



# EMPLOYMENT TRIBUNALS

**Claimant** Mr R Prince

**Respondent:** Audit Bureau of Circulation Limited

## JUDGMENT

The claimant's application dated 17 July 2019 for reconsideration of the reasons sent to the parties on 5 February 2019 is refused.

## REASONS

1. There is no reasonable prospect of the original decision being varied or revoked.
2. The application is significantly out of time. Although the hearing was on the 15 October 2018 and judgment given there arose an issue about the period pre June 2016 and orders were made for submissions on that issue. Having received those full written reasons for the judgment and the pre June 2016 period were sent to the parties on the 5 February 2019.
3. The claimant was represented by Counsel at the hearing who had provided written submissions on the remaining issue. He has had his current representative, who instructed Counsel, since the issue of proceedings.
4. It is now submitted that the application is late due to the terminal illness of the claimant's mother. At no time until the 17 July 2019 was there any suggestion of a reconsideration application even though the representatives were engaged in correspondence with the tribunal on other matters.
5. Irrespective of the time point the application has no reasonable prospects of success. As stated at paragraph 2 of the application the claimant 'disagrees with the decision'. His right in that case is to appeal to the Employment Appeal Tribunal.
6. The claimant has produced in support of his application a further witness statement and one from his wife. This are just redrafted versions of the statements produced for the October 2018 hearing. Both the claimant and

his wife gave evidence at that hearing which lasted all day. Evidence was heard on the history of the various conditions from which the claimant suffers. That is why further evidence was not required on the pre June 2016 period and why that was dealt with by the representatives exchanging and filing written submissions it being too late in the day to deal with that matter at the hearing.

7. There is consequently nothing new being produced. The tribunal has already heard the evidence and come to its decision. It is not in the interests of justice to grant the application which is refused.

\_\_\_\_\_  
Employment Judge Laidler

Date:...09.08.19.....

JUDGMENT SENT TO THE PARTIES ON

.....28.08.19.....

.....  
FOR THE TRIBUNAL OFFICE