



EMPLOYMENT TRIBUNALS

Claimant: Ms O A Ajiga

Respondents: Northampton General Hospital NHS Trust

JUDGMENT on APPLICATION for RECONSIDERATION

The Claimant's application dated 12 May 2025 under Rule 69 of the Employment Tribunals Rules of Procedure 2024 to reconsider the judgment dated 28 March 2025 (sent to the parties on 1 May 2025) is refused.

REASONS

1. Rule 68 of the Employment Tribunals Rules of Procedure 2024 empowers the Tribunal, either on its own initiative or on the application of a party, to reconsider any judgment where it is necessary in the interests of justice to do so. The Claimant's application for reconsideration is dated 12 May 2025, though was submitted by email to the Tribunal on 13 May 2025. Having regard to Rule 69(a), the application has been made in time.
2. Any suggestion that a Tribunal has made an error of law or that its findings were perverse is generally a matter for appeal – Ebury Partners UK Limited v Acton Davis [2023] EAT 40.
3. In Outsight VB Limited v Brown UKEAT/0253/14, the Employment Appeal Tribunal considered the Tribunal's powers under Rule 70 of the Employment Tribunal Rules of Procedure 2013. At paragraphs 27 to 38 of her judgment, Her Honour Judge Eady QC, as she then was, set out the legal principles which govern reconsideration applications, and observed:

“The interests of justice have thus long allowed for a broad discretion, albeit one that must be exercised judicially, which means having regard not only to the interests of the party seeking the review or reconsideration, but also to the interests of the other party to the litigation and to the public interest requirement that there should, insofar as possible, be finality of litigation.”

4. The reconsideration procedure can be used to correct any error that occurs in the course of the proceedings, whether or not it is a significant error. An important consideration is whether or not a decision has been reached after a procedural mishap, meaning that a party has been denied a fair and proper opportunity to put their case. Reconsideration should not ordinarily be used to correct alleged errors where the parties were afforded that opportunity.
5. In my judgement, there is no reasonable prospect of the judgment being varied or revoked. The Claimant was afforded a fair and proper opportunity at the hearing on 27 March 2025 to put her case. The Tribunal wrote to the parties on 23 January 2025 to inform them that the Tribunal was giving consideration to whether the claim should be struck out, meaning that they had over two months in which to prepare for the hearing.
6. I have read the Claimant's six-page application for reconsideration and carefully considered the four grounds put forward by her in support of her application. They are repetitive of her previous complaints and submissions, namely: she has been denied a fair hearing; I have subjected her to degrading and inhumane treatment; I am an activist judge who has racially discriminated against; and I am biased and have colluded with the Respondent to deny her justice. I addressed these and other matters in my judgment striking out the claim. I do not propose to rehearse what I said in the judgment. The Claimant's application for reconsideration does not raise any new issues nor does it identify any alleged errors that have not previously been raised by her and considered. She is seeking a 'second bite of the cherry', that is to say she is seeking to re-argue points that were articulated and considered on 27 March 2025. The interests of justice do not require that she should be afforded that further opportunity.
7. The Claimant's application to reconsider my judgment striking out her claim is refused.

Approved by:

Employment Judge Tynan

Date: 12 June 2025

Sent to the parties on:17/06/2025

For the Tribunal Office.

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