



# EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondents

MS E HALL

(1) VICTORIA & ALBERT MUSEUM  
(2) MR G AHEARN

## JUDGMENT

The Second Respondent's application dated **10 November 2021** for reconsideration of the Judgment in this case dated 18 October 2021 ("**the Judgment**") is refused.

## REASONS

1. The Second Respondent made an application for reconsideration of the Judgment in so far as it refused the application he made at the hearing for his name to be anonymised.
2. The application was made out of time, but the Second Respondent received a copy of the Judgment and Reasons late by reason of an administrative error; therefore I extend time for the application to be considered on its merits.
3. The Second Respondent submits as follows: "*there are sensitive issues re: R2's disability relating to his mental health which are mentioned in significant enough detail for it to constitute a breach of his rights to privacy under Article 8 of the European Human Rights Convention, which it is respectfully submitted, outweigh the very limited impact which anonymisation would have on the Article 6 principle of open justice*".

4. This constitutes no more than an attempt to make the same argument as was made by the Second Respondent at the hearing, albeit in writing and with fuller reference to the provisions of the ECHR. That argument was considered by the tribunal at the hearing; it is a proper argument with some merit; however, it was rejected for the reasons given in the written Reasons (I refer to paragraphs 116 and 117 of the Reasons for why the application was refused at the hearing).
5. For completeness, I refer to the two cases cited by the Second Respondent in support of his application for reconsideration:-
  - a. X v Y turned on the peculiar sensitivities engaged by the Appellant's transgender status and the Appellant's transitioning as an incident of that status, together with what was described as the 'fragile' status of the Appellant's mental health, which meant that the Appellant had not been able to attend the original hearing. None of those factors is present in this case.
  - b. The EF, NP case concerned a refusal to extend a restricted reporting order in a case involving 'lurid allegations of sexual harassment and abuse', which one of the Respondents had threatened to publish, leading to a private hearing in the High Court and an injunction preventing publication of the details of the case. Again, none of those features is present in this case.
6. For the above reasons, there is no proper basis for a reconsideration of the Judgment.

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Employment Judge Segal QC

22 November, 2021

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JUDGMENT & REASONS SENT TO THE PARTIES ON

23 November 2021