



EMPLOYMENT TRIBUNALS

Claimant: Mr Mark Otti

Respondent: The Chief Constable of Merseyside Police

Heard at: Liverpool

On: 28 February 2023
and 3 March 2023

Before: Employment Judge Aspinall
Ms Heath
Mr R Cunningham

Representation

Claimant: In person, supported by his wife

Respondent: Mr Alexander Jones, Counsel

Costs JUDGMENT

1. Following a liability judgment on 10 August 2022 in which the claimant's complaint of race discrimination failed the respondent made an application for costs which was heard on 28 February and 3 March 2023. A deposit order had been made in July 2021 in respect of each of the allegations. The complaint failed for the reasons set out in the Deposit Order.
2. The claimant and respondent each made written and oral submissions on costs. The respondent provided a schedule of costs and the claimant a counter schedule. The claimant gave evidence as to his ability to pay.
3. The Tribunal finds the claimant acted vexatiously, abusively and otherwise unreasonably in pursuing his complaint and exercised its discretion to award costs.
4. The claimant is ordered to pay to the respondent £18,975* made up as follows:

Solicitors costs of	£ 12462.50
Counsel's fees of	£ 3850.00
Vat on each of the above	£ 3262.50

Less £ 600 paid by the respondent as deposit which money should now be released to the respondent.

5. * The figure given in oral judgment today (of £19 575) did not allow for the offset of the £600 deposit paid so this judgment is corrected in that regard.

Employment Judge Aspinall
Date 3 March 2023

JUDGMENT SENT TO THE PARTIES ON
3 April 2023

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.