



EMPLOYMENT TRIBUNALS

Claimant: Mr J Spencer

Respondent: Darren John Boyle t/a DMS Racing

JUDGMENT

The respondent's application dated 1 October 2021 for reconsideration of the judgment sent to the parties on 20 September 2021 is refused.

REASONS

1. In this case both parties were self-represented. The claimant provided witness evidence and documentation. The respondent gave oral evidence and did not take issue with any of the claimant's evidence in relation to loss which I went through at the hearing before both parties.
2. The overriding objective means that I should consider the following matters:
 - a. ensuring that the parties are on an equal footing
 - b. dealing with cases in ways which are proportionate to the complexity and importance of the issues
 - c. avoiding unnecessary formality and seeking flexibility in the proceedings
 - d. avoiding delay, so far as compatible with proper consideration of the issues; and
 - e. saving expense.
3. There is a need for finality in litigation. The respondent's application for reconsideration is that *"I believe there are several incorrect calculations and omitted circumstances that have not been considered in reaching the full verdict"*.
4. But as I have set out above, the respondent attended the hearing, he knew what was being claimed and had every opportunity to provide relevant evidence and to take issue and gave no contrary evidence in relation to the calculation which led to the award. That he latterly seeks to disagree and wishes to re-open the hearing is not a

reason to reconsider the decision in this case bearing in mind both the need for finality and the requirements of the overriding objective.

5. For those reasons the application for reconsideration is refused.

Employment Judge Brewer

Date: 18 October 2021

JUDGMENT SENT TO THE PARTIES ON

12/11/2021

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FOR THE TRIBUNAL OFFICE