



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R MacLeavy

**Respondent:** Lee Funnell

**Heard at:** Bristol  
**2019**

**On:** 14 November

**Before:** Employment Judge Bax

## **JUDGMENT ON RECONSIDERATION**

**The Judgment, dated 18 October 2019, issued against Lee Funnell is revoked.**

## **REASONS**

1. The Judge, of his own volition under rule 70, reconsidered the Judgment issued against Lee Funnell on 18 October 2019 and sent to the parties on 1 November 2019. The Respondent to the claim was Bestway Panacea Holdings Limited. The Respondent's solicitor, by way of e-mail dated 4 November 2019, informed the Tribunal that the Judgment had been entered against the wrong person.
2. Schedule 1 of The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 contains the Employment Tribunal Rules of Procedure 2013 ("the Rules"). Under Rule 71 an application for reconsideration under Rule 70 must be made within 14 days of the date on which the decision (or, if later, the written reasons) were sent to the parties. Under Rule 70 the Tribunal may reconsider any Judgment on its own initiative.

3. Under Rule 5 the Tribunal may, on its own initiative or on the application of a party, extend or shorten any time limit specified in the Rules or in any decision, whether or not (in the case of an extension) it has expired.
4. The grounds for reconsideration are only those set out in Rule 70, namely that it is necessary in the interests of justice to do so.
5. The Claimant had brought the claim against Bestway Panacea Holdings Limited and Lee Farrell was named as the point of contact on the response form. ACAS notified the Tribunal on 26 September 2019 that the claim against Bestway Panacea Holdings Limited had settled. The claim was never brought against Lee Farrell. Accordingly, it was in the interests of justice for the Judgment against Lee Farrell to be revoked.

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Employment Judge Bax

Date: 14 November 2019

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