



EMPLOYMENT TRIBUNALS

Claimant: Ms T Brangman

Respondent: NCO Europe Limited

RECONSIDERATION JUDGMENT

The claimant's application dated 14 October 2021 for reconsideration of the judgment sent to the parties on 8 October 2021 is dismissed.

REASONS

1. I have undertaken preliminary consideration of the claimant's application for reconsideration of the judgment dismissing her claims. That application is contained in an eight page letter of 14 October 2021. The delay has been due in part to seeking clarification as to whether this letter was an application for reconsideration or an appeal.

The Law

2. An application for reconsideration is an exception to the general principle that (subject to appeal on a point of law) a decision of an Employment Tribunal is final. The test is whether it is necessary in the interests of justice to reconsider the judgment (rule 70).

3. Rule 72(1) of the 2013 Rules of Procedure empowers me to refuse the application based on preliminary consideration if there is no reasonable prospect of the original decision being varied or revoked.

4. In common with all powers under the 2013 Rules, preliminary consideration under rule 72(1) must be conducted in accordance with the overriding objective which appears in rule 2, namely to deal with cases fairly and justly. Achieving finality in litigation is part of a fair and just adjudication.

The Application

5. The application repeats a number of points which have already been made and considered. These include the following points:

- The allegation that it was unlawful for the Tribunal chaired by Employment Judge Ainscough to adjourn the hearing which began on 24 August 2021.
- The false allegation that the Tribunal had agreed in advance that the hearing would be recorded.
- The proposition that the claimant has effectively won her case and there should have been judgment in her favour even though that final hearing did not proceed

6. These points, and the others made in her letter, give rise to no reasonable prospect that my decision to strike out her case would be varied or revoked upon full reconsideration. The points she raises are hopeless and based upon a fundamental misunderstanding and/or misrepresentation of the position. My judgment and reasons record the history of the case and the reasons for striking it out, and nothing in this letter could cause me to change my mind.

Conclusion

7. There is no reasonable prospect of the original decision being varied or revoked. The application for reconsideration is dismissed.

Regional Employment Judge Franey

14 December 2021

JUDGMENT AND REASONS SENT TO THE PARTIES ON

15 December 2021

FOR THE TRIBUNAL OFFICE