



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Ms Khan**

**(1) The Chief Constable of West Midlands Police  
(2) Gail Rumble  
(3) Stuart Gardner**

## DECISION

In exercise of my powers contained in Rule 72 Employment Tribunals Rules of Procedure 2013 I refuse the claimant's application for reconsideration on the grounds that there is no reasonable prospect of the decision being varied or revoked.

## REASONS

1. On 8 December 2018 the claimant submitted an application to reconsider the judgment.
2. The power to reconsider a judgment is contained in Rule 70 to 73 Employment Tribunals Rules and Procedure 2013. The rules enable a tribunal to reconsider a judgment where it is necessary in the interests of justice to do so. Rule 72 provides that an Employment Judge shall consider the application. If the judge considers that there is no reasonable prospect of the decision being varied or revoked she shall refuse the application.
3. In her application for reconsideration the Claimant accepts that she did not present her claim in time but argues it would be just and equitable to extend time. The last day of any alleged discriminatory act was 25<sup>th</sup> August 2016. The claim was not presented until 12 March 2018.
4. The Claimant puts forward two arguments in her request for reconsideration. Firstly that prior to the day of the hearing before me she had suffered a bereavement (which she did not mention at the hearing) and, that she was upset. I have every sympathy with the Claimant however this does not change the fact that she was out of time and my findings that it was not just and equitable to extend time. Secondly, the Claimant suggests she was prejudiced in some way because she did not

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receive the Respondents witness statements until the day of the hearing. Accepting that the Claimant was a litigant in person it would be unfortunate if the Respondent only served her with its statements on the day of the hearing. However I heard no evidence from any witness on behalf of the Respondent. This made no difference to my findings of fact on the timescales or on my decision that it was not just and equitable to extend time.

Employment Judge Hindmarch  
09 January 2019