



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE MORTON
(sitting alone)

BETWEEN:

Ms Alyson Mitchell

Claimant

AND

Keychange Charity

Respondent

JUDGMENT ON RECONSIDERATION

1. In addition to the sums awarded to the Claimant by a judgment signed by me on 20 January 2017, the Claimant is entitled to recover 50% of her tribunal fees from the Respondent, the sum of £600.

Reasons

1. A reserved judgment on liability and remedy with reasons having been sent to the parties the Claimant made an application for her tribunal fees to be awarded as part of the overall amount payable to the Claimant.
2. I considered the application in accordance with Rule 70 Employment Tribunal Rules. The views of the Respondent were sought pursuant to Rule 72(1) and the parties confirmed that the application could be dealt with without a hearing. The Respondent objected to the application and submitted that even if I was inclined to reconsider the original judgment, since the Claimant's award had been reduced by 50% to reflect her contribution to her dismissal, her fees

award should be reduced by the same amount.

3. I determined that it would be in the interests of justice to reconsider the original remedy judgment and to make provision for the Claimant's tribunal fees to be included in the award payable to her, given that the Lord Chancellor confirmed in *R (Unison) v Lord Chancellor and another* [2014] EWHC 218 (Admin), 7 February 2014 that claimants should expect to recover their fees if they are successful. The application was made promptly after the hearing and for reasons beyond the control of the parties it took some time for it to be brought to my attention and for me to deal with it.
4. However I accept the Respondent's submission that it would be just to reduce the amount awarded to reflect the Claimant's contribution to her own dismissal and I therefore make an award of £600 in the Claimant's favour, which is 50% of the fees she paid.

Employment Judge Morton
Date: 29 June 2017