



EMPLOYMENT TRIBUNALS

Claimant: Mrs R Taylor-Hamieh

Respondent: The Ritz Hotel Casino Limited

JUDGMENT

The respondent's application dated 24 March 2020 for reconsideration of the Judgment sent to the parties on 12 March 2020 is refused.

REASONS

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

1. The application under rule 50 was refused because we were not persuaded that any infringement of Mr Marris' Article 8 rights outweighed competing considerations and the public interest in open justice. We had made clear to the parties when we considered the application that if there was evidence about the reasons why Mr Marris left which was relevant to the issues before us, that evidence should be heard in public and would inevitably form part of our reasons. If the evidence was irrelevant, it would not be necessary for us to refer to it in the reasons.
2. The respondent now seeks to have removed from the Judgment references to Mr Marris' suspension and his termination agreement. The discussion with the parties was not intended to suggest that there would be no reference to the broad circumstances in which Mr Marris left the respondent's employment, ie that there was a suspension followed by an agreed termination, but that if there were details of the reasons for the suspension and agreed departure which were not relevant to the issues in the case, there would be no reason to refer to those.
3. The references to the broad circumstances of Mr Marris' departure are relevant to an understanding of what material the Tribunal did nor did not consider when drawing inferences. In circumstances where Mr Marris played a crucial role in some of the factual issues and was an alleged discriminator, his

nonappearance could have been a matter which played a significant role in what inferences we drew. It was therefore relevant for us to bear in mind that he left in circumstances where the respondent was likely to have had difficulty persuading him to attend voluntarily. Those references are neither irrelevant to the reasons nor were they the subject of a successful rule 50 application.

4. For these reasons, there is no reasonable prospect of the original decision being varied or revoked.

Employment Judge JOFFE

Date 5 May 2020

JUDGMENT SENT TO THE PARTIES ON

15.5/20

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FOR THE TRIBUNAL OFFICE