



# EMPLOYMENT TRIBUNALS

## Claimant

## Respondent

Dr Christian Mallon

v

Vector Recruitment Limited

**Heard at:** Norwich

**Before:** Employment Judge Postle

## JUDGMENT on APPLICATION for RECONSIDERATION

The Claimant's Application dated 5 July 2024 for Reconsideration of the Liability Judgment, sent to the parties on 14 December 2023, and the Costs Judgment sent to the parties on 18 June 2024, is refused.

## REASONS

1. There is no reasonable prospect of the original Liability decision being revoked and further, there is no reasonable prospect of the Costs decision being revoked.
2. In relation to the Liability decision, looking at the Claimant's Application, it is no more than an attempt by the Claimant to re-litigate the issue. The Tribunal clearly did take into account any disadvantage the PCP created.
3. Further, the Tribunal did not misinterpret the issue of reasonable adjustments which again is dealt with in the Liability Judgment.
4. The Claimant then goes on to talk about, in his Application for Reconsideration, sufficient consideration of indirect discrimination. This was not a matter before the Tribunal at the Liability Hearing. In this respect the issues were clearly set out by Employment Judge Laidler at the Case Management Hearing on 9 February 2023.
5. In dealing with the Costs Order, the Claimant says the cost award was disproportionate. As one can see from the Judgment on Costs, the Respondent having incurred in defending the claim costs in excess of £50,000 that clearly was not an unreasonable amount given the fact the

Liability Hearing was three days and there had been previous Case Management Hearings. The Claimant is a serial litigator and has been involved in a number of Applications to the Tribunal and would be aware from previous cases the power of Tribunals to award costs.

6. The reasoning for the Costs Order is set out in a detailed Judgment on Costs given at the Hearing on 29 May 2024.
7. The Claimant talks about failure to consider alternative sanctions. It is not clear what he means by alternative sanctions.
8. As to the Claimant's means, the Claimant clearly was not a man of straw and in particular: the Claimant had admitted he owns a house with his partner, this being a three bedroomed detached property; another house in Belfast which he rents out; two flats in Scotland, one currently rented out and the other currently empty. Furthermore, the Claimant was somewhat reluctant at the Hearing to disclose the full extent of his business dealings, particularly the income derived from. The Tribunal took account of his means.
9. The Claimant then goes on to talk about matters pertaining between him and the Respondent's Solicitors. Clearly the Tribunal is unable to comment on the Claimant's dealings with the Respondent's Solicitors.

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Employment Judge Postle

Date: 9 September 2024

Sent to the parties on: 4 October 2024

For the Tribunal Office.

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