



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs C Fairbanks

**Respondent:** Change Grow Live

## JUDGMENT ON RECONSIDERATION

In exercise of the power conferred by Rule 70 and 72 of the Rules of Procedure set out in Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the Employment Tribunal refuses the claimant's application for reconsideration made by way of the email dated 3 November 2024, and the attached undated document, as having no reasonable prospect of success.

## REASONS

1. The case was heard on 17<sup>th</sup> September 2024 and Judgment was reserved. The Reserved Judgment and Reasons were sent to the parties on 29 October 2024. The claimant's application for reconsideration was made under cover of an email of 3 November 2024, which had a two page undated document attached setting out the basis for the application.
2. The claimant states that she has been suffering from health issues since December 2023 which has caused "cognitive impairment" and "brain fog", and that she was diagnosed with Toxic Multinodular Goitre after the hearing took place. She states that she believes she missed some important information at the hearing because of her illness.
3. The claimant outlines some additional arguments which did not feature at the hearing. In essence, she states that she was a civic nationalist and a Christian, and believes in "British values as a Christian country". She then provides some examples of how this manifests itself in relation to her views on grooming gangs, the halal slaughter of animals, and certain protests which she has been involved with and how the Police have managed, or mismanaged, those protests.

4. It is not explained why these arguments were not advanced at the outset of the proceedings, given that the claim form was submitted on 3 October 2023 and the claimant states that she was suffering from health issues only from December 2023 onwards. It also seems very unlikely that the claimant's medical issues were sufficiently debilitating throughout the nine month period following December 2023 that she was unable to put the arguments at the hearing which are now advanced in the reconsideration application.
5. A reconsideration application is not an opportunity to advance arguments which were previously missed where a party has already had a full and fair opportunity to put them. The claimant does not get two bites at the cherry.
6. The application for reconsideration has no reasonable prospect of success under Rule 72(1) and is dismissed.
7. There must be finality in litigation.

Employment Judge Humble

Date: 29<sup>th</sup> November 2024

JUDGMENT SENT TO THE PARTIES ON

3 December 2024

FOR THE TRIBUNAL OFFICE

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