



EMPLOYMENT TRIBUNALS

Claimant: Miss F E Ochea
Respondent: Virgin Media Ltd

JUDGMENT

The claimant's application dated 7 October 2025 for reconsideration of the judgment which included written reasons sent to the parties on 25 September 2025 is refused.

REASONS

Introduction

1. Employment Judge Cookson has considered the application sent by the claimant on 7 October but not referred to her until 27 October 2025. The application for reconsideration was set out in an 18 page attachment to email.
2. Employment Judge Cookson has concluded that there is no reasonable prospect of her original decision being varied or revoked. She has reached that decision for the reasons set below.

The Law

3. Under rule 68 of the Employment Tribunal Rules of Procedure 2024, a judgment will only be reconsidered where it is 'necessary in the interests of justice to do so'. This does not mean that in every case where a litigant is unsuccessful, he or she is automatically entitled to a reconsideration: it is likely that most unsuccessful litigants think that the interests of justice require the decided outcome in their cases to be reconsidered. Instead, a Tribunal dealing with the question of reconsideration must seek to give effect to the overriding objective to deal with cases 'fairly and justly' — rule 3. This includes:
 - a. ensuring that the parties are on an equal footing;

- b. dealing with cases in ways which are proportionate to the complexity and importance of the issues;
 - c. avoiding unnecessary formality and seeking flexibility in the proceedings;
 - d. avoiding delay, so far as compatible with proper consideration of the issues; and
 - e. saving expense.
4. In *Outasight VB Ltd v Brown* 2015 ICR D11, EAT, Her Honour Judge Eady QC accepted that the wording 'necessary in the interests of justice' in rule 70 allows Employment Tribunals a broad discretion to determine whether reconsideration of a judgment is appropriate in the circumstances. However, this discretion 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, so far as possible, be finality of litigation'*.

Application in this case

5. The grounds for the application begin by making a number of allegations about UK judges and the UK in general including that *"the United Kingdom has created a national strategy intended to shield UK businesses in cases concerning foreign claimants, particularly those who are acting as FOREIGN Litigants in Person"* The claimant asserts that *"judges of Employment Tribunals, judges of the Employment Appeal Tribunal, and possibly, to some extent, judges of the Court of Appeal are allowed, using their specialized skills and knowledge, to misrepresent the truth, to dismiss or disregard vital central evidence, and, in doing so, fundamentally, commit far more serious offenses than the defendants did initially, with the intention of discouraging Foreign Litigants in Person from pursuing their claims (the statistical data collected at the national level in the UK may or may not substantiate this). It appears to be suggested that judges are motivated in this by the financial value of business to the UK economy"*. No basis for this assertion is offered other than the claimant's belief this in the case. A number of other allegations are made in similar vein.
6. It is manifestly unreasonable for a claimant to make such serious allegations not only against this judge, but also against the wider judiciary, without seeking to support those allegations in any way. It is unnecessary to address these allegations in detail but for the avoidance of doubt the allegations are entirely without foundation. It is scandalous and vexatious of the claimant to make these allegations in the way she has.
7. The claimant then goes on to reassert her case about discrimination. In essence it appears that the reasons why the claimant believes it would be in the interests of justice to reconsider the strike out judgment are the same grounds on which she resisted the strike out application – that she says she

has evidence of discrimination. The facts the claimant relies on as evidence are her assertions about the respondent and its managers and her opinions about what happened.

8. The strike out judgment and reasons explain why the judge did not accept that a number of the identified allegations in the claimant's claim had any reasonable prospect of success. The claimant has not raised any new matters of evidence which affect that analysis nor has she identified any error of law. It is perhaps not surprising that the claimant disagrees with the conclusions reached by the judge about striking out a number of her legal complaints, but that is not enough to justify reconsideration, given the public interest in finality of litigation.
9. For the reasons set out above it is not therefore in the interests of justice that the original decision be varied or revoked and there is no prospect of the application succeeding.

Employment Judge Cookson

Date: 30 November 2025

JUDGMENT AND REASONS SENT TO THE PARTIES ON

20 January 2026

FOR THE TRIBUNAL OFFICE

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