



EMPLOYMENT TRIBUNALS

Claimant

Mr M Ibeziako

v

Respondent

Staff Call UK Limited

Employment Judge JM Wade in chambers on 10 August 2022

JUDGMENT

The claimant's application dated 24 June 2022 to re-consider paragraph 5 of the Judgment sent to the parties on 9 May 2022 is refused.

REASONS

1. The chronology of this matter requires an apology and an explanation.
2. I heard a number of preliminary matters in this case on 4 May 2022 in Hull. One of those was the respondent's deposit order application. I refused it in the circumstances set out in the short Judgment. That was announced extempore and the record sent to the parties on 9 May. The claimant requested written reasons on 10 May and these were signed on 6 June and sent to him on 23 June. He presented his reconsideration application the following day, 24 June. Unfortunately his 24 June email was overlooked by the Tribunal and not linked to the file. It was only actioned on 2 August. The first opportunity for it to be seen by me has been today. There is therefore urgency in dealing with it and my apologies to the parties that it has been delayed in this way.
3. If I understand the application correctly, the claimant says I was, in terms, wrong to conduct a merits assessment of his case on the papers to determine the deposit application, when the full hearing was due to take place in three weeks. My reasons explain how those circumstances arose and why I exercised discretion as I did.
4. Reflecting on the claimant's point, as one of the Judge acting outside the Tribunal's rules, I consider there are no reasonable prospects of that point succeeding such that I should revoke that part of the Judgment. The respondent's application had been made; it was not withdrawn; it had to be determined; I would have been wrong not to determine it; but I had a discretion to make a Deposit Order (or not) and I have explained in the reasons why I did not do so.

10 August 2022

Employment Judge JM Wade