



EMPLOYMENT TRIBUNALS

Claimant: Mr C Y Eng

Respondent: Sheffield Teaching Hospitals NHS Foundation Trust

Notice of Refusal

Upon application made by the Claimant by letter of 26 October 2022 to reconsider the Judgment promulgated on 14 January 2022 with Written Reasons promulgated on 12 October 2022 under Rule 71 Employment Tribunals Rules of Procedure 2013 (as amended)

I have concluded that it is not in the interests of justice for the Tribunal's Judgment in this case which was promulgated on 14 January 2022 to be reconsidered within the terms of Rule 71 of the Employment Tribunal's Rules of Procedure 2013 (as amended) for the reasons set out below.

Reasons

1. I have considered the Claimant's letter of 26 October 2022, comprising 22 pages and containing 82 paragraphs, in which he seeks reconsideration of the unanimous Judgment in these proceedings.
2. The Claimant is seeking to revisit and rebut the findings of fact made by the Tribunal in reaching its Unanimous Judgment after extensive, and careful, consideration of the oral evidence and documentation (from a bundle of 1900 pages to which additional documents were added during the Hearing) referred to it during the Hearing. The purpose of a reconsideration is not to give a disappointed party a rehearing, that is, a second bite of the cherry by that rehearing.
3. The Claimant has set out no matters which support a rehearing of this case. The application discloses no administrative error and no reference to new evidence that has become available since the Hearing the existence of which could not reasonably have been known or foreseen at the time of the Hearing. I am satisfied that there is no reasonable prospect of the Unanimous Judgment being revoked or varied. It is for this reason that it is not in the interests of justice for the application for reconsideration to succeed. Therefore, it is refused.

**Case Nos: 1806282/2020
1803046/2021**

Employment Judge Craft

Date: 17 February 2023