



EMPLOYMENT TRIBUNALS

Claimant: Mr A Lawrence

Respondent: George Walker Transport Manchester Limited

RECONSIDERATION JUDGMENT

The claimant's application under rule 71 for the judgment sent to the parties on 7 December 2023 to be reconsidered and revoked is refused.

REASONS

1. I have undertaken preliminary consideration of the claimant's application for reconsideration of my judgment dismissing his application to set aside the Unless order issued on 14 December 2022. That application is contained in a 100 page document attached to an email dated 19 December 2023. The application comes with 16 attachments.
2. An application for reconsideration is an exception to the general principle that (subject to appeal on a point of law) a decision of an Employment Tribunal is final. The test is whether it is necessary in the interests of justice to reconsider the judgment (rule 70).
3. Rule 72(1) of the 2013 Rules of Procedure empowers me to refuse the application based on preliminary consideration if there is no reasonable prospect of the original decision being varied or revoked.
4. In common with all powers under the 2013 Rules, preliminary consideration under rule 72(1) must be conducted in accordance with the overriding objective which appears in rule 2, namely to deal with cases fairly and justly. Achieving finality in litigation is part of a fair and just adjudication.
5. The majority of the points raised by the claimant appear of limited or no relevance, such as the account of his dealings with a prostitute on the day of a hearing, and the extensive quotes from TV programmes and other popular culture. This sort of irrelevant information is no basis for reconsideration.
6. Nor does his survey of the history of the litigation take this application

anywhere. It misses the point. His claim was dismissed because of his persistent use of inappropriate language despite several warnings.

7. Importantly, however, on that point he repeats and seeks to justify the sort of language which put him in breach of the Unless Order. An example is the passage beginning on page 64 of the application where he appears to recite a comedy routine from 1972 containing numerous obscene words.

8. His application provides no basis for me to think that there might be a possibility of this litigation being conducted fairly and properly if revived. Indeed, it fortifies my conclusion that a fair trial is not possible. I am satisfied that there is no reasonable prospect of the original decision being varied or revoked. The application for reconsideration is refused.

Regional Employment Judge Franey

21 December 2023

JUDGMENT AND REASONS SENT TO THE PARTIES ON

2 January 2024

FOR THE TRIBUNAL OFFICE

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