



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mrs E Clarke

v

Interserve FS (UK) Ltd

At: Watford

On: 16 August 2019

Before: Employment Judge Bedeau

Written representations

For the Claimant: In writing

For the Respondent: Not required to respond

RECONSIDERATION JUDGMENT

Under Rule 71 of the Employment Tribunals Rules of Procedure

The application by the claimant for a reconsideration of the judgment on costs sent to the parties on 12 June 2019, is refused.

REASONS

1. On the 15 July 2019, the claimant applied for a reconsideration of the judgment on costs sent to the parties on 12 June 2019. In a closely typed two-and-a-half-page document, she set out the basis of her application, challenging our findings of fact including our finding on her credibility. Although the application was outside of the 14 days' time limit, I decided to consider it out of time.
2. Numerous references have been made to the tribunal's findings of fact and to the negative finding on her credibility, which she challenges.
3. Rule 72(1) Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, as amended, provides for a preliminary consideration of

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an application for reconsideration without the need to hold a hearing. The application should be rejected if it is considered that there is no reasonable prospect of the judgment being either varied or revoked. For the costs judgment to be either varied or revoked it must be in the interests of justice to do so, rule 70.

4. My powers under rule 71(1), is to consider whether there is a reasonable prospect of the costs judgment being either varied or revoked. If so, to set it down for a hearing before the full tribunal.

5. Having considered the application, I have come to the conclusion that the tribunal made proper findings of fact based on the evidence before it and applied the relevant law in relation to the consideration of an application for costs. The claimant seeks to challenge the findings of fact in the hope of having a judgment favourable to her. It is not in the interests of justice to do so. I am satisfied that there is no reasonable prospect of the costs judgment being either varied or revoked. Consequently, the claimant's application for a reconsideration of the judgment, is refused.

Employment Judge Bedeau

Date:16/8/19.....

Sent to the parties on:9/9/19..

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For the Tribunal Office