



EMPLOYMENT TRIBUNALS

Claimant: Ms S Okafor

Respondent: Nursing and Midwifery Council

JUDGMENT

The Claimant's application contained in an emailed letter dated 14 March 2017 for reconsideration of the reserved judgment ("the Judgment") and reasons ("the Reasons") sent to the parties on 20 February 2017 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

1 By an email dated 14 March 2017 the Claimant attached an application for reconsideration of the Judgment and Reasons on the grounds that she believed that there had been errors of fact and law. Errors of law are matters for the Employment Appeal Tribunal and not appropriate for a reconsideration.

2 Under rule 70 of the Employment Tribunals Rules of Procedure 2013 the only ground for reconsideration is:

"where it is necessary in the interests of justice to do so".

3 The application for reconsideration runs to 27 paragraphs and for the sake of convenience, the paragraph numbers of the application are used in these Reasons.

4 Paragraphs 4 to 17 of the application relate to background information and information concerning a claim against the Local Supervisory Authority under

case number 2202480/2011. The claim against the Local Supervisory Authority is a decision of another Employment Tribunal and not the subject of the present case.

5 Paragraphs 19 to 21 concern the issue of jurisdiction under section 120(7) Equality Act 2010 and set out the Claimant's arguments on the law. These are matters for the Employment Appeal Tribunal.

6 Paragraphs 22 to 24 concern the issue of estoppel/abuse of process. They do not set out grounds justifying a reconsideration and are matters of law for the Employment Appeal Tribunal.

7 Paragraphs 25 and 26 deal with the preliminary issue concerning time limits. Reference is made in paragraph 26 to an email of Aja Hall dated 17 March 2017. In fact, the email in question (page 185 of the preliminary hearing bundle) is dated 17 March 2016 and refers to an order from the Court of Appeal upholding the decision of Picken J in the High Court. Nothing in these two paragraphs make it just and equitable to reconsider the decision on time limits.

8 Paragraph 27 refers to what the Claimant considers to be a miscarriage of justice. The matter raised is a matter for the Employment Appeal Tribunal.

9 None of the matters set out in the application for reconsideration, whether considered singly or together, are sufficient to justify reconsideration on the grounds that it is in the interests of justice to do so.

10 In these circumstances the Employment Judge considers that there is no reasonable prospect of the original decision being varied or revoked and the application for reconsideration is refused.

Employment Judge Lewzey
28 March 2017