



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Pringle

**Respondent:** Community Integrated Care

## JUDGMENT ON RECONSIDERATION

The claimant's application dated **26 May 2023** for reconsideration of the Tribunal's decision on strike out which was sent to the parties on **17 May 2023** is refused.

### REASONS

1. There is no reasonable prospect of the original decision being varied or revoked.
2. The judgment on strike out set out in clear terms the reasons why the Tribunal did not consider that the circumstances required for section 64 Employment Rights Act 1996 (ERA) to apply to a given situation were of any application to the claimant's case. The claimant's application for reconsideration, which runs to some 32 paragraphs, does not address those reasons in any meaningful way.
3. It is not the role of an Employment Judge to raise questions to Parliament on behalf of a party to Employment Tribunal proceedings. Nor is it the role of an Employment Judge to identify any statutory provisions to support the respondent's (or any party's) case.
4. The Tribunal's decision to strike out the claimant's case under section 64 ERA was based on the transparent non-applicability of that section to the claimant in the context of these proceedings. In the circumstances, no wider considerations of equity or conscience arise.

Employment Judge Loy  
11 August 2023