



EMPLOYMENT TRIBUNALS

Claimant: Mr S. Mighall

Respondent: Cammell Laird Shipbuilders and Shiprepairers Ltd

HELD AT: Liverpool

ON: 21st May 2020
(in Chambers – by
video/Teams)

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: Written submissions and spreadsheet

Respondent: Written submissions and N260

Decision on Costs Order application - Reasons

Pursuant to the judgment with reasons sent to the parties on 30th May 2019 (“the Judgment”), and the Decision on Costs Order application sent to the parties on 1st May 2020 (“the Decision”), and having read the parties’ submissions, accompanying documents and replies to submissions, the unanimous decision of the Tribunal in relation to the respondent’s costs application is that the claimant should be ordered to pay to the respondent a specified amount, £10,000, in respect of the respondent’s costs.

Costs Order

It is hereby ORDERED, on application by the respondent, that the claimant shall pay to the respondent £10,000 (ten thousand pounds) in respect of the costs of the respondent.

REASONS

1. **The Issues:** These are set out in the Decision and the tribunal also had to decide, in the light of the Decision, what would be a reasonable sum on summary assessment for the claimant to pay towards the respondent's costs.
2. **The Facts:** These are set out in the Judgment and rehearsed in part in the Decision. The claimant gave no evidence on his ability to pay.
3. **The Law:** The Law is set out in the Decision, partly by reference to partially agreed submissions (agreed as to the applicable law), and in ETs (Constitution & Rules of Procedure) 2013, Rules 74 – 84.
4. **Application of law to facts:**
 - 4.1. The tribunal reminded itself of the Judgment and the Decision and carefully considered the respective submissions, comments and calculations provided by the parties.
 - 4.2. Taking account of all the above the tribunal discussed, and arrived at, a figure that it considered reasonable in all the circumstances, one that we felt achieved the overriding objective of the tribunal. We summarily assessed the claimant's contribution at £10,000. A summary assessment is not an exact science; we wanted to reflect our earlier findings projected onto the costs incurred by the respondent.

Employment Judge T.V. Ryan

Date: 21.05.20

JUDGMENT SENT TO THE PARTIES ON

1 June 2020

FOR THE TRIBUNAL OFFICE

