24. The Respondent drew my attention to a number of Judgements of the Employment Tribunal in which the claimant was Mr L Garcia. At the earlier case management hearing before Employment Judge Ahmed, the claimant said that his name was not Garcia and then had subsequently refused to confirm or deny whether it was.*

and later drawing the conclusion[64]

> *41. It was clear to me that the claimant is the same person as Mr L Garcia in the claims to which I was referred by the respondents during the course of this preliminary hearing.*

On 25 July 2022, The Employment Tribunal writes in *Bigbux and others* reviewing four cases with the claimant named as Mr L Garcia and five as Mr L Ramos[65]

> *18. He confirmed his name as Lorenzo Garcia Ramos and confirmed his postal address. He confirmed that he was the same claimant in each of the cases, even though some of the claims and some of the witness statements used just "Ramos" or just "Garcia" as the case may be.*

His Honour Judge James Tayler at the EAT on 30 April 2024 opens[66] Mr L Ramos' appeal in *Nottinghamshire Women's Aid (EAT)*[67]

> *1. Mr Lorenzo Ramos, also known as Lorenzo Garcia, is a serial litigant in the Employment Tribunals and the EAT.*

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[64] Surrounding sentences in this paragraph do not pertain to the identity of the claimant and are omitted.

[65] *Mr L Garcia and others v Bigbux and others* 3302095/2020 and others para. 18

[66] Following sentences in this paragraph do not pertain to the identity of the claimant and are omitted.

[67] *Mr L Ramos v (1) Nottinghamshire Women's Aid Ltd (2) Ms A J Bloomer* [2024] EAT 67

continuing[68]:

> *5. In the Employment Tribunal the claimant refused to answer questions about whether he was the person who had brought the previous Employment Tribunal claims. He was less reticent today. He confirmed that he was the appellant in Lady Coco and Leadership Factor Limited.*

Returning to the case opening this article, on 31 January 2025 the EAT in *Chalcot House* refers to the first paragraph of HHJ Tayler's [2024] EAT 67 judgment[69] above and follows with

> *18. As that extract from HHJ Tayler's judgment makes apparent, the claimant has brought a large number of ET claims throughout Great Britain. The present appeals all relate to claims filed in one of the three London regions (London East, London Central, London South); each case was transferred to the ET South East Region. As at March 2023, 52 claims brought by the claimant were held by the ET South East region. Following a request made by the EAT to the Watford ET office for the purposes of this hearing, we understand that some 66 claims by the claimant appear on the records. We understand that these relate to claims brought by the claimant in London and the South East, and do not include claims brought in other regions, or claims brought before the ET in Scotland. In addition, according to the records held by the EAT, some 42 appeals have also been pursued by the claimant.*

[68] Note *Lady Coco* is a case brought by Mr L Ramos and *Leadership Factor* is a case brought by Mr L Garcia. Surrounding sentences in this paragraph not pertaining to the identity of the claimant are omitted.

[69] *Mr L Ramos v Chalcot House Services Ltd* [2025] EAT 16 para. 17

Contact & Right to reply

The parties in this article are named for accuracy, in published documents, without restricted reporting orders at the time of writing in October 2026. This article takes no view on the merits of any claim in the reported decisions. No published contact route for Mr Ramos was found. A response to irwinj.llb@gmail.com will be added to this article. The author is a 2026 law graduate.

Sources

Decisions referred to in this article from the Employment Tribunal[70] and Employment Appeal Tribunal[71] contain public sector information licensed under the Open Government Licence v3.0. Confidential settlements and unpublished decisions are not counted. Counts recorded in decisions vary in basis (claims, applications, or proceedings).

[70] https://www.gov.uk/employment-tribunal-decisions
[71] https://www.gov.uk/employment-appeal-tribunal-decisions