



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J. Plant

**Respondent:** Bank of Beirut (UK) Ltd

**London Central  
Employment Judge Goodman**

**1 September 2021**

## ORDER

The claimant's application for reconsideration of the order made on assessment of costs is refused because it has no reasonable prospect of success. .

## REASONS

1. On 13 August 2021 I made a detailed assessment of the respondent's bill of costs pursuant to a Judgement and directions sent to the parties on 13 August 2019. By email of 31 August the claimant seeks reconsideration of the decision.

### **Relevant Law**

2. Under the Employment Tribunal Rules of Procedure 2013 a request for reconsideration may be made within 14 days of the judgment being sent to the parties. By rule 70 a Tribunal "may reconsider any judgment where it is necessary in the interest of justice to do so", and upon reconsideration the decision may be confirmed varied or revoked.
3. Rule 72 provides that an Employment Judge should consider the request to reconsider, and if the judge considers there is no reasonable prospect of the decision being varied or revoked, the application shall be refused. Otherwise it is to be decided, with or without a hearing, by the Tribunal that heard it.

4. When making decisions about claims the tribunal must have regard to the overriding objective in room 2 of the 2013 regulations: to deal with cases fairly and justly, which includes ensuring that the parties are on an equal footing, dealing with cases in ways which are proportionate to the complexity and importance of the issues, avoiding unnecessary formality and seeking flexibility in the proceedings, avoiding delay, and seeking expense.

### **Discussion and Conclusion**

5. Most of the lengthy application seeks to re-argue points which have been decided long ago and which have been the subject of several unsuccessful appeals. I will not go over old ground on these.
6. The only point made which relates to the detailed assessment on 13 August is that the recent notice of hearing said that it was to decide whether a costs order should be made, when in fact the hearing was for detailed assessment of the respondent's bill.
7. I do not accept that the claimant did not know what the hearing was for. Before the notice of hearing was sent out, both parties were advised by the listing manager by email that the *detailed assessment* would be on 13 August. When the claimant replied to this on 7 July, he headed his letter "Judgment and Costs Order 15.7.19". He was well aware he had been ordered to pay costs in the judgment of July 2019. He had appealed that judgment, and he had appealed the refusal to reconsider that judgement, and both appeals had been refused. He had also seen the July 2019 directions for assessment, he had seen the respondent's notice of commencement, and he had filed points in dispute of the bill for the detailed assessment. He cannot have been in any doubt as to the purpose of the hearing.
8. If he chooses to ignore that, it is in the same state of mind as that in which still disputes the judgment from July 2018 that he was not a person under a disability.
9. In any case, while the claimant makes many points about matters that were not decided on 13 August, he makes no points at all about matters that were decided. That makes reconsideration a futile activity.

Employment Judge GOODMAN

Date 01/09/2021

JUDGMENT SENT TO THE PARTIES ON

01/09./2021.

FOR THE TRIBUNAL OFFICE