



EMPLOYMENT TRIBUNALS

Claimant: Mr J Ridley

Respondent: On a Roll Sandwich Company

BEFORE: Employment Judge Martin

JUDGMENT ON RECONSIDERATION

The Judgment of the Tribunal is that the Claimant's application for a reconsideration of the Judgment dated 23, 24 May and 4 June 2024 is refused.

The Judgment dated 23 May 2024 is hereby confirmed.

REASONS

1 On 23 May 2024 the Claimant's representative, who is his wife, sent an email to the Tribunal raising matters relating to the Judgement. She sent further emails on 24 May and 4 June 2024. The Tribunal has treated that correspondence from the claimant as an application for reconsideration of the Judgment. The Tribunal has asked the respondent for any response to the application, but no response has been received to date.

2 The Tribunal considered Rules 70 – 72 of Schedule of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 and all the emails from the Claimant's representative.

3 The Tribunal determined that it could deal with the application without a hearing.

4 The Tribunal considered that the Claimant is simply requesting the Tribunal to reconsider evidence already heard by the Tribunal and upon which the Tribunal had already made findings of fact. It is merely an attempt to re-litigate a matter that had already been decided by this Tribunal, effectively in essence an appeal against the Judgment of the Tribunal and not a request for reconsideration.

5 The Tribunal does not consider the claimant has, in these emails, produced any new evidence. However, in any event, this Tribunal does not consider that any of the information referred to in those emails is relevant to the issues which were determined by the Tribunal in these proceedings or is information which was not available at the time of the hearing. In that regard, the Tribunal took account of the leading case of *Ladd v Marshall [1954] EWCA CIV1*, which sets out the guidelines for the introduction of any new evidence, in particular that it must be shown that the new evidence could not have been obtained without reasonable diligence for use at the trial and the circumstances when granting leave to adduce new evidence must be very rare

6 In considering any application for reconsideration, the Tribunal has to take into account the interests of both parties. It is in the interests of justice and the public interest that there should be, so far as possible, finality in any litigation, and cases should not relitigated, as this application is seeking to do, by asking for a reconsideration of evidence upon which findings of fact have already been determined.

7 For those reasons the Claimant's application for a reconsideration of the

Judgment dated 23 May 2024 is dismissed.

Employment Judge Martin

Date 15 September 2024