



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Lachiri  
**Respondent:** Chief Constable of North Wales Police  
**Dated:** 22<sup>nd</sup> February 2021  
**Before:** Employment Judge R F Powell

## RECONSIDERATION

I reject the claimant's application for reconsideration under Rule 70(1) of the Tribunal's Rules of Procedure 2013: there is no reasonable prospect of the tribunal's original judgment being varied or revoked.

## REASONS

### Introduction

1. Following a hearing on 4<sup>th</sup> January 2021, the tribunal delivered an oral judgment allowing some aspects of the claimant's application to amend his claim and dismissing others. The oral judgment also concluded that six of the claimant's allegations should be subject to a deposit order. The total sum of that order was £60.00.
2. Having delivered its oral judgment, the tribunal sent the headline terms of the judgment to the parties on 30 January 2021, and as required by the Employment Tribunal Rules, the reasons for the imposition of deposit orders.
3. On 16<sup>th</sup> February 2021, the claimant sent a six-page written submission to the tribunal to apply for a reconsideration of the deposit order.
4. Because the claimant is a litigant in person, I have responded in more detail than I normally would.

### The relevant rules on reconsideration

5. Applications for reconsideration are governed by Rules 70 to 73 of the Tribunal's Rules of Procedure 2013.

6. Rule 70 provides that a tribunal may, either on its own initiative or on the application of a party, reconsider any judgment where it is “necessary in the interests of justice to do so”. Following a reconsideration, a judgment may be confirmed, varied or revoked (and, if revoked, it may be taken again).
7. Rule 72 describes the process by which an application for reconsideration should be determined. The application should, where practicable, first be considered by the Employment Judge who made the original decision or who chaired the full tribunal that made the original decision. Rule 72(1) requires that judge to refuse the application if he or she “considers that there is no reasonable prospect of the original decision being varied or revoked”. If the judge considers that there is a reasonable prospect of the original decision being varied or revoked, the Rules go on to provide for the application to be determined with or without a further oral hearing.
8. This document sets out my initial consideration of the claimant’s application under Rule 70(1).

**The claimant’s application**

9. The claimant’s application is a restatement of the material circumstances which underpin each of his allegations which are subject to a deposit order.
10. The principal difficulty the claimant faces is that the content of his application for re-consideration restates his account before the tribunal and which I rejected or alters, through expansion, the points he made at the hearing on the 4<sup>th</sup> January 2021. As I understand his written submission, in part he is saying his presentation of his case did not fully state his case.
11. Insofar as the application for reconsideration restates that which the claimant presented at the hearing, I have not detected any error of law or any failure to take into account a material consideration in the original reasons.
12. In respect of the additional information set out in the reconsideration, these are assertions which were not articulated in the 4<sup>th</sup> January 2021 hearing which provided the claimant with a lengthy opportunity to articulate his case.
13. It has been long established that the interests of justice have to be seen from both sides. The case of *Redding v. EMI Leisure Ltd* (EAT/262/81) bears some similarities to Mr Lachiri’s case. In that case, as here, Ms Redding argued that she had failed to do herself justice when presenting her case.
14. Mr Lachiri, by his former profession has some understanding of structuring an allegation giving his account in a formal setting. He had several opportunities to articulate his case prior to the 4<sup>th</sup> January 2021 and I gave him ample opportunity on that day.

15. Bearing in mind the strong public interest in the finality of litigation and the need to do justice to both parties, I consider that it would not be in the interests of justice to afford him a further opportunity.
16. Finally, on reading all the information in the reconsideration application the new assertions of fact have no reasonable prospect of persuading me to alter my original decisions.

---

Employment Judge R F Powell  
Dated: 22 February 2021

RECONSIDERATION DECISION SENT TO PARTIES ON 21 June 2021

.....  
FOR THE SECRETARY OF EMPLOYMENT TRIBUNAL