



EMPLOYMENT TRIBUNALS

Claimant: Mr Y. Alem

Respondent: Uber Britannia Ltd

JUDGMENT ON RECONSIDERATION APPLICATION

The claimant's application for reconsideration of the reserved judgment sent to the parties on 16 December 2025 is refused because there is no reasonable prospect of the original decision being varied or revoked.

REASONS

1. This is an application for a reconsideration of the reserved judgment sent to the parties on 16 December 2025.
2. On 30 December 2025, the claimant's representative emailed a request for reconsideration of the reserved judgment and reasons to the Tribunal. Although the claimant's representative states that he makes this application pursuant to Rule 70 of the Employment Tribunal Rules of Procedure 2013, as new rules came into force on 6 January 2025, this is treated as an application for reconsideration under Rule 69 of the Employment Tribunal Rules of Procedure 2024.
3. Rule 68(1) of the Employment Tribunal Rules 2024 ("the Rules") provides that "*the Tribunal may ... on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so*".

4. Rule 69 of the Rules requires that an application for reconsideration is made within 14 days of the written record being sent to the parties. The application was made on 30 December 2025, which is within time.
5. Rule 70(1) of the Rules provides that the Tribunal must consider any application made under Rule 69. Rule 70(2) provides that *“if the Tribunal considers that there is no reasonable prospect of the judgment being varied and revoked ... the application must be refused and the Tribunal must inform the parties of the refusal”*.
6. When considering a reconsideration application, it is necessary to take into account the overriding objective as set out at Rule 3 of the Rules.
7. Rule 60(7) of the Rules sets out that the reasons given for any employment tribunal judgment must: *“(a) identify the issues which the tribunal has determined; (b) state the findings of fact made in relation to those issues; (c) concisely identify the relevant law and state how that law has been applied to those findings in order to decide the issues”*.
8. The claimant lodged an ET1 claim form on 10 December 2024. A private preliminary hearing for case management took place before Employment Judge Noons on 24 June 2025 at which the claims that the claimant was seeking to bring were identified. The claimant was directed to set out the basis for his allegation that his race was the reason for the treatment complained of and confirm details of his asserted protected act by 15 July 2025. A public preliminary hearing was also listed for 10 November 2025 to consider whether the claim for direct discrimination had been brought within time and if not whether it is just and equitable to extend time as well as any application for strike out/deposit orders made by the respondent.
9. The case came before me for public preliminary hearing on 10 November 2025. I found that the complaints of direct race discrimination numbered 6.1, 6.2 and 6.3 in the claimant’s Particulars of Claim were not presented within the applicable time limit, it was not just and equitable to extend the time limit and those complaints were therefore dismissed. The complaints of direct race discrimination (numbered 6.4 and 6.5) and of victimisation (9.1 and 9.2) were struck out for having no reasonable prospect of success in accordance with Rule 38(1)(a) of the Rules.
10. I have carefully considered the claimant’s representative’s application for reconsideration, the grounds for which are stated to be firstly that the Tribunal *“turned away from Meek and from the interests of justice with no supporting reason”* and secondly that the claimant’s representative had *“conducted a Google search and found information indicating that, in Ghana, Nigeria and the Congo, some corrupt judges deviate from the “general statement of the law” and the “interests of justice” to influence their judgments”*. No explanation of the relevance of the second ground in this case is provided in the application.

Paragraphs 1-16 of the email of 30 December 2025 set out what the claimant's representative describes as points which "*demonstrate that the judgment and reasons contains an error that, if corrected, would alter the outcome and that it is necessary in the interests of justice for the Tribunal to reconsider*". These appear to relate to the first ground for the application for reconsideration. Having considered the matters raised at paragraphs 1-16, it is apparent that these are matters already considered by the Tribunal in its fact-finding and the conclusions reached, the reasons for which were set out in some detail in the reserved judgment and reasons sent to the parties on 16 December 2025, in accordance with Rule 60(7). The reconsideration application does not engage meaningfully with the detailed reasons provided: rather, it seeks to challenge the facts found and conclusions reached by asserting that the Tribunal was wrong and that the Tribunal misapplied the law.

11. It is a fundamental requirement of justice that there is finality and certainty in litigation. A request for reconsideration is not an opportunity for a party to seek to re-litigate matters: it does not entitle a party who is unhappy with or disagrees with the decision to re-open issues that were determined, nor is it an opportunity to re-argue points that were raised at the public preliminary hearing and considered by the Tribunal in reaching its decision. The claimant has been represented throughout and has had an opportunity to put forward arguments in his case, including giving evidence at the public preliminary hearing. Case law has established that if a matter has been ventilated and properly argued, any error of law, such as appears to be asserted by the claimant's representative here, falls to be corrected on appeal, not by review (*Trimble v Supertravel Ltd* 1982 ICR 440 EAT).
12. Having carefully considered all of the points made by the claimant, I am satisfied that there is no reasonable prospect of the decision being varied or revoked. I am not satisfied that it is necessary in the interests of justice to reconsider the judgment in this case, nor is it in line with the overriding objective in Rule 3. The claimant's application for reconsideration is therefore refused.

Approved by:

Employment Judge Power

13 January 2026

Notes

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings and accompanying Guidance, which can be found here:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/