



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Mr Chaudhry Ali**

**v**

**A B K Security Services Limited**

## JUDGMENT FOLLOWING RECONSIDERATION

The order made on 5 May 2017 requiring the respondent to pay the claimant the sum of £1,200 in respect of the Tribunal Fees the claimant was required to pay is revoked.

### REASONS

1. The claimant succeeded in his claim against the respondent in respect of his claim of automatic unfair dismissal following a hearing on 5 May 2017. I ordered the respondent to pay the claimant the Tribunal Fees he had paid in paragraph 5 of the Judgment.
2. On 26 July 2017 the Supreme Court ruled in *R. (on the application of Unison) v Lord Chancellor [2017] 3 W.L.R. 409* that fees charged under the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013 were unlawful.
3. On 24 August 2017 the respondent made an application for a reconsideration of the order to pay fees (although the application was not drawn to my attention at the time). The application was copied to the claimant but he made no representations on it.
4. Under rule 70 of the Employment Tribunals Rules of Procedure a judgment may be reconsidered where it is in the interests of justice to do so.
5. In light of the judgment of the Supreme Court it is, in my view, in the interests of justice to review the decision to order the respondent to pay the claimant's fee. The fees charged were unlawful and a refund scheme has been implemented for claimants who paid fees.
6. In the circumstances, it is in my judgment, appropriate to revoke the part of the judgment that ordered the respondent to pay the claimant the sum of £1,200 in respect of the fees he paid.

---

Employment Judge Chudleigh

**Case No: 3323902/2016**

Date:2/1/2018

Judgment sent to the parties on

.....

.....

For the Tribunal office