



EMPLOYMENT TRIBUNALS

Claimant: Mr J Neckles

Respondent: Oak Furniture Group Ltd t/a Oak Furniture

COSTS JUDGMENT

The judgment of the tribunal is that:-

- i) The claimant is ordered to pay the respondent's costs in the sum of £13,331.50.

Reasons

1. On 18th November 2022 I conducted a hearing to determine the respondent's cost application. The claimant did not attend, and out of an abundance of caution, in the order arising from that hearing I set out my provisional views and gave the claimant the opportunity to set out his position in writing, as to whether a costs order should be made, if so from what point, and to give any information as to his means he wished me to take into account.
2. The claimant has not provided any written submissions as to the costs order or any information as to his means, or sought any extension of time in which to do so. There is therefore, nothing from the claimant which seeks to dissuade from the provisional view I expressed that the claim was misconceived, in that it had no reasonable prospects of success from the very beginning which should have been apparent to the claimant given his qualifications and experience of employment law and tribunal litigation. It followed that the claimant should in principle be ordered to pay all of the respondent's costs.
3. In the absence of any written submissions from the claimant that remains my view. I have ordered the payment of the costs but not the VAT (which is not in any event particularised) as VAT should not be included in a claim for costs if the receiving party is able to recover the VAT (which I assume to be the case) , see Raggett v John Lewis plc which reflects the CPR Costs Practice Direction (44PD).

Employment Judge P Cadney
Dated: 1st February 2023

JUDGMENT SENT TO THE PARTIES ON
20 February 2023 By Mr J McCormick

FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS