



EMPLOYMENT TRIBUNALS

Claimant: Ms D Nyanganyi

Respondent: MG Trading Castlefield Limited

JUDGMENT ON RECONSIDERATION

In exercise of the power conferred upon me by Rule 72(1) of the Rules of Procedure set out in Schedule 1 to The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 I refuse the application for a reconsideration by the claimant contained in her e-mails dated 3 and 4 July 2017 because the application has no reasonable prospect of success.

REASONS

1. The claimant now asserts that she is unable to provide a copy of the witness statement, said to have been prepared and copied on a USB memory stick, because she is detained in Yarl's Wood Immigration Centre. This is not a satisfactory explanation for the claimant's failure to provide a copy of a witness statement at the hearing.
2. The claim was struck out for failure to comply with the Order to provide a witness statement and the claimant's unreasonable conduct at the hearing.
3. The provision by the claimant of a witness statement at this time, or some time in the future, would not justify revoking the order striking out the claim.
4. The claimant has raised no new matters which suggest that a fair hearing is possible.
5. In all the circumstances I cannot find that the interests of justice require such a reconsideration.

Employment Judge Porter
Date: 17 July 2017

Case No: 2403251/16

JUDGMENT SENT TO THE PARTIES ON

21 July 2017

FOR THE TRIBUNAL OFFICE