



EMPLOYMENT TRIBUNALS

Claimant: Mr J McBrearty

Respondent: Lancashire Teaching Hospitals NHS Foundation Trust

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 his emails dated 20 December 2017 and 16 January 2018 because the application has no reasonable prospect of success.

REASONS

1. The grounds upon which the claimant asserts that the judgment should be reconsidered are not clear.
2. The claimant, in essence, seeks to re-argue the same points put forward and considered at the Hearing.
3. The claimant raises no new points of evidence which were not known to him at the time of the Hearing. He wishes the tribunal to reconsider the evidence contained within the Bundles of documents and to give certain parts of the evidence more weight.
4. The claimant was represented at the hearing by counsel. The claimant expresses concern that his counsel did not place enough emphasis on, or did not specifically draw the attention of the tribunal to, certain parts of the documentary evidence. Dissatisfaction with the performance of counsel does not, by itself, justify a reconsideration of the decision.
5. The claimant does not identify which parts of the judgment with reasons which he seeks to challenge, does not identify the reason for the challenge.
6. The tribunal considered all the relevant evidence before making its decision.
7. I cannot find that the interests of justice require a reconsideration.

8. There must be finality in litigation.

Employment Judge Porter

Dated: 31 January 2018

SENT TO THE PARTIES ON

9 February 2018

FOR THE TRIBUNAL OFFICE