



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondents

MS ILKAY CETIN

(1) MRS MELANIE GRIFFITHS;
(2) MR STEPHEN GRIFFITHS

JUDGMENT

The claimant's application dated **14 September 2022** for reconsideration of the Judgment in this case dated 11 September 2022, refusing the applications of both parties for an award of costs ("**the Judgment**"), is refused.

REASONS

1. The tribunal apologises for the delay in dealing with this reconsideration request, which was not forwarded to the Judge until 23 November.
2. By her email of 14 September, the Claimant (C) seeks reconsideration of the Judgment and/or a hearing to determine the original costs applications, which were determined by the tribunal – as it had indicated to the parties was likely – on the basis of the lengthy written submissions made by each party.
3. Dealing with the second request first (although not, strictly, a request for reconsideration), C has raised no matter in her recent email which she had not raised in her original written submissions. The tribunal can only repeat that it was able to reach a decision on the original costs applications, without hesitation, on the basis of the detailed written submissions sent by both parties.
4. In relation to the reconsideration request, the tribunal first notes that C’s costs application was for her own preparation time costs, not for legal costs.
5. In respect of the ‘grounds’ raised by C:
 - a. Paragraph (a) complains that the Respondents (R) made costs applications against C in a previous case and in this case. That is not a basis for a costs application, still less for a reconsideration of the Judgment.
 - b. Paragraph (b) complains that the tribunal did not in the Reasons for the Judgment adequately refer to some of the grounds C had used to support her costs application. It is correct that the Reasons, explicitly, did not recite every part of C’s written submissions. At para 6 of those Reasons, the tribunal wrote that “C’s application is primarily based on [the following] assertions ...” (emphasis added). The two additional matters referred to by C at paragraph (b) of her 14 September email are:
 - i. The allegation that R ‘used’ a post-employment reference ‘in this bundle’ obtained by ‘misrepresentation’.

- ii. The allegation that R's solicitors had submitted and been allowed an amendment to their defence which included 'false statements' (see also paragraph (f)).
- c. Both those matters were raised by C during the substantive hearing. Neither constitutes a finding of fact made by the tribunal. C is, in effect, attempting to re-argue parts of her substantive claims as part of a costs application. There is no basis in law for the tribunal to reconsider the Judgment by reference to those arguments.
- d. The tribunal comments below on C's allegations of institutionalised abuse and intimidation by the police and tribunal system.
- e. Paragraph (c) alleges that the Reasons for the Judgment contain an untruth that C tried to record previous hearings. The relevant part of the Reasons simply records that allegation being made by R as part of its costs application, which was refused.
- f. Paragraph (c) also alleges that the Reasons for the Judgment are wrong in saying that documents that R had supposedly tampered with were not in the trial bundle. Some of the documents C refers to were not in the bundle so far as the tribunal is aware (such as a supposedly edited witness statement from a previous hearing). It is right that the pages of posts from C's blog and the email from Mr X were in the bundle; they were considered as part of the substantive hearing; no finding was made that they had been concocted or tampered with; on the contrary, the tribunal accepted both as genuine documents and has criticised C for making some of those posts on her website.
- g. Paragraphs (d) and (g) are simply attempts to re-litigate matters which the tribunal did not determine as C wanted in the substantive litigation.
- h. The allegations of harassment, bias, institutionalised discrimination, etc, on the part of the Judge or tribunal in paragraphs (b), (d) and (e), are matters which C must raise if at all by way of appeal, not by way of an application for reconsideration of the decision not to award her costs.

6. For the above reasons, there is no proper basis for a reconsideration of the Judgment.

Oliver Segal QC

Employment Judge

23 November 2022

JUDGMENT & REASONS SENT TO THE PARTIES ON

24/11/2022