



EMPLOYMENT TRIBUNALS

Claimant: Dr Mona Hosni

Respondent: Nottingham University Hospitals NHS Trust

Heard at: In Chambers

On: 8 July 2026

Before: Employment Judge Broughton

JUDGMENT ON A RECONSIDERATION

The claimant's application dated 27 June 2026 for reconsideration of the Judgment sent to the parties on 26 June 2026 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked because:

1. I have considered the claimant's application for reconsideration. It was emailed by the claimant on 27 June 2026 and sets out essentially 5 grounds;
2.
 - 1.1 That the claimant does not possess the financial means to satisfy the order.
 - 1.2 The claimant has provided evidence of prolonged unemployment and severe financial hardship.
 - 1.3 The claimant has suffered significant psychological distress from the proceedings and has difficulty engaging with the process.
 - 1.4 The claimant has never sought to obstruct the administration of justice.
 - 1.5 The failure to submit formal points of dispute arose from a genuine lack

of understanding of the need to do so.

The Test and Procedure

3. Where there is a request to reconsider a judgment, such an application falls to be considered under rules 68-71 of the Employment Tribunal Procedure Rules 2024:
4. **Rule 68.**—(1) The Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so.
5. (2) A judgment under reconsideration may be confirmed, varied or revoked.
6. (3) If the judgment under reconsideration is revoked the Tribunal may take the decision again. In doing so, the Tribunal is not required to come to the same conclusion.
7. **Rule 69.** Except where it is made in the course of a hearing, an application for reconsideration must be made in writing setting out why reconsideration is necessary and must be sent to the Tribunal within 14 days of the later of—(a) the date on which the written record of the judgment sought to be reconsidered was sent to the parties, or (b) the date that the written reasons were sent, if these were sent separately.
8. **Rule 70.**—(1) The Tribunal must consider any application made under rule 69 (application for reconsideration).
9. (2) If the Tribunal considers that there is no reasonable prospect of the judgment being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application must be refused and the Tribunal must inform the parties of the refusal.
10. (3) If the application has not been refused under paragraph (2), the Tribunal must send a notice to the parties specifying the period by which any written representations in respect of the application must be received by the Tribunal and seeking the views of the parties on whether the application can be determined without a hearing. The notice may also set out the Tribunal's provisional views on the application.
11. (4) If the application has not been refused under paragraph (2), the judgment must be reconsidered at a hearing unless the Tribunal considers, having regard to any written representations provided under paragraph (3), that a hearing is not necessary in the interests of justice.
12. (5) If the Tribunal determines the application without a hearing the parties must be given a reasonable opportunity to make further written representations in respect of the application.

13. There is a single threshold for making an application. That is that reconsideration is necessary in the interests of justice. There must therefore be something about the nature of how the decision was reached, either substantively or procedurally, from which the interests of justice would be offended if the original decision was allowed to stand.
14. Broadly, it is not in the interests of justice to allow a party to reopen matters heard and decided, unless there are special circumstances, such as a procedural mishap depriving a party of a chance to put their case or where new evidence comes to light that could not reasonably have been brought to the original hearing and which could have a material bearing on the outcome.
15. In **AB v Home Office EAT 0363/13** the Appeal Tribunal clarified the correct approach to be taken to applications for reconsideration. The EAT gave guidance that if the judge considered that the tribunal had decided the issue and the reasons were incomplete or inadequate, but there were no reasonable prospects of the judgment being varied or revoked, the judge must not order reconsideration. It was held that the judge had been correct to refuse a review. She was entitled to conclude that the application was, in reality, only an application for better reasons and there was no real prospect of the tribunal varying or revoking its decision.
16. By rule 70(1) I am to give initial consideration to the prospects of the application which determines whether it is then necessary to seek the views of the respondent and whether the matter can be dealt with on paper or at a further hearing before the same tribunal. Where the application can be said to carry no reasonable prospects of being varied or revoked, the rules dictate that I shall refuse the application without being required to consider the matter further: rule 70 (2)

Conclusions

17. The Employment Tribunal made a costs order for the claimant to pay the costs of the respondent subject to detailed assessment to be conducted by an Employment Judge under Rule 76 (1)(b) of The Employment Tribunal Procedure Rules 2024 applying the same principles as the County Court in accordance with the Civil Procedure Rules 1998.
18. On 17 October 2025 case management orders were made requiring the parties to comply with various steps in preparation for a detailed assessment hearing. That required detailed assessment to be commenced by the respondent, as the receiving party, by serving a written notice to commence detailed assessment, a bill of costs and further documents in support by 30 January 2026 and the claimant, as the paying party, to file points of dispute by 19 February 2026. The case management orders gave note that where time for serving points of dispute has passed and no other application has been made by any party affecting the conduct of the costs assessment, the receiving party may then apply to the Tribunal to give a final costs judgment and the Tribunal may order the paying party to pay the costs on the bill as claimed.
19. The claimant did not file any points of dispute but wrote in stating that she

had no means to pay any costs. A judgment assessing the costs as drawn was sent to the parties on 26 June 2026.

20. The claimant in this reconsideration application has repeated the same argument that she does not have the means to pay a costs order. The claimant has not sent in with her reconsideration application evidence that her psychologic distress prevented her from filing points of dispute and she had in fact sent in various letters regarding her financial situation and opposition to the order for costs .
21. It was made clear to the claimant that she needed to file points of dispute and even though she now says she had not understood that, she has still not filed, with her application for reconsideration, any points of dispute regarding the drawn costs.
22. Having considered all the points made by the claimant I am satisfied that there is no reasonable prospect of the original decision being varied or revoked. The application for reconsideration is refused.

Employment Judge Broughton

Date: 8 July 2026

JUDGMENT SENT TO THE PARTIES ON

21/07/2026

FOR THE TRIBUNAL OFFICE

J. Woolley