



## EMPLOYMENT TRIBUNALS

**Claimant**

**Ms M Moloney**

**Respondent**

**London Borough of Brent**

v

Watford

14 December 2018

Employment Judge Smail

### JUDGMENT ON APPLICATION FOR RECONSIDERATION

There are no reasonable prospects that the case management orders made at the Preliminary Hearings on 29 May 2018 and 30 August 2018 will be revoked or varied. Therefore, there will be no reconsideration of them.

### REASONS

1. The Claimant has sent in numerous pieces of correspondence seeking alterations to the record of the preliminary hearings. She has disclosed no basis for altering the orders made.
2. I made sets of orders facilitating the Claimant to prosecute her claim. She has not complied with orders and has therefore not prosecuted her claim. She has struggled to articulate her claims which has made it very difficult to deal with her case. I see from his record of proceedings that Employment Judge Henry found the same on 11 September 2018. The issues I identified were my best effort at understanding her case. I indicated what she needed to do further to clarify it.
3. The Claimant is right that on 29 May 2018, the figure £9,786 was mentioned. That is the calculation of a redundancy payment/basic award if she is entitled to it.
4. The Claimant is right that I asked her about being Irish. That is because she was intimating a race claim. Directions for amending her claim to add race discrimination were given, which she did not comply with.
5. It is right that there might have been a judicial assessment conducted by me on 30 August 2018. However, I recused myself because the Claimant had a very

different recollection of events on 29 May 2018 than I had, which became clear on 30 August 2018. I recused myself because I was being drawn into evidential conflict with her. I ordered that another Judge conduct the Judicial Assessment. He found he could not do so because he could not follow the Claimant's case. That actually is a Judicial Assessment when you think about it.

6. The case management orders I made were relevant and proportionate. There is no prospect that I would change them. I regard it as a pity that the Claimant has not followed them.

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**Employment Judge Smail**

17.12.18

Sent to the parties on:

...17.12.18.....

For the Tribunal:

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