



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Bassey

**Respondents:** (1) The Commissioners for Her Majesty's Revenue and Customs  
(2) Katie Finn  
(3) John Ritchie  
(4) Gemma Cooper  
(5) Nigel Lodge  
(6) Michael Rhodes  
(7) Peter Atkinson  
(8) Ayesha Khan  
(9) Kirsty Roger  
(10) Steve Billington  
(11) Andrew Winkworth  
(12) Toni Bovill

**And**

**Claimant:** Mr J Bassey

**Respondents:** Mr P Smith, counsel  
Mr O Wilton, solicitor

## JUDGMENT

The claimant's application dated **6th October 2019** for reconsideration of the judgment at the costs hearing sent to the parties on **19th September 2019**, with written reasons on **23<sup>rd</sup> September 2019** is refused.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

The application does not address any alleged deficiencies in the substance of the judgment, reasons for which were given on 23<sup>rd</sup> September 2019.

It is made solely upon the basis that the tribunal panel should have recused itself and not heard the applications at all.

This application was not in fact made at the time. There was only an application that Employment Judge Lancaster recuse himself: the rejection of the application to reconsider the refusal of that application is dealt with in a separate judgment. In fact most of this present application is a repetition of the claimant's dissatisfaction with the manner in which the Employment Judge has addressed the question of reconsideration of the liability judgment and has nothing to do with the actions of the full tribunal.

**Case No: 1805068/2018**

The fact that the Claimant disagrees with the tribunal's findings of fact at the liability hearing is no reason why that tribunal should not also go on to consider the subsequent costs applications.

There is in these circumstances no reasonable prospect that the tribunal, if it were to be reconvened, would recuse itself, revoke the costs judgments and remit the case to a different tribunal panel. Even if it did the operative judgment in this case is that the claim be dismissed in its entirety and that findings of fact have been made that in key respects the claimant has told lies (not as he deliberately misrepresents that the tribunal made an express finding that he was not credible "at all") and any other tribunal would still be bound by that judgment and those findings.

There is absolutely no prospect whatsoever of the tribunal, at a reconsideration of the costs hearing, doing what the claimant wants it to do by issuing a default judgment on the substantive claim: that suggestion is wholly misconceived.

Employment Judge Lancaster

Date 15<sup>th</sup> October 2019