



EMPLOYMENT TRIBUNALS

Claimant: Mr A Lewis
Respondent: London Fire Commissioner
Before: Employment Judge M Yale

UPON APPLICATION made by e-mail dated 21st September 2023 to reconsider the Judgment dated 6th September 2023 under rule 71 Employment Tribunals Rules of Procedure 2013.

JUDGMENT ON RECONSIDERATION APPLICATION

The Claimant's application for Reconsideration is refused.

REASONS

Application:

1. This case was heard on 6th, 7th, 8th, 9th June and 17th July 2023. Written reasons were subsequently requested. These were provided on 8th September 2023.
2. On 21st September 2023, the Tribunal received a request for reconsideration from the Claimant.

The Law:

3. Rule 70 of the Employment Tribunal Rules ("the Rules") states:

A Tribunal may, either on its own initiative... or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so...

4. Rule 71 of the Rules states:

...an application for reconsideration shall be presented in writing... 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.

5. Rule 72(1) of the Rules states:

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...

Conclusions:

6. The application for reconsideration was made in time. However, the document submitted by the Claimant amounts to no more than a detailed analysis of the evidence heard during the course of the hearing and seeks to revisit the arguments made on his behalf by Counsel.

7. Whilst the Claimant disagrees with the inferences the Tribunal drew from that evidence the conclusions the Tribunal drew applying the relevant law, the application does not point to specific errors of fact or law.

8. In all the circumstances, I refuse the application for reconsideration. In my judgment, this is an attempt to reargue the case put forward at the final hearing and there is no reasonable prospect of the original decision being varied or revoked. Further, allowing reconsideration would be against the principle of finality in litigation. Therefore, reconsideration is not necessary in the interests of justice. The parties should be informed accordingly.

**Employment Judge M Yale
Dated: 29 November 2023**