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EMPLOYMENT TRIBUNALS

Claimant		***Respondent***
Ms I Cetin	**AND**	**Steve Griffiths & Others**

HELD AT: **London Central** **ON:** 8 August 2019
3 October 2109

BEFORE: Employment Judge Walker (sitting alone)

Representation:

For Claimant: In person
For Respondent: Ms S Clarke, of Counsel

RESERVED JUDGEMENT ON COSTS

The Claimant's application for preparation time succeeds in part and the Respondent is ordered to pay to the Claimant the sum of £507.

The Respondent's application for costs is refused.

REASONS

Background

1. The Claimant brought an application for costs against the Respondent and in response, the Respondent then brought an application for costs against the Claimant. Both parties were required to attend at a hearing and I had submissions from both of them. Both parties effectively argued that the other had conducted their case, or part of it, in a manner which was unreasonable and both cited a series of matters to support that contention.

2. Put briefly, the Claimant's argued her case for preparation time by reference to the following assertions:

(1) She alleged that the Respondent lied to a former employer and obtained information about her without her consent.

(2) The Respondent had no reasonable prospect of success in defending her claim.

(3) Breaching of orders, such as the order for disclosure.

(4) Some documents in the bundle were unnecessary

(5) There was a threat made of legal costs at page 174 of the bundle

(6) The use of the accommodation off-set which was an argument raised by the Respondent late in the day

(7) The reconsideration application

(8) The fact that the Respondent used names which do not regard as being appropriate

(9) The lack of cooperation on matters such as the bundle and not providing a hard copy

3. Put briefly, the Respondents' application was based on the following assertions:

(1) The lack of particularity in relation to the Claimant's claim.

(2) The change of the Claimant's case from a claim relating to deduction from her tax to a national minimum wage claim.

(3) A request for costs for the period prior to the Claimant amending her claim around 13 or 14 September 2018.

(4) The Claimant making various allegations against the Respondents which were both unpleasant, irrelevant and additionally unfounded.

(5) The Claimant's provision of Turkish documentation with no translation.

(6) The Claimant's claim in relation to the subject access request which was not part of the Tribunals jurisdiction.

(7) The Respondent said the Claimant repeatedly sought to substantially amend her claim, to obstruct the proceedings and made unfounded allegations.

Background

4. The Claimant worked as a live-in nanny for the Respondents from 4 December 2017 to 2 May 2018. It appears that the Respondent regarded the arrangement as one for a net payment to the Claimant but the Claimant saw it differently. The Claimant became concerned about the tax position and concluded that she had been underpaid. Her claim was treated by the Tribunal as a claim for unauthorised deduction from wages. Indeed, the Tribunal notified the Respondent on 24 August 2018 that the only claim which required a defence was a claim for unlawful deduction to wages.

5. The matter was listed for a final hearing on 3 October 2018. In practice that hearing was converted to a case management hearing. At some point the Claimant sought legal advice and eventually the Claimant received advice from the free representation unit, "FRU". Following that advise her FRU representative notified the Respondent that the Claimant would instead be pursing the claim that she had not been paid the minimum wage.

6. The matter was listed for a final hearing again on 28 November 2018 at which point the Respondent argued that the national minimum wage regulations did not apply to the Claimant due to the exemption applicable where an individual employee is part of a family.

7. The effect was that at the hearing the main argument for consideration was related to the applicability of the exemption. Since that was a legal matter and the arrangements in the home were within the knowledge of the Claimant, I considered it appropriate to address that argument without any adjournment. Nevertheless, in practice the hearing before me focussed on matters which were significantly different from those that the Claimant had envisaged.

8. The details were the subject of evidence and the hearing took longer than the allotted time which resulted in the matter going part-heard. I listed the matter for a further hearing on 10 January 2019 at which point I delivered the judgment which concluded that the exemption did not apply and, as a result, the Claimant was successful in her claim. At that point the amount outstanding was calculated based on schedules of loss which the parties had exchanged.

9. Thereafter, there was a considerable amount of correspondence from both parties. Apart from various requests for reconsideration, the Claimant sought a preparation time order. The Respondents wrote clearly stating that if the Claimant pursued that application the Respondents wanted to make a costs application. The Respondent's application was conditional on the Claimant making her application. Originally the Claimant's application was incomplete but eventually after various exchanges of correspondence the parties both provided their applications with sufficient information for the matter to go forward.

10. It was clear throughout that emotions were at a high level. Both the Claimant and the Second Respondent in particular appeared to be emotionally engaged and all parties were highly critical of the other side.

The Law

11. The Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 provide for the process for making a costs and/or preparation time order. The relevant rules are those from Rule 74 to 84.

12. Rule 76 provides a Tribunal may make a cost order or preparation time order and shall consider whether to do so, where it considers that:

(a) a party (or that party's representative) has acted vexatiously, abusively, disruptively or otherwise unreasonably in either the bringing of the proceedings (or part) or the way that the proceedings (or part) have been conducted: or
(b) any claim or response had no reasonable prospect of success.

13. A Tribunal may also may such an order where a party has been in breach of any order or practice direction or where a hearing has been postponed or adjourned on the application of a party.

14. A Tribunal may not make both the costs order and a preparation time order in favour of the same party in the same proceedings.

15. Rule 84 provides that the Tribunal may have regard to the paying party's ability to pay.

16. It is clear from the rules that the first stage is for the Tribunal to consider whether there are grounds for a costs order, in other words where there has been vexatious, abusive, disruptive or unreasonable conduct in either the bringing of the proceedings or part, or the way in which they have been conducted or that part of the claim or response had no reasonable prospect of success etc.

17. Having reached that conclusion, the Tribunal has to consider whether to make a cost or preparation time order, but is not required to do so.

18. If the Tribunal considers that a costs order is appropriate, it must then consider the amount of any cost order.

19. This is confirmed by the case of Robinson v Hall Gregory Recruitment Limited [2014] IRLR 761 EAT.

20. The case of Nicolson Highland Wear Limited v Nicholson [2010] IRLR 859 is authority for the fact that a party can still be subject to a costs order even if they have been partially or completely successful in their claim.

21. It was conceded by the Respondent that they had the benefit of an insurance policy but the Tribunal were reminded of the case of Mardner v Gardner UK EAT /0483/13 which is an unreported case dated 25 July 2014 that a Tribunal may not take into account the fact that it was potential receiving party has such a policy and would in practice not suffer a personal loss.

22. The case of McPherson v BNP Paribas [2004] EWCA Civ 569 is authority for two matters. It is authority that for the principle that it is not necessary for the receiving party to prove that specific and unreasonable conduct by the

paying party caused particular costs to be incurred. However, in practice it is often the case that when considering what costs would be appropriate the Tribunal will consider costs applicable to the conduct or the period of the conduct in question.

23. Importantly, that case is also authority for the principle that parties should not be penalised for withdrawing parts of their claim that have little reasonable prospect of success and the fact that a party does so does not automatically mean costs should be awarded. Lord Justice Mummery at paragraph 28 of the judgement said:

> *"In my view, it would be legally erroneous if, acting on a misconceived analogy with the CPR, tribunals took the line that it was unreasonable conduct for employment tribunal claimants to withdraw claims and that they should accordingly be made liable to pay all the costs of the proceedings. It would be unfortunate if claimants were deterred from dropping claims by the prospect of an order for costs on withdrawal, which might well not be made against them if they fought on to a full hearing and failed. As Miss McCafferty, appearing for Mr McPherson, pointed out, withdrawal could lead to a saving of costs. Also, as Thorpe LJ observed during argument, notice of withdrawal might in some cases be the dawn of sanity and the tribunal should not adopt a practice on costs, which would deter applicants from making sensible litigation decisions."*

Submissions

24. I had detailed written submissions from the parties and oral submissions. I have read those through carefully before reaching any conclusions. I will set the main submissions out briefly.

Claimant's submissions

25. The Claimant argued that her claim for national minimum wage was a statutory right and her claim was also a wage claim.

26. The Claimant argued that the Respondent was responsible for various issues involving deception throughout her employment such as the contract not being the one which she initially read and used their status as employers to lower her wages through non-payment of tax. She said the Respondents made decisions about her employment without her knowledge. She did not want to be part of their family and yet they argued that she was in order to avoid the minimum wage.

27. In practice the Claimant argued that she had raised the question of salary with the Respondents during her employment.

28. The Claimant argued that the Respondent prolonged the process and also caused her to spend extra money and time and she had incurred some

expensive professional costs. Additionally, the Claimant argued that the timetable was very tight and forced her to hire a solicitor.

29. She complained that the Respondent applied to some of her previous employers for references after her employment ended and did so to include them in the bundle because they believed they made her look bad.

30. The Claimant argued the Respondent had also used other information which was irrelevant to the claim and put in the bundle in an effort to support their claim against her relating to relations with her previous employer.

31. The Claimant argued that she had been under time pressures with regard to the witness statement and the schedule of loss while the other side were given agreed extensions by her representatives.

32. The Claimant complained that the Respondents attempted to strike out emails she had sent to the Tribunal which were true.

33. The Claimant referred to both of the Respondents full names. The Claimant referred to the complaints about the process.

34. The Claimant referred to the conduct of the Respondents solicitors and certain detailed matters regarding communications between the parties.

35. The Claimant referred to the Second Respondents allegations against her and the steps taken after the judgment.

Respondent's' Submissions

36. The Respondents argued that the Claimant's original claim was based on a misunderstanding of the tax system and how her personal allowance impacted on the tax payable. She did not raise such concerns with the Respondent prior to bringing the claim but, despite the Respondents' ET3 which identified the appropriate process that the Claimant might follow if that was her real concern, she continued without obtaining any legal advice and then after the case management hearing instructed FRU whereupon the tax claim was withdrawn and replaced with the claim for national minimum wage. The Respondents suggested that all the costs which were lost by the change of position should be paid by the Claimant.

37. Additionally, the Respondents argued that the Claimant sent numerous lengthy emails containing abusive and inappropriate comments about the Respondents that bore no relation to her tax claimed or unlawful deduction arguments. The Respondents gave examples of the relevant allegations.

38. In relation to the Claimant's arguments, the Respondents dealt with them in turn arguing that when the Claimant referred to lying to her employers they could only assume she was referring to reference requests which had been made by Mrs Griffiths after the Claimant's employment ended and they denied

that this was evidence that Mrs Griffiths lied or that it constituted unreasonable behaviour.

39. The Respondents argued that their defence to the claim clearly did have reasonable prospects of success as the original claim had effectively been substituted with a different claim for the national minimum wage. As a result of it, the Tribunal had to determine whether the Claimant was a member of the Respondents' family. The fact that the Claimant was successful did not mean that the Respondents' defence had no reasonable prospect of success and indeed the judgment recorded that the Respondent had failed to tip the burden of proof to satisfy the Judge, indicating that it was a fine balanced case.

40. In relation to breaching the orders, no breach of any orders have been identified.

41. In relation to hidden real names, the Claimant appeared to be suggesting that Mrs Griffiths was using different names because she was not using her middle name when in fact she uses both her married and maiden name and this could not be said to be unreasonable behaviour.

42. In relation to the Respondents referring to the matter as a tax claim, the Respondent said it was in practice a tax claim originally.

43. In relation to the argument of deception, there would be no factual finding in relation to this.

44. In relation to the Claimant having insufficient time to prepare for the case, it was a matter for the Tribunal as to what directions to make and this was not relevant for a cost order.

45. In relation to the documents in the bundle, the Respondents did not see how an inclusion of set documents could give rise to a claim for costs.

46. In relation to striking out of emails the Respondent was entirely entitled to request the Tribunal to do so when the emails contained irrelevant allegations.

47. In relation to objecting to the postponement application, that was reasonable as the Respondents wished to conclude proceedings as swiftly as possible.

48. In relation to making an application for reconsideration, the Respondent was entitled to make such an application.

49. In relation to complaints about the judiciary, it was clear that a party is entitled to do so.

50. In relation to comments regarding the Respondents' solicitor's comments, they had responded and it was asserted that the allegations were without merit.

51. With regard to the Claimant's reference to long emails it is not clear what was referred to.

52. In relation to the Claimant's comments, she had made serious allegations about the Respondent in various emails.

53. Finally, in relation to the question of proof of payment, it was unclear was proof of payment was being referred to. In all the circumstances the Respondent argued that the threshold had not been met.

Issues

55 The issue for the Tribunal were:

55.1 whether the threshold test for making either a costs order or a preparation time order had been met, as argued by each side.

55.2 If it had, there was the question as to whether to make an order.

55.3 Finally, there was the question of ability to pay.

Conclusions

Claimant's application for a preparation time order

54. I have considered each of the points made by the Claimant which are in some cases a defence to the Respondents' arguments and in some cases, an argument that the Respondents' conduct of the proceedings, or part, was unreasonable.

55. The judgment made no findings in relation to any allegations of a deception and nor was I required to do so in order to determine the Claimant's claim. There is no basis on which it would be possible for me to consider any argument based on deception as indicated by the Claimant. The general argument of deception through her employment was always unrelated to the matters before me.

56. The Claimant submits that an application was made for references to former employers after the Claimant had ceased her employment in order to obtain information which was clearly used as part of the proceedings. That is not disputed by the Respondents. The essence of an application for a reference is an indication that somebody is considering the future employment of an individual. It was clearly an abuse of that process to seek to find information about the Claimant by using that process in relation to these

proceedings. Under the data protection legislation, it is clear that a reference request can only be made with the consent of the individual to whom it relates and the implication when making such an application is that that consent has been provided. If that were not the case it would be inappropriate for the former employer to provide any information. In the circumstances this was unreasonable conduct and it was carried out in the context of obtaining information for these proceedings.

57. The Claimant's argument in relation to withholding national minimum wage relates to the basis of her claim which I have dealt with. Costs do not "follow the event" in the Employment Tribunal (i.e. be awarded to the successful party in any event) but rather must only be ordered as set out in the rules.

58. The Claimant argues that the Respondents' defence had no reasonable prospect of success. Initially the Claimant's claim was confused and difficult for any respondent to reply to. It did however complain about the tax position. Later, on advice, the Claimant withdrew her claim about the incorrect tax and relied upon her national minimum wage claim which appears to have been articulated in her schedule of loss sent to the Respondents on 29 October 2018.

59. The Respondents' argument on that point was highlighted in an email dated 13 November 2018 to the Claimant's then representative, Mr Fork of FRU. It was based on the exemption to the need to pay national minimum wage at Regulation 57 of the National Minimum Wage Regulations 2015, sometimes called the friends and family exemption. It was that matter which ultimately required determination by the Tribunal.

60. In my judgment I relied on the Respondents having failed to satisfy the burden of proof. The Respondents were required to satisfy the tribunal that the relationship was, to paraphrase the judgment in Namabalat, one for the mutual benefit of the employer and worker rather than being used as a device for obtaining cheap domestic labour. However, to determine that point, it is essential that the tribunal have regard in particular to the factors in Regulation 57(3). That took up some time.

61. My firm conclusion was that the Respondent had failed to satisfy me and the burden of proof fell on the Respondent, so their argument failed. I have given consideration was to whether that judgment was expressed so strongly as to indicate that the Respondents' case never had any reasonable prospect of success. I did identify significant factors which suggested the relationship was not one within the legislative exemption. It is certainly the case that merely because the Claimant was a live-in nanny and shares in leisure

activities wit them, it does not follow that the National Minimum wage does not apply to her. That appears to be the essence of the Respondents' defence argument as described in the letter sent to the Claimant's FRU rep. Moreover there was no particular evidence that the Claimant shared in any leisure activities.

62. In short, the claim only became clearly defined as a national minimum wage claim on 29 October when the Claimant sent her schedule of loss to the Respondents and the Respondents were never asked by the Tribunal to serve a defence to that claim as such. The Respondents explained their position in a letter to the Claimant's representative about two weeks prior to the full merits hearing. The Claimant gained some brief warning of the Respondents' argument on that point, which was not entirely vacuous, but in this case not the reality. Overall given the initial confusion over the claim, the fact that it evolved somewhat late on both sides, and the fact that in order to determine it, the Tribunal had to listen to a significant amount of evidence, I am not persuaded that the either party can be said to have acted unreasonably to the extent that I should consider whether they should bear any costs.

63. The letter which I have referred to above is the letter which the Claimant also complains about the in terms of the threat of legal costs. The Respondents' solicitors letter to the Claimant's FRU rep incorrectly said that the exemption applied "where a nanny is a "live-in" nanny (whereby they live as part of the family and share in leisure activities with them). That overstates the position. As Nambalat records in relation to accommodation, what matters is whether in the provision and allocation of accommodation the worker was treated as a member of the family and not whether a particular standard of accommodation was provided. Likewise, it follows that the involvement in leisure activities must have the quality of sharing as a member of the family. The essence of the exemption is to allow those families who do have a genuine relationship with another individual who lives with them and carries out some household work for them to be exempt from the national minimum wage. It does not exempt all live-in nannies who merely happen to share in some leisure activities.

64. That letter did threaten legal costs and, had it been sent to the Claimant directly when she did not have legal representation, might have been unreasonable, since it incorrectly explained the legislation. However, as the Claimant had a legal representative at the time, I do not find that threat unreasonable.

65. The inclusion of certain information in the bundle by the Respondent may well have been irrelevant and unreasonable but I have not been in a

position to investigate or consider it in detail and I am not in a position to make any findings on it.

66. The question of the timetable is a matter which ultimately remains in the Tribunal's control and clearly, when the case management directions were given, the Tribunal believed that the matter should be straight forward and the parties should have been able to deal with such orders relatively promptly. The parties are encouraged to pursue the overriding objective to cooperate with each other and short extensions are routinely agreed, as long as they do not impact on the overall hearing date. It is not unreasonable conduct.

67. The Claimant's complaint about the Respondents application to strike out certain of her emails is not a basis for unreasonable conduct. It is clear from having dealt with this case, that as I have noted, emotions were running high. The Claimant did write lengthy emails containing a great deal of information on occasions that were largely irrelevant. It would not be unusual for the Respondents' solicitors to endeavour to focus the matter on those issues which were going to be considered by the Tribunal. The Tribunal itself has a role which involves managing cases and requiring the parties to focus on the issues.

68. The Claimant defended the Respondents' accusations against her. The Claimant referred to the Respondents' argument about the nature of her claim changing. She regarded her claim as always one for underpayment. There is no doubt that the original claim was amended in some respects, but the Tribunal has always treated this as a claim for an unlawful deduction of wages.

69. The Claimant's comments on the postponed hearing plus the change of argument to one of the family exemption appear to be that the Respondents also took up considerable time in terms of sending detailed correspondence (largely after the judgment) which was unnecessary. She refers in particular to the letter about the receipts. That was sent by way of an application for a reconsideration in relation to the accommodation offset. There was an indication the Respondents thought they might be able to set off these sums but the only matter which engaged the Tribunal was the reconsideration application, which the Respondents were entitled to make and which the Tribunal decided would have to be addressed at a hearing so that evidence could be taken. At that point it was withdrawn.

70. In relation to the Second Respondent's name, the Tribunal have pursued the claim on the basis of the names used in the ET1.

71. In relation to the Claimant's complaint about the Respondents' complaints made about the judges and judiciary, there is a process for making applications to review judicial conduct. The fact that parties avail themselves of this cannot be said to be unreasonable behaviour. It would be contrary to the entire judicial system to have any form of discouragement to these processes, which are designed to uphold the high judicial standards of which we are proud.

72. In relation to the comments about the Respondents' solicitors, none of these matters are matters in which I have sufficient information to be able to asses them as either reasonable or unreasonable. It is clearly the case that both parties found this claim emotional. Both parties failed to focus on the key points which were relevant to the issues.

73. Finally, the Claimant refers to the payment of the outstanding monies due under the claim. This is not a matter which is relevant to this claim for costs. This claim for costs was made in relation to the claim up to and including the hearing. I note that he Claimant seems to think it should encompass any costs up to and including the hearing of the costs application hearing, but matters of enforcement are not within the usual ambit of this tribunal. However, I have expressed to both parties the fact that I would expect both parties to work together to pay the outstanding amounts as swiftly as possible, given this is the national minimum wage at stake.

Respondents' application for a costs order

74. In relation to the Respondents' claim, the Respondents argue that the Claimant's original claim had no reasonable prospect of success. However, as the McPherson case makes clear, Claimants should not be penalised where they recognise that some aspects of their claim are unlikely to be successful as this would deter people from doing so and therefore I do not regard this as a basis for any award of costs.

75. The question of when the Claimant first raised her claim is not of any particular significance. The Respondent said she raised it too late, while the Claimant says that she raised it at an earlier stage. I have not heard evidence or made any finding about it and I cannot see that it has any basis for a costs order for unreasonable conduct.

76. The changing nature of the Claimant's case is also not a matter which merits a cost award. The Claimant was a litigant in person and she did what is not at all unusual which was to express her problems in the whole rather than clearly limiting them to the claims which the Tribunal can address. It is noteworthy that the Claimant had very little warning of the argument the

Respondents raised in relation to the family exemption given their letter was sent to her FRU representative on 13 November when the hearing was listed for 28 November, i.e. only two weeks later. She had no knowledge of the detail of the legislation, nor was she aware of the assurance which had been given by the Respondents to their payroll agency about her being a member of their family. To the extent that was included in the bundle, it was not clear that the Claimant would have understood it nor could she clearly have read it since the copy provided was so badly blurred and illegible.

77. In all the circumstances both parties have suffered to some extent by the changing nature of the claim and the issues which the Tribunal had to determine. In the circumstances I do not think this is the basis for any determination of unreasonable conduct or any consideration of an award of costs.

78. The Respondent also argues about irrelevant, unfounded allegations in the Claimant's detailed and lengthy emails. Employment Judge Welch did, as they note, tell the Claimant that she should only comment on relevant issues. When the Claimant failed to do so, the Respondent says cost were incurred in having to deal with the emails which had no bearing on the case and appeared to be written simply to cause distress and upset. First there is no evidence that the emails were written with that alleged purpose. The Claimant was for the most part, a litigant in person. She was clearly very distressed herself by the situation. Like many litigants in person, she appears to have addressed her wider concerns about the entirety of her employment rather than focus on the technical issues which the Tribunal had to consider, but this is always difficult for litigants in person. It would be rare for it to be a basis for an award for costs. Further, there were other steps which the Respondents could have taken, such as asking the Tribunal for a case management hearing at which the Tribunal could have explained the situation to the Claimant again and even made appropriate orders, or simply asking the Tribunal at the full merits hearing to ignore the irrelevant correspondence on file. The Tribunal is well used to defining the issues and save where communications go to the credibility of a party, irrelevant communications will be ignored by the Tribunal.

79. In relation to the argument that the Claimant was at fault with regard to the lack of translations of Turkish documents, the Claimant disputes this. As the Respondent is well aware, the Tribunal was unlikely to be able to read them and would not have done so without translations available to the Respondents. The Claimant was a litigant in person and it is difficult to see how her conduct in this regard could be more than due to her lack of legal know how as opposed to unreasonable.

80. For the avoidance of doubt, I have considered each and every matter raised by each of the parties, and have, where they were significant, set out my conclusions on the individual assertions in this decision. I have also considered them all in the round in terms of determining the full position.

81. In conclusion, I find that the actions of the Second Respondent in applying for references, which was a ruse to obtain information about the Claimant for the purposes of this litigation, apparently in the hope of discrediting the Claimant, was unreasonable. That action merits an order for costs.

82. Other than that, I am not prepared to make any order for costs in relation to this claim. As I noted, what is clear is that there was considerable emotion since this claim arose out of a relationship which, while not a family relationship, was certainly a relationship of close proximity. The breakdown of that relationship, after the employment ended, which led to the claim appears to have caused both parties more than the usual levels of distress associated with Tribunal claims.

83. Reviewing the matter, I consider the unreasonable conduct on the part of the Respondents is such that some award of cost should be made. I do not consider they should pay all the costs, but rather a limited sum calculated to represent the time spent by the Claimant in consequence of the unreasonable conduct.

84. The Respondents accept that they are a professional couple and relatively affluent. They accepted they could meet an award of costs. They agreed it was unnecessary to take detailed evidence on their ability to pay.

85. In all the circumstances my conclusion is that the Respondent should pay the Claimant £507 representing 13 hours of preparation time which I asses to be the reasonable costs flowing from the Claimant having to deal with the reference information which the Respondents put in the bundle and which they had obtained improperly. I have reached this number of hours by scrutinising the Claimant's schedule of costs. I have reduced some of the time as not being proportionate, but I calculate that the reasonable and proportionate amount of time which would have been spent on steps such as locating the reference information amongst the Respondent's disclosure, enquiries made to the former employers to establish the position and research into the legal position as well as her efforts to object to it, would have totalled 13 hours.

86. I do not include in that any time for the Claimant's communication with the Information Commissioner, as that is a wholly separate process and not within my purview.

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Employment Judge Walker

Date 17 October 2019

JUDGMENT SENT TO THE PARTIES ON

18 October 2019