



EMPLOYMENT TRIBUNALS

Claimant: Mr I Sagna

Respondent: Drumroots Ltd

JUDGMENT

The claimant's application dated 24 June 2019 for reconsideration of the judgment sent to the parties on 10 June 2019 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked. The judge identified the legal issues to be considered and applied the law to the facts found. If the claimant considers that the judge has erred in law, the correct course of action is to appeal the decision.
2. The inadequate briefing of the respondent's counsel, leading to the written skeleton argument being of limited assistance is not a "procedural mishap" of a type which would mean it was in the interests of justice to re-open proceedings. The judge was aware of the legal issues to be considered and set these out at the start of the hearing and was aware of the leading authorities relevant to those issues.
3. The fact that other legal authorities might have been referred to does not mean it would be in the interests of justice to reconsider the decision. The judge referred to the principal authorities. The public interest in the finality of litigation and the interests of the respondent lie against allowing reconsideration of a judgment simply to allow the presentation of additional authorities. If the claimant considers that the judge has erred in law, the correct course of action is to appeal the decision.

4. Point 4 in the claimant's letter appears to be a further argument that the judge misapplied the law to the facts. If the claimant considers that the judge has erred in law, the correct course of action is to appeal the decision.
5. The claimant refers to reconsideration in the light of further case law and/or further evidence. There has been no identification of new evidence which the claimant could not have presented at the preliminary hearing. It is not in the interests of justice to allow the case to be reopened to allow further evidence, which could have been given at the preliminary hearing, to be presented.

Employment Judge Slater

Date: 16 July 2019

JUDGMENT SENT TO THE PARTIES ON

23 July 2019

FOR THE TRIBUNAL OFFICE