



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms Dorelle Cryer-Whitehead

v

Chief Constable of Thames Valley
Police

JUDGMENT

The claimant's application of the 28 September 2022 for reconsideration of the judgment sent to the parties on the 10 September 2022 is refused.

REASONS

1. The hearing in this matter took place between the 25 April – 3 May 2022. An oral judgment was given and the judgment and reasons sent to the parties in writing on the 10 September 2022. The claims did not succeed.
2. By email of the 28 September 2022 the claimant has applied for reconsideration. She does not agree with the decision and has set out in 10 closely typed pages the reasons why. She seeks to revisit the findings of fact made by the full tribunal.
3. **The relevant provisions of the Employment Tribunal Rules 2013**

RECONSIDERATION OF JUDGMENTS

Principles

70. A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision (“the original decision”) may be confirmed, varied or revoked. If it is revoked it may be taken again.

Application

71. Except where it is made in the course of a hearing, an application for reconsideration shall be presented in writing (and copied to all the other parties) within 14 days of the date on which the written record, or other written communication, of the original decision was sent to the parties or within 14 days of the date that the written reasons were sent (if later) and shall set out why reconsideration of the original decision is necessary.

Process

72.—(1) An Employment Judge shall consider any application made under rule 71. If the Judge considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the Judge's provisional views on the application.

(2) If the application has not been refused under paragraph (1), the original decision shall be reconsidered at a hearing unless the Employment Judge considers, having regard to any response to the notice provided under paragraph (1), that a hearing is not necessary in the interests of justice. If the reconsideration proceeds without a hearing the parties shall be given a reasonable opportunity to make further written representations.

(3) Where practicable, the consideration under paragraph (1) shall be by the Employment Judge who made the original decision or, as the case may be, chaired the full tribunal which made it; and any reconsideration under paragraph (2) shall be made by the Judge or, as the case may be, the full tribunal which made the original decision. Where that is not practicable, the President, Vice President or a Regional Employment Judge shall appoint another Employment Judge to deal with the application or, in the case of a decision of a full tribunal, shall either direct that the reconsideration be by such members of the original Tribunal as remain available or reconstitute the Tribunal in whole or in part.

Conclusions

- 4. The application for reconsideration is refused. It is not in the interests of justice to revoke or vary the decision. The tribunal heard evidence from the claimant and 5 witnesses on behalf of the respondent. It considered extensive documentation. Having done so it made its findings of fact. The claimant does not agree with those findings. There is nothing in the claimant's application which gives grounds for the decision that was reached to be varied or revoked.

- 5. The application is refused.

Employment Judge Laidler

Date: 25 October 2022

Sent to the parties on: 28 October 2022

For the Tribunal Office