



EMPLOYMENT TRIBUNALS

Claimant: Mr J Richards
Respondent: David Duggleby Ltd

JUDGMENT

The claimant's application dated 11th December 2018 for reconsideration of the judgment sent to the parties on 28th November 2018 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked because the findings of fact made in the judgment were properly based on the documentary and witness evidence before the Tribunal and the claimant's application does not highlight an error of law. The claimant's application seeks to amplify his witness evidence. He had ample opportunity to give evidence at the hearing. To the extent that he gave evidence this was considered and assessed as part of the decision-making process. To the extent that the claimant did not give this evidence at the hearing he could have and should have done so at that stage. The claimant also seeks to introduce new documentary evidence. There is nothing to suggest that, with reasonable diligence, such evidence could not have been obtained for use at the original hearing. Furthermore, the evidence referred to would not have had an important influence on the hearing. The guidelines in Ladd v Marshall [1954] 3 All ER 745 are not fulfilled. Taking the application as a whole there is no reasonable prospect of the Tribunal concluding that it would be in the interests of justice to vary or revoke the judgment having regard, in particular, to the overriding objective, the interests of the parties and the public interest in finality of litigation.

Employment Judge Eeley
Date 3rd January 2019
JUDGMENT SENT TO THE PARTIES ON

