



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Capeling

Respondent: TFX Group Limited

PUBLIC PRELIMINARY HEARING

HELD at Teesside Justice Centre

ON: Monday 15 July 2024

BEFORE: Employment Judge Johnson

Members: Mr G Gallagher
Mrs B Kirby

REPRESENTATION:

Claimant: In person

Respondent: Mr S Devonshire KC

JUDGMENT

1. The claimant's application for a reconsideration of the Judgment promulgated on 27 March 2024 and in respect of which written reasons were promulgated on 10 May 2024, is refused. It is not in the interests of justice for there to be a reconsideration.
2. The claimant's application for an Order that she be released from any obligations imposed by Rule 31.22 of the Civil Procedure Rules is dismissed.
3. The claimant's application for the revocation of the Order made pursuant to Rule 50 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is dismissed, but it is hereby recorded that nothing in this Order shall prohibit the claimant from exercising her right to make protected disclosures to the regulatory authorities in the UK, Europe, the United States or globally (including, for the avoidance of doubt, the NHS and the FDA) and/or to the Police or Law Enforcement Agencies in those jurisdictions, as set out and summarised in the respondent's solicitor's letter to the claimant dated 1 March 2024.

4. By not later than **22 July 2024** the claimant shall inform the Employment Tribunal Regional Office in Newcastle-upon-Tyne as to whether she still requires written reasons for the making of the Rule 50 Order to be sent to the Employment Appeal Tribunal, or whether she intends to withdraw her appeal to the Employment Appeal Tribunal in respect of a making of the original Rule 50 Order.

Employment Judge Johnson

Date: 14 August 2024

Note - 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.

Public access to employment tribunal decisions

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>