

Neutral Citation Number: [2025] EAT 168

Case No: EA-2025-000103-LA

EMPLOYMENT APPEAL TRIBUNAL

Rolls Building,
Fetter Lane, London EC4A 1NL

Date: 13 November 2025

Before :

THE HONOURABLE MR JUSTICE GRIFFITHS

Between:

THE ATTORNEY GENERAL

Applicant

- and -

DR CHRISTIAN MALLON

Respondent

Bayo Randle (instructed by Government Legal Department) for the **Applicant**
The **Respondent** appeared in person via MS Teams

Hearing date: 28 October 2025

JUDGMENT

SUMMARY

PRACTICE AND PROCEDURE

- (1) A Restriction of Proceedings Order (“RPO”) under section 33 of the Employment Tribunals Act 1996 was made on the application of the Attorney General against a person who had made countless unsuccessful discrimination claims against potential employers in Employment Tribunals all over the United Kingdom.
- (2) The resources of the tribunal system are limited, and not to be wasted. The strain on litigants who have to respond to claims is not to be underestimated, and they are entitled to protection from claims which are an abuse of process and which are not based on reasonable grounds. Costs orders, even when made, never fully compensate for the expense incurred, and are not even designed to cover the non-pecuniary expenses, such as management time, and the toll taken by litigation on witnesses and other human beings. The fact that a claim is wholly without merit does not mean that it has no impact on the people or companies against which it is made. On the contrary, a groundless and unjust allegation can be at least as distressing and shocking, for the person at the wrong end of it, as a claim which has some basis in law and fact.
- (3) Since an RPO is a filter and not a bar, it does not reduce access to justice; certainly not to the extent that the very essence of the access right is impaired. Any claim that has merit will be allowed through the filter. Any claim that is an abuse of process, or does not have reasonable grounds, does not deserve to go any further. The ability to issue such claims, and to have them reviewed under the RPO, is itself a means of access to justice. The imposition of an RPO was, on the facts of this case, a proportionate means of protecting the Employment Tribunal system and potential respondents from abuse in the form of vexatious claims and applications.

- (4) A decision has to be made in every case about whether it would be more appropriate and proportionate to impose an order which remains in force indefinitely, or for a specified period. In this case, it was both appropriate and proportionate for the RPO to continue indefinitely.

THE HONOURABLE MR JUSTICE GRIFFITHS:

1. This is an application by the Attorney General for a restriction of proceedings order (“RPO”) against Dr Christian Mallon pursuant to section 33 of the Employment Tribunals Act 1996.

2. Section 33 provides:

33 Restriction of vexatious proceedings.

(1) If, on an application made by the Attorney General (...) under this section, the Appeal Tribunal is satisfied that a person has habitually and persistently and without any reasonable ground—

(a)instituted vexatious proceedings, whether (...) in an employment tribunal or before the Appeal Tribunal, and whether against the same person or against different persons, or

(b)made vexatious applications in any proceedings, whether (...) in an employment tribunal or before the Appeal Tribunal,

the Appeal Tribunal may, after hearing the person or giving him an opportunity of being heard, make a restriction of proceedings order.

(2) A “restriction of proceedings order” is an order that—

(a)no proceedings shall without the leave of the Appeal Tribunal be instituted before the Certification Officer, in any employment tribunal or before the Appeal Tribunal by the person against whom the order is made,

(b)any proceedings instituted by him before the Certification Officer, in any employment tribunal or before the Appeal Tribunal before the making

of the order shall not be continued by him without the leave of the Appeal Tribunal, and

(c)no application (other than one for leave under this section) is to be made by him in any proceedings before the Certification Officer, in any employment tribunal or before the Appeal Tribunal without the leave of the Appeal Tribunal.

(3) A restriction of proceedings order may provide that it is to cease to have effect at the end of a specified period, but otherwise it remains in force indefinitely.

(4) Leave for the institution or continuance of, or for the making of an application in, any proceedings before the Certification Officer, in an employment tribunal or before the Appeal Tribunal by a person who is the subject of a restriction of proceedings order shall not be given unless the Appeal Tribunal is satisfied—

(a)that the proceedings or application are not an abuse of the process, and

(b)that there are reasonable grounds for the proceedings or application.

(5) A copy of a restriction of proceedings order shall be published in the London Gazette and the Edinburgh Gazette.”

3. In summary, therefore, a section 33 restriction of proceedings order means that any existing proceedings or any future proceedings, or any existing or future applications, during the currency of the RPO, are subject to an initial review to check that they are not an abuse of process and that there are reasonable grounds for them. If the application or proceedings pass

that check, they will be allowed to proceed. If they do not, they will not be allowed to proceed. It can aptly be described as “a filter and not a barrier”, to adopt the phrase of Simler LJ in **Williamson v Bishop of London** [2023] 1 WLR 2472, at para 37, which itself derived from the judgment of Lord Bingham of Cornhill LCJ in **AG v Barker** [2000] 1 FLR 759 at para 2.

4. An RPO will only be imposed on a person who has “habitually and without any reasonable ground” instituted “vexatious proceedings”. It is discretionary (the word in section 33(1) being “may”).

The facts

5. Dr Mallon holds a BSc in chemistry, an MSc in Analytical Science, a PhD in Chemical Engineering, and an Executive MBA.
6. He has filed evidence that he suffers from dyspraxia, autism, and ADHD. He also suffers from Crohn’s disease and some other conditions.
7. Dr Mallon has made numerous job applications and then brought Employment Tribunal claims alleging discrimination.
8. Dr Mallon has lost count of the number of proceedings he has launched in the Employment Tribunal and the Attorney General does not claim to have tracked down all of them. At one point, Dr Mallon suggested that he had made hundreds of claims, but he now thinks the number is perhaps 60 or 70. That is still a lot, of course.

9. Dr Mallon uses AI (artificial intelligence) to decide whether his proposed claims have merit. However, almost all of them have been unsuccessful.
10. The most important exception is a case he brought against Aecom Ltd which was initially struck out by an Employment Tribunal on 14 May 2019. It was reinstated by the Employment Appeal Tribunal on 25 February 2021 and remitted to a differently constituted Employment Tribunal. On 5 March 2022, the complaint of a failure to make reasonable adjustments was upheld by that Employment Tribunal. Aecom Ltd (unlike, it seems, all the other respondents to his various claims) was a former employer of Dr Mallon's, but his claim concerned an application for a different role at a date subsequent to his dismissal from his previous role there. He was awarded £2,000 for injury to feelings and £700 interest. No remedy was awarded for financial loss. He appealed against the injury to feelings award. That appeal failed to pass the Employment Appeal Tribunal sift (under rule 3(7) of the Employment Appeal Tribunal Rules 1993) on 21 June 2023 but he successfully pursued it under rule 3(10) and the appeal was allowed to proceed on 10 January 2024. Meanwhile, Aecom Ltd had appealed the liability judgment, and was in part successful before the Employment Appeal Tribunal on 10 August 2023, which remitted one question back to the Employment Tribunal for reconsideration. Dr Mallon's pending appeal was stayed in the meantime, by an order made on 20 December 2024.
11. It would not, therefore, be right to say that Dr Mallon has never made a meritorious claim. The proceedings against Aecom Ltd, although not finally concluded, have been to some extent successful. But in no other case (except by settlement) has he received a financial award. This is a striking fact, given the large number of claims he has issued.

12. The other cases have come to nothing, sometimes because he launched and then withdrew them; sometimes because they were dismissed on the merits; sometimes because they were so weak as to require payment of a deposit before they would be allowed to proceed (and Dr Mallon says that his policy, on advice, is never to pay a deposit in those cases); and sometimes because they were brought out of time and in circumstances where it was not just and equitable to extend the time, so that there was no jurisdiction to hear them. In a number of cases, his conduct has been found to justify the making of a costs award against him, because of specifically identified unreasonable if not vexatious conduct.
13. I have been provided with an 11-page Agreed Chronology of judgments and decisions, and some other events (such as withdrawals of claims by Dr Mallon). The Agreed Chronology summarises outcomes in claims brought by Dr Mallon against many different respondents in Employment Tribunals all over the United Kingdom, in England, Scotland and Northern Ireland. Most of the judgments and decisions summarised in the Agreed Chronology are in the Employment Tribunal, with only a few in the Employment Appeal Tribunal. The Agreed Chronology covers a period between 2017 and 12 October 2025, making it up to date at the hearing before me on 28 October 2025. All the judgments, decisions and other events in the Agreed Chronology were cross referenced to documents in the bundles, such as decisions and written reasons from Employment Tribunals, which I was able to read for myself. The relevant information from the Agreed Chronology is reproduced in the Annex to this judgment.
14. I must decide whether Dr Mallon has (in the words of section 33)

“habitually and persistently and without any reasonable ground – (a) instituted vexatious proceedings (...) or (b) made vexatious applications (...)”.

I will not deal expressly with all the cases in the Annex, although I have considered all of them. A few examples will suffice.

15. In **Mallon v Department of Agriculture, Environment and Business Affairs** his discrimination claims based upon the respondent's failure to shortlist him for a post were dismissed by the Employment Tribunal after a full merits hearing in March 2017. The Employment Tribunal decision (para 23) noted that Dr Mallon agreed that his application form did not meet the eligibility criteria and that "the panel's decision not to short-list on the information before them could not be criticised". Dr Mallon also "accepted that he would not have been appointed to the post and the height of his case therefore was that he had lost the opportunity to be short-listed and interviewed for the post" (para 23). Dr Mallon's evidence of fact lacked credibility and was not accepted (paras 59-62). His claims of direct discrimination on the grounds of disability and his claim based upon a failure to make reasonable adjustments were rejected. There was also "nothing in the evidence" to support his religious discrimination claim (para 65).
16. Dr Mallon's claims in **Mallon v DBA Notts Ltd** were all struck out on 22 March 2019 because they had "no reasonable prospects of success". This was said to be "obvious and plain" (para 40). Full reasoning for these conclusions was provided in a 12-page decision.
17. In **Mallon v Jonathan Lee Recruitment Ltd**, Dr Mallon was ordered on 25 March 2019 to pay respondent's costs of £3,995. The written Reasons noted that he had applied for "approximately 94 roles" with the respondent. He asked for reasonable adjustments but, when asked to confirm the nature of his disability and any disadvantages he believed it might cause him as a result of the respondent's application process, he refused to say (para 5). He knew from what he had been told by an Employment Tribunal in previous unsuccessful proceedings against a different respondent that this was unreasonable (paras 8-9). The Employment

Tribunal found that it was “obvious” that the claim had no reasonable prospects of success (para 12). It went on to say (in para 13):

“It seems to me that Mr Mallon had deliberately withheld information about his disability and his circumstances, when the Northern Ireland Tribunal had previously made it clear that it was not enough just to simply say “I am disabled, I need adjustments”. The effect was that the respondent was obliged to respond and defend the claim, and it incurred costs in doing so that should not have been incurred if the claimant had acted reasonably.”

18. In **Mallon v Ginger Recruitment Services Ltd** Dr Mallon was on 3 April 2019 ordered to pay costs of £2,000 plus VAT because of his unreasonable conduct in bringing the claim. The Employment Tribunal said in its written Reasons (para 33):

“In this particular claim, it is clear from the requirements of the vacancy advertised by the respondent that the claimant could not have realistically expected to have secured the position because he simply did not have the relevant experience. Even if he was not aware of this from the outset it was made quite clear to him in the correspondence that followed (...)”

19. In **Mallon v Ela8 Ltd** Dr Mallon was on 24 June 2019 ordered to pay costs of £1,845. The written Reasons found that his claim for failure to make reasonable adjustments “must always have been doomed to failure because he had the adjustment he wanted” (para 25). His other claims were also unreasonable. The Employment Tribunal found that “At best, the claimant seems to have been very confused about what he needed to do to establish discrimination” (para 27). But it went further than that, finding (in paras 31-32 and para 37) that there was “strong suspicion” that Dr Mallon (whose claims were dismissed in this, as in some of the other cases, on withdrawal) was:

“...a claimant who has no intention of pursuing a claim to a hearing because he knows it is flimsy and will not bear examination, only brings his claim because he hopes to take advantage of a respondent wanting to avoid the considerable legal cost of defending a claim that may not be worth very much, or may be worth nothing, seeking a “commercial” settlement as the lesser of two evils. The claim may be settled and he then withdraws it. Or if it is stoutly defended, he withdraws and waits for another opportunity. Claims never go to a hearing. That picture suggests vexatious claims, ones where the claimant hopes to make some money by claiming, but not because of the merits of his claim.

(...)

He was routinely making claims which were either dismissed or which he withdrew. It is not known if he settled any, but none went to a hearing. It does very much look as if he brought claims to see if he could get a payment in settlement, and then abandoned them. That is not a proper use of the tribunal process”

20. These are not the only costs orders made against Dr Mallon. Such orders have been made in a total of seven cases. But it is not necessary to go into details about the conduct which gave rise to all the others.
21. In **Mallon v Electus Recruitment Solutions Ltd** all Dr Mallon’s claims were dismissed on 5 August 2021 after a full merits hearing. The written Reasons (para 64) decided:

“(...) that the claimant’s claim is misconceived as counsel for the respondent submits. We have found that the claimant has developed a system of applying for roles by submitting his CV without spending any time assessing whether he

meets the requirements of the role, with the expressed requirement that on every occasion, no matter how weak his application for a role taken at its highest could be, the employer or agency should offer him the opportunity to make an oral application after sending him what he terms to be the “essential requirements” of the role. If this is not done, he responds with the threat of litigation and issues a claim unless settlement is reached (...) [W]e conclude that the claimant as an experienced litigant must have known that this claim had no reasonable prospect of success and we conclude that it was not made in good faith but as part of a wider campaign as the respondent alleges.”

22. In **Mallon v Markel Consultancy Services Ltd**, the claims were struck out on 10 December 2021 because the Employment Tribunal had no jurisdiction to hear them. They had been brought out of time and an Employment Judge concluded that time should not be extended, in part because the claim had “little reasonable prospect of success in any event” (Reasons para 22).
23. Similarly, the claims in **Mallon v Rasei Ltd** were struck out on 10 December 2021, again because the Tribunal had no jurisdiction to hear them. They had been brought out of time and an Employment Judge concluded that time should not be extended, in part because the claim had “little reasonable prospect of success in any event” (Reasons para 22). The claim depended solely on an initial decision not to offer an oral interview. The next day (when Dr Mallon complained) an offer was made by the respondent to reconsider and to have a telephone conversation with Dr Mallon. But Dr Mallon ignored that (not even responding to it) and issued his claim (out of time) anyway (paras 24-25).
24. In **Mallon v AG Barr plc**, Dr Mallon’s claims were struck out for want of jurisdiction on 9 August 2022 because they were presented out of time and it was not just and equitable to

extend time. The written Reasons referred to Dr Mallon as engaging in Employment Tribunal litigation “on what appears to be almost an industrial scale” (para 31) and found that he knew about the time limit before and after he brought the claim out of time and could have complied with it.

25. In **Mallon v Steer Energy Solutions Ltd**, Dr Mallon’s claims were dismissed after a full merits hearing on liability. Subsequently, on 15 June 2024, the Employment Tribunal awarded the costs against him because of Dr Mallon’s unreasonable conduct. The written Reasons said (at para 30):

“(…) the claimant’s actions in bringing and continuing with the proceedings was unreasonable in circumstances where he:

- a. had jumped straight to the conclusion that the respondent was lying when they said they had not seen his disability disclosure,
- b. refused the requested adjustment when offered,
- c. had threatened litigation and moved to early conciliation prematurely, even within his own very tight timescale, insisting on speaking to an external HR consultant, who would have had no authority in any event,
- d. was claiming there was a prospect that he may have been the successful candidate, when he knew he did not have the preferred software skills and, if he’d had an oral application, his very limited exposure to Solid Works, in circumstances where others had helped or done it for him, would have been revealed, when the respondent was, ideally, looking for at least 2 years’ experience.

e. had no evidence to refute the disclosed evidence that the respondent had received a sufficient number of applicants who met all of their criteria, nor to refute that the job ultimately was withdrawn.

f. pursued the claim, and, potentially, full losses on that basis, continuing with it for a year after it was made clear to him in a similar claim he had brought (against Blacktrace Holdings), that it was not uncommon for employers not to read CVs in 1-click applications. He claimed he needed oral judgments as he either did not read, or could not take in, written judgments, due to his difficulties.

g. had ignored a costs warning letter from the respondent, which had estimated their future costs at that point at £5k to £10k plus VAT, albeit they transpired to be much higher, not least due to the claimant's approach to proceedings, which resulted in

h. having a large bundle and 4 day hearing in a case that simply involved whether the respondent had read the claimant's CV, how they had shortlisted and whether they offered the requested adjustment once aware of the claimant's disabilities."

26. In **Mallon v (1) Department for Business Energy and Industrial Strategy and (2) the Cabinet Office** all Dr Mallon's claims were dismissed on 12 April 2024 (including some claims dismissed on withdrawal, and others pursued through a full merits hearing). In its written Reasons, the Employment Tribunal said (at para 8):

"The claimant was not [a] satisfactory witness. We have already pointed out that his very first encounter with contemporaneous documents led to his withdrawal of allegations relating to April 2018 and May 2020. But his evidence relating to May and August 2021 was also highly inconsistent with the actual documents:

as to the application of any alleged PCP; as to claimed disadvantage; and as to the extent of any adjustments which were offered. More importantly however our conclusion is that the claimant's claim was fundamentally dishonest. We do not accept that he was a serious potential applicant for the various roles for which he expressed an interest. The roles were at a high level; they were very different in nature; requiring different experience and expertise. We accept the evidence of Mr Whiteley that the claimant was not a realistic candidate for any of them. Our conclusion is the claimant knew he was not a realistic candidate. He did not intend to pursue an application. What he was intent upon was setting up the potential for bringing a claim for discrimination with a view to securing an award of compensation or a settlement."

27. None of these decisions questioned or disbelieved Dr Mallon's case about his disabilities. They took them into account so far as relevant. The decisions cannot be explained away by arguing that they failed to understand or make proper allowance for his neurodivergence and other disabilities. Nor can his conduct be justified by reference to them. This can be seen, for example, in the written Reasons for awarding costs against him in **Mallon v Energy Systems Catapult Ltd** (dated 25 November 2024) at paras 37-39 and para 68.
28. By an Order of Lord Fairley, President of the Employment Appeal Tribunal, on 10 March 2025, the hearing of the application which I am now considering was given a fixed date, and 17 live appeals before the Employment Appeal Tribunal were stayed in the meantime.

The law

29. The key words in section 33 of the Employment Tribunals Act 1996 echo the same words in section 42 of the Senior Courts Act 1981, which confers powers on the High Court similar to those I am now being asked to exercise in the Employment Appeal Tribunal. Section 42, like section 33,

requires a finding that a person “has habitually and persistently and without any reasonable ground – (a) instituted vexatious (...) proceedings”. Consequently, there is guidance to be found in the cases on section 42 as well as the cases on section 33.

30. In **AG v Jones** [1990] 1 WLR 859 CA it was decided that findings made in previous cases (such as those to which I have already referred) can be regarded as definitive and reliable. Per Lord Donaldson of Lyvington MR at 863D-F:

“The fifth and last issue of law arose out of Mr. Jones' wish to challenge the conclusion of various judges in the underlying proceedings that his conduct in those particular proceedings had been vexatious or had involved an abuse of the process of the court. We ruled that he was not free to do so. If any such conclusion was, or was thought by Mr. E Jones to be, erroneous, the remedy was to appeal in those proceedings or, where it was said that the judgment was vitiated by the fraud of other parties, to take appropriate steps to have the judgment set aside. But if that was not done, the decision must stand and is capable of forming the basis for the court being satisfied upon an application under section 42 that Mr. Jones had habitually and persistently and without any reasonable ground acted in the manner referred to in subsection (1)(a) and/or (b).”

31. Lord Donaldson also explained why the making of an order was proportionate. He said (at 865C-D):

“The power to restrain someone from commencing or continuing legal proceedings is no doubt a drastic restriction of his civil rights, and is still a

restriction if it is subject to the grant of leave by a High Court judge. But there must come a time when it is right to exercise that power, for at least two reasons. First, the opponents who are harassed by the worry and expense of vexatious litigation are entitled to protection; secondly the resources of the judicial system are barely sufficient to afford justice without unreasonable delay to those who do have genuine grievances, and should not be squandered on those who do not.”

32. What he says about the resources of the judicial system remains true today.
33. In **AG v Covey; AG v Matthews** [2001] EWCA Civ 254, the relationship between section 42 and Article 6 of the European Convention on Human Rights (as enacted into domestic law by the Human Rights Act 1998) was considered. The making of an order was found to be Article 6 compliant. Per Lord Woolf LCJ at paras 60-61:

“[60] (...) it is useful to refer to the decision of the European Court of Human Rights in *Tolstoy Miloslavsky v United Kingdom* (1999) 20 EHRR 442. In that case the court said:

“59. The Court reiterates that the right of access secured by Article 6(1) may be subject to limitations in the form of regulation by the State. In this respect the State enjoys a certain margin of appreciation. However, the Court must be satisfied, firstly, that the limitations applied do not restrict or reduce the access left to the individual in such a way or to such an extent that the very essence of the right is impaired. Secondly, a restriction must pursue a legitimate aim and there must be a reasonable relationship of proportionality between the means employed and the aims sought to be achieved.”

[61] Guided by what was said by the European Court in that case, I have no doubt that the Divisional Court was right to come to the decision which it did. By choosing different targets for his litigation, Dr Matthews caused a variety of different defendants to suffer some disadvantage by litigation. But in deciding whether the conditions set out in s.42 are met, it is necessary to look at the whole picture. It is the cumulative effect of Dr Matthews' activities, both against the individuals who are drawn into the proceedings and on the administration of justice generally that has to be taken into account. When this is done, I have no doubt that to make an order against Dr Matthews does pursue a legitimate aim and that there is a reasonable relationship and proportionality between the means employed and the aims sought to be achieved. Furthermore, because of the ability of the court to give permission for the bringing of any proceedings which are justified, the limitation which is imposed does not restrict or reduce the access left to the individual to an extent that the very essence of the right of access to justice is removed.”

34. In **AG v Wheen** [2001] IRLR 91 CA, Keene LJ (with whom Mummery and Nourse LJ agreed) accepted that the power to make an order is always discretionary but rejected a submission that a lull in the issue of vexatious proceedings should have spared the respondent from the order made against him in that case (para 15, Keene LJ noting that “there had been no indication from Mr Wheen that he would not institute proceedings in the future”).
35. Although Dr Mallon did at one point appear to reduce the volume of his claims (which can be seen from the dates in the Annex), he explained to me that this was only because of the difficulties of COVID. I can see that he is still extremely active in bringing proceedings and

it is clear to me that he wishes and intends to continue to be active. Despite his lack of success, he believes in what he is doing and he is undeterred by his defeats.

36. **AG v Wheen** is authority for the proposition that past decisions have evidential value even when there is a pending appeal (para 26). It also says that the institution of proceedings may be vexatious within the meaning of the statute even if they have not been pursued after the payment of a deposit has been ordered (paras 28-30). Those are both points I bear in mind in Dr Mallon's case.
37. A recent and relevant review of authorities on section 42 and its cognates (such as section 33) was conducted by Simler LJ in **Williamson v Bishop of London** [2023] 1 WLR 2472 at paras 16-19 and paras 33-37.
38. When assessing what may be "vexatious proceedings", the question posed by section 33 is whether they have been instituted "habitually and persistently and without any reasonable ground", which may be the case even if a person is acting with the best of intentions. It is the effect, and not the intention, which makes proceedings vexatious: see the oft-quoted dictum of Lord Bingham of Cornhill LCJ in **AG v Barker** [2000] 1 FLR 759 at 764C-D:

"'Vexatious' is a familiar term in legal parlance. The hallmark of a vexatious proceeding is in my judgment that it has little or no basis in law (or at least no discernible basis); that whatever the intention of the proceeding may be, its effect is to subject the defendant to inconvenience, harassment and expense out of all proportion to any gain likely to accrue to the claimant; and that it involves an abuse of the process of the court, meaning by that a use of the court process

for a purpose or in a way which is significantly different from the ordinary and proper use of the court process.”

The submissions of Dr Mallon

39. Dr Mallon submitted a number of written arguments and materials to me, including a bundle of authorities, and also addressed me orally. I have carefully considered all of them.
40. He said that his various diagnoses had been given to him later in life and he had picked up from a Citizens Advice website that he should disclose that he is disabled on his CV. He had not been told to define what his disability was or where to put that information. He allowed a number of proceedings to be dismissed on withdrawal after one Employment Tribunal judge (in a London case) had pointed out that his disability was only mentioned at the end of his CV. He now puts it on the first page of his CV. He briefly touched on the circumstances of some of the cases in the Annex, but did not, it seemed to me, manage to undermine any of the relevant findings in them.
41. He referred to putting in 4,000 job applications at one point, and explained that he has always applied through volume to find work, but has only more recently disclosed his conditions. He cannot always work out what is essential for the job and what is desired, so he asks for that in his CV.
42. He is 50 years old; he has a PhD, and he is neurodivergent and has other conditions such as Crohn’s disease and high blood pressure. These conditions, he said, affect his communications under stress, but do not take away his integrity. He said that he never set out to abuse any process of any Employment Tribunal or employer. Every case he brought has been to secure fair access to work and reasonable adjustments. When he has been wrong, he has accepted that and withdrawn his claims. He said he is not malicious and that adverse

findings against him have been based on the perception of others who do not fully understand neurodiversity. However, having read the reasons given for those decisions, I can see that he is wrong about that. The reasoning always accepts the fact of his disabilities; makes adjustments and allowances for them when appropriate; and reaches conclusions which are entirely consistent with a thorough understanding of and sympathy for those disabilities.

43. Dr Mallon resisted the RPO sought by the Attorney General. However, by way of compromise, he suggested that, if anything needs to be put in place in response to his record of allegedly vexatious proceedings and applications, it should not be an RPO but should be a voluntary filter mechanism of his own devising, which should be in place for 2 to 5 years, or whatever the court might decide. He would agree that, before starting any new case, he would pause and review it, and, if he was in any doubt about it, he would send it to an official email address for an independent review before he started any claim. He said that this would help the Tribunal and ensure that only cases that had sufficient merit would be pursued. He said that neurodivergent people should not be seen in a negative light for seeking work or their rights. He said that a permanent RPO or other order would go too far as it would (as he put it to me) “effectively end my ability to enforce my rights for the rest of my working life which is 16 years”. If any restriction were necessary, he asked that it be time limited and conditional, or that his voluntary filter system be adopted as a proportionate alternative. I do not accept that the RPO would end his ability to enforce his rights. An RPO only means that the Appeal Tribunal must be satisfied that the proceedings or application are not an abuse of process and that there are reasonable grounds for the proceedings or application (section 33(4)). Provided those conditions are satisfied, leave can be given and, upon the giving of leave, the case proceeds. Cases in which leave is not given are cases in which there is no proper claim, and so there has been no denial of rights.

44. Dr Mallon said he has reflected deeply on what has happened and how he can change. He said he has moderated his conduct and he is trying to focus on solutions rather than problems. He is not someone who defies the system. He said he is a person acting in good faith trying to work, and trying to be a parent to a son whom he believes also to be neurodivergent. He asked to be judged on his intent, and his effort to improve, and not on his past misunderstandings. He asked for any measure to be time-limited, proportionate and consistent with the Equality Act. However, there is nothing in the record which I have examined to suggest any improvement, and Dr Mallon did not give any specific example or explanation of a change in approach on his part which would give any reason to hope that he will stop making vexatious claims or applications if no RPO is made against him.

Discussion and decision

45. I am entirely satisfied, having reviewed the cases in the Annex, and particularly in the light of the points I have highlighted in paras 7 to 27 above, that Dr Mallon has habitually and persistently and without any reasonable ground instituted vexatious proceedings in the Employment Tribunal. I accept the findings of the Employment Tribunals which I have quoted, which cast doubt on his assurances that he acted in good faith. Even if his intentions were honourable, however, he has not taken on board the lessons of his experience, or the warnings of specific Employment Tribunals, including reasoned decisions and costs orders. Instead, he has continued to act in the same way in scores of cases over a number of years, and there is no reason to think that this will stop if an RPO is not made.
46. The effect of his vexatious claims and applications has been to cause unnecessary trouble and expense to scores of companies and other bodies to whom he has made hopeless applications for employment and against whom he has made completely baseless allegations of discrimination. It has also occupied an unacceptable amount of time in Employment

Tribunals, which have had to process and dispose of these vexatious claims, often after full hearings, and usually on the basis of carefully reasoned decisions which will have taken a significant amount of time to produce. The resources of the tribunal system are limited, in terms of money, people, and time, and it is unacceptable that they should continue to be wasted on Dr Mallon in this way. The strain on litigants who have to respond to Dr Mallon's claims is also not to be underestimated, and they are entitled to protection from claims which are an abuse of process and which are not based on reasonable grounds. Costs orders, even when made, never fully compensate for the expense incurred, and are not even designed to cover the non-pecuniary expenses, such as management time, and the toll taken by litigation on witnesses and other human beings. The fact that a claim is wholly without merit does not mean that it has no impact on the people or companies against which it is made. On the contrary, a groundless and unjust allegation can be at least as distressing and shocking, for the person at the wrong end of it, as a claim which has some basis in law and fact.

47. Dr Mallon has not taken any notice of the decisions against him, although they are numerous, and have always, so far as I can see, been accompanied by clear and careful reasoning. Instead, he has simply carried on in the same way as before; abandoning some claims but launching others. He continues to maintain that he acted for the best, and offers no real prospect of desisting from pursuing vexatious proceedings if he is not positively disciplined in the claims he makes by the filter mechanism of an RPO. Such a mechanism is now required.
48. Dr Mallon's proposed alternative filter mechanism has no advantages over a section 33 order and, being *ad hoc*, is less suitable and less likely to be proportionate and efficient and in accordance with the overriding objective than an RPO, which is an established, tried and tested mechanism established by Act of Parliament to deal with this situation.

49. I am satisfied that I should in my discretion make an RPO against Dr Mallon. I am satisfied that this does not breach his rights under Article 6. Per Simler LJ in **Williamson v Bishop of London** [2023] 1 WLR 2472, at para 19:

“It is now well established both at common law and as confirmed by the Strasbourg jurisprudence, that courts may regulate their own procedures to prevent abuse, and that this entails that the right of access to the courts may be subject to restriction, provided always that this does not reduce the access that remains to the individual to such an extent that the very essence of the access right is impaired; and provided that any restriction pursues a legitimate aim and there is a reasonable relationship of proportionality between the means employed and the aim sought to be achieved.”

50. An RPO against Dr Mallon is necessary in the interests of justice. Since it is a filter and not a bar, it does not reduce Dr Mallon’s access to justice; certainly not to the extent that the very essence of the access right is impaired. Any claim that has merit will be allowed through the filter. Any claim that is an abuse of process, or does not have reasonable grounds, does not deserve to go any further. The ability to issue such claims, and to have them reviewed under the RPO, is itself a means of access to justice. Properly understood, it does not disadvantage Dr Mallon. In fact, it protects him from the risk of an adverse costs order later on, as well as serving its main and proper purpose of protecting others.
51. The imposition of an RPO is, on the facts of this case, a proportionate means of protecting the Employment Tribunal system and potential respondents from abuse in the form of vexatious claims and applications by Dr Mallon, including those already pending and not yet decided, as well as those he may initiate in the future.

52. Finally, I have considered whether to make the RPO for a specified period, or not. Section 33(3) of the Employment Tribunals Act 1996 provides:

“A restriction of proceedings order may provide that it is to cease to have effect at the end of a specified period, but otherwise it remains in force indefinitely.”

53. Based upon the cases I have been referred to by Counsel for the Attorney General, the usual order seems to be for an indefinite rather than a specified period but every case must be considered on its facts. A decision has to be made in every case about whether it would be more appropriate and proportionate to impose an order which remains in force indefinitely, or for a specified period.

54. In **AG v McCluskey** (2009) UKEAT/0118/09/RN, Burton J gave the following reasons of the Employment Appeal Tribunal for not making the RPO for a specified period (para 55):

“...in the circumstances of this case we conclude that it is appropriate to make an order which remains in force indefinitely. We have no confidence whatever that the Respondent has learnt anything from the constant warnings she has received, and the only way in which her continued abuse can in our judgment be prevented is by imposing the filter on a permanent basis.”

55. In Dr Mallon’s case, I see no sign that he will ever change his ways. If the RPO is for a specified period, he is likely to bring vexatious claims after the end of that period and, although it would then be open to the Attorney General to apply for a further RPO, some harm will already have been done. Because Dr Mallon’s claims are based on a constant stream of

fresh job applications, there is no reason to think that the stream of claims will abate at any particular future date.

56. I am therefore satisfied that it is both appropriate and proportionate for the RPO against Dr Mallon to continue indefinitely.

ANNEX

Date	Page number in Bundles	Respondent	Claim Number	Tribunal	Document	Brief Summary of Claim / Event	Outcome
Undated	E114 - E115	Wallace Hind Selection LLP	3303569/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
Undated (Hearing dated 06.03.2017 - 08.03.2017)	E1 - E15	Department of Agriculture, Environment and Rural Affairs	4/17/FET 1408/16	ET	Decision	Discrimination on grounds of disability and religious belief, in relation to the failure to shortlist him for a post in	Claimant's claims dismissed in their entirety.
18.04.2018	E16	Energy Systems Catapult Ltd	1302465/2017	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
31.07.2018	E17	First Recruitment Group	2410877/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
31.07.2018	E18	Ginger Recruitment Services Ltd	2410801/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
03.08.2018	E19	Expion Limited Trading	180186/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E20	Arras Services Limited	2413364/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E21	Authoring House Ltd 2016	3306937/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E22	Coburg Banks Ltd	1302934/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E23	Core Talent Recruitment Ltd	2410468/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E24	Genesis Associates Ltd	2413365/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.08.2018	E25	Morgan Ryder Ltd	2410469/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

07.08.2018	E26	Aston University	1301709/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
07.08.2018	E27	Jonathan Lee Recruitment Ltd	1302097/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
07.08.2018	E28	Pertemps Ltd	1302044/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
07.08.2018	E29	Smmt Industry Forum Limited	1302931/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
07.08.2018	E30	Thorn Baker Recruitment Ltd	1302932/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
20.08.2018	[Not included in main Hearing Bundle]	Jenrick Engineering Ltd, East Midlands Business Services Ltd, Ford & Stanley Limited	2601007/2018, 2601079/2018, 2601555/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
28.08.2018	E31	Austin Fraser Ltd	3331187/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
28.08.2018	E32	Authoring House Ltd	3306937/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
28.08.2018	E33	Zitko Consulting Ltd	3307570/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
29.08.2018	E34	Ambrose Recruitment Ltd	1401627/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

29.08.2018	E35	Electus Recruitment Solutions Ltd	1401528/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
29.08.2018	E36	Luton Bennett Ltd	1401930/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
29.08.2018	E37	Resolute Recruit	1401929/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

29.08.2018	E38	White Recruitment Limited	1402229/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
07.09.2018	E39 - E40	Mazars Limited	3201152/2018	ET	Withdrawal of claim	N/A	Tribunal acknowledgement of claimant's withdrawal of claim
26.09.2018	E41	Acorn Recruitment Limited	1600613/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
08.10.2018	E42	Vincent Charles Executive	1600777/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
05.02.2019	E43	CG Consultants	3331244/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
05.02.2019	E44	Ford & Stanley Limited	3331245/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
05.03.2019	E45	NM Group	1800498/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
22.03.2019	E46 - E57	MBA Notts Limited	2602022/2018	ET	Judgment, and reasons	Disability discrimination claim for failure to make reasonable adjustments	Claim struck out on the grounds of no reasonable prospects of success
25.03.2019	E58	Jonathan Lee Recruitment Ltd	1302097/2018	ET	Judgment on costs	N/A	Claimant ordered to pay the respondent's costs in the sum of £3,995
25.03.2019	E59	Russell Taylor	2401716/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
26.03.2019	E60	Hewett Recruitment Ltd	1300109/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
26.03.2019	E61	Uniting Ambition	1300425/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
29.03.2019	E62	Amoria Bond Ltd	2401637/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
01.04.2019	E63	CV Elite Limited	1400077/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

01.04.2019	E64	Electus Recruitment Solutions Ltd	1400355/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
01.04.2019	E65	Holt Automotive Recruitment	1400277/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
01.04.2019	E66	Protect Line Ltd	1400303/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
03.04.2019	E67	Nicholas Associates Group Limited	1800072/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
03.04.2019	E68 - E76	Ginger Recruitment Services Ltd	2410801/2018	ET	Judgment on costs	Disability discrimination claim for failure to make reasonable adjustments	Claimant ordered to pay respondent's costs in the sum of £2,000 plus VAT
04.04.2019	E77	Hyper Recruitment Solutions Ltd	3200226/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
08.04.2019	E78	Pie Recruitment & Pie Talent Ltd	1800042/2019, 1800373/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

26.04.2019	E79	Clearglen Limited	3300347/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
26.04.2019	E80	Executive Futures Cambridge Ltd	3303587/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
26.04.2019	E81	Mane Contract Services Limited	3300067/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
26.04.2019	E82 - E86	Jonathan Lee Recruitment Ltd	1302097/2018	ET	Reasons	Disability discrimination claim for failure to make reasonable adjustments	Claimant ordered to pay the respondent's costs in the sum of £3,996
30.04.2019	E87	Ginger Recruitment Services Ltd	2410801/2018	ET	Acknowledgement of correspondence	Disability discrimination claim for failure to make reasonable adjustments	Application for reconsideration of the judgment on costs refused, on grounds that there was no reasonable prospect of the original decision being varied or revoked

03.05.2019	E88 - E99	Honda R & D Europe (UK) Ltd, Innovate UK	1400049/2019, 1400619/2019	ET	Preliminary hearing summary	Disability discrimination claim for failure to make reasonable adjustments	Listing of a hearing to consider strike out/deposit order applications; other case management
10.05.2019	E100	Ginger Recruitment Services Ltd	2410801/2018	ET	Email determination	Disability discrimination claim for failure to make reasonable adjustments	Following further correspondence from the claimant in respect of reconsideration of the judgment of costs, the position remained unchanged as there was no reasonable prospect of the original decision being varied or revoked.
13.05.2019	E101	Cranleigh Scientific Limited	3300346/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
13.05.2019	E102 - E103	Jonathan Lee Recruitment Ltd	1302097/2018	ET	Judgment, and reasons	Disability discrimination claim for failure to make reasonable adjustments	Application for reconsideration of the judgment on costs refused, on grounds that there was no reasonable prospect of the original decision being varied or revoked
14.05.2019	E104 - E112	Aecom Ltd	3202234/2018	ET	Judgment on preliminary	N/A	Claim struck out and dismissed
23.05.2019	E113	The Cabinet Office (originally the	2303220/2017	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
28.05.2019	E116	Ford & Stanley Ltd	1300160/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
24.06.2019	E117 - E125	Ela8 Limited	2206437/2018	ET	Costs judgment, and reasons	Claim for disability discrimination, but it was subsequently withdrawn.	Claimant ordered to pay defendant £1,845 in costs
01.07.2019	E126	Forces Recruitment Services	3303491/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
08.07.2019	E127 - E129	Ela8 Limited	2206437/2018	ET	Reconsideration judgment	N/A	Application for reconsideration of judgment refused

10.07.2019	E130	Encore Personnel	1300424/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
11.07.2019	E131	Honda R & D Europe (UK) Ltd, Innovate	1400049/2019	ET	Judgment	Disability discrimination claim for failure to make reasonable adjustments	Proceedings dismissed following claimant's withdrawal
16.07.2019	E132 - E133	Innovate UK Ltd	1400619/2019	ET	Judgment, and reasons	Claim for disability discrimination or a failure to make reasonable adjustments	Proceedings dismissed following claimant's withdrawal, after claimant refused to pay a £250 deposit
06.12.2019	E134	Future Directions CIC	2411489/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal

19.12.2019	E135	Clockwork Recruitment Ltd	2300380/2019	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
06.01.2020	E136	Options Resourcing Ltd	2301976/2018	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
20.05.2020	E137	Leyton UK Partners LLP	2200375/2020	ET	Judgment	N/A	Complaints dismissed following claimant's withdrawal
28.05.2020	E138	Greater Manchester Buses South Ltd t/a Stagecoach Manchester	2400730/2020	ET	Judgment	Claim in respect of alleged discrimination in breach of section 15 of the Equality Act, by treating the claimant unfavourably because of something arising from	Complaint dismissed following claimant's withdrawal. Claimant's remaining complaints to proceeding to hearing
02.03.2021	E139 -	Aecom Ltd	3202234/2018	EAT	Judgment	N/A	Appeal allowed
05.08.2021	E163 - E176	Electus Recruitment Solutions Ltd	1403362/2020	ET	Reserved judgment, and reasons	Claims for direct discrimination and a failure to make reasonable adjustments	Claim of direct disability discrimination is struck out and has no reasonable prospect of success, while claim of failure to make reasonable adjustments was (i) not struck out as having no reasonable prospects of success; (ii) not vexatious as defined; and (iii) not to be made

15.09.2021	E177	Electus Recruitment Solutions Ltd	1403362/2020	ET	Judgment, and reasons	Claims for direct discrimination and a failure to make reasonable adjustments	Claimant's application for reconsideration of the judgment refused, such that there was no reasonable prospect of the original decision being varied or revoked
10.12.2021	E178 E180	Johnson Matthey PLC	2202103/2021	ET	Judgment, and reasons	Claim for disability discrimination	Respondent's application to strike out claims
10.12.2021	E181 - E185	Markel Consultancy	2202104/2021	ET	Judgment, and reasons	Claim for direct disability discrimination	Claim struck out
10.12.2021	E186 - E190	Rasei Ltd	2202105/2021	ET	Judgment, and reasons	Claim for failure to make reasonable adjustments	Claim struck out
28.02.2022	E191	TCC Global Limited	1600015/2022	ET	Judgment	N/A	Claim dismissed following claimant's withdrawal
05.03.2022	E192 - E209	Aecom Ltd	3202234/2018	ET	Reserved judgment	Disability discrimination claim for failure to make reasonable adjustments	Claimant's complaint of failure to make reasonable adjustments succeeded
01.08.2022	E210 - E215	Rise Technical Recruitment Ltd	1400489/2021	ET	Judgment, and reasons	Claim for disability discrimination	Claimant ordered to pay a deposit of £100, such that the claim was considered to have little reasonable prospects of success
30.08.2022	E216 - E225	AG Barr Plc	4100929/2022	ET	Judgment, and reasons	Claim for failure to make reasonable adjustments	Claim was not presented in time, and it was not just or equitable to extend time in respect of the claim. The claim was struck out for lack of jurisdiction under Rule 37(1)(a). The respondent's application for a deposit order was dismissed
19.09.2022	E226 - E241	Electus Recruitment Solutions Ltd	1403362/2020	ET	Reserved judgment, and reasons	Claims for direct discrimination and a failure to make reasonable adjustments	Complaint of failure to make reasonable adjustments under section 20 and 21 of the Equality Act 2010 failed
15.11.2022	E242	Rolls Royce Submarines	2601806/2021	ET	Judgment	N/A	Claim dismissed following claimant's

25.11.2022	E259	Blacktrace Holdings Ltd (1), GB Ingredients Ltd (2) Spider Web Recruitment Ltd (3)	3315067/2020, 3300597/2021	ET	Judgment	Two claims for failure to make reasonable adjustments	Claims failed and dismissed
03.01.2023	E260 - E269	Aecom Ltd	3202234/2018	ET	Remedy judgment	Disability discrimination claim for failure to make reasonable adjustments	Claimant awarded £2,000 for injury to feelings and £700 interest. No remedy was awarded for financial loss
20.01.2023	E270 - E276	BDO Services Ltd	2206325/2021	ET	Reserved judgment	Claims for direct discrimination because of a disability, and a complaint of harassment relating to	Both claims failed and were dismissed
26.01.2023	E243 - E258	Blacktrace Holdings Ltd (1), GB Ingredients Ltd (2) Spider Web Recruitment Ltd (3)	3315067/2020, 3300597/2021	ET	Judgment, and reasons	Two claims for failure to make reasonable adjustments	Claims failed and dismissed; duty to make adjustments did not arise
09.02.2023	E277 - E282	Aecom Ltd	3202234/2018	ET	Notice of Appeal from Decision of ET	Disability discrimination claim for failure to make reasonable adjustments	Claimant appeals level of injury feelings award, referencing apparent factual findings by the ET
03.03.2023	JDC2	Blacktrace Holdings Ltd (1), GB Ingredients Ltd (2), Spider Web Recruitment Ltd (3)	3315067/2020, 3300597/2021	ET	Judgment on an application for reconsideration	Two claims for failure to make reasonable adjustments	The claimant's application for reconsideration was refused, as there was no reasonable prospect of the original decision being varied or revoked
03.03.2023	E283 - E286	(1) Longman Tax Recruitment Ltd (2) Christopher Chambers, Howard Freeman, Andrew Irvine, Malcolm Pope, Andrew Ryder, Scott Burkinshaw t/a	1304813/2021	ET	Judgment, and reasons	Claim for direct discrimination against first respondent. Claims for failure to make reasonable adjustments, and direct discrimination on grounds of disability against second respondent	First respondent's application for the claim to be struck out or for a deposit order to be made was refused Claim against second respondent struck out on basis of no reasonable prospects of success

		Shorts (a Partnership)					
06.03.2023	E287 - E299	Grant Thornton UK LLP	2200058/2019	ET	Reserved judgment following an open preliminary hearing, and reasons	Claims of direct disability discrimination, and discrimination arising from disability	<p>Claim for direct disability discrimination was struck out, such that it was presented out of time, and it was not just and equitable to extend time.</p> <p>Claim of discrimination arising from disability was presented out of time, but it was just and equitable to extend time. A £500 deposit order was made.</p> <p>Further claim of direct disability discrimination was allowed to proceed.</p> <p>Claim of a failure to make reasonable adjustments was allowed to proceed, subject to a £500 deposit order being made</p>
14.04.2023	E300	Deloitte LLP	1303618/2021	ET	Judgment	Claim for disability discrimination	Complaint dismissed for want of jurisdiction
21.04.2023	E301 - E307	Steer Energy Solutions Limited	1303637/2021	ET	Judgment, and reasons	Claims for disability discrimination	The respondent's applications for strike out and a deposit order were dismissed
23.05.2023	E308	Ineos Compounds	2501689/2021	ET	Judgment	Claim for disability discrimination	Claim failed and dismissed

01.06.2023	E309	TVWW Ltd	2206326/2021	ET	Judgment	N/A	Proceedings dismissed following claimant's withdrawal
21.06.2023	E310 - E313	Aecom Ltd	3202234/2018	EAT	Decision Letter	Disability discrimination claim for failure to make reasonable adjustments	Not reasonably arguable grounds of appeal, and no further action taken
23.06.2023	E314 - E317	KPMG LLP	3206632/2021	ET	Judgment, and reasons	Claim of failure to make reasonable adjustments	Application for reconsideration refused on the basis that there is no reasonable prospect of the original decision being varied or revoked
21.07.2023	E318	MZA Ltd	1404406/2021	ET	Judgment	Claim for disability discrimination	Claim fails and is dismissed
24.07.2023	E319	Biffa Waste Services Ltd	3302113/2022	ET	Judgment on preliminary hearing	N/A	Respondent's application to strike out claims on the basis that it was vexatious/had no reasonable prospect of success refused
04.08.2023	E320	Longman Tax Recruitment	1304813/2021	ET	Judgment	Claim of unlawful discrimination	Complaints dismissed
10.08.2023	E321 - E345	Aecom Ltd	3202234/2018	EAT	Judgment	Disability discrimination claim for failure to make reasonable adjustments	Respondent appealed against liability judgment of ET One of the four grounds of appeal succeeded, with the claim remitted to the same tribunal panel to reconsider its decision as to whether Mr Mallon was a genuine applicant for the role
14.09.2023	E346	Grant Thornton UK LLP	2200058/2019	ET	Judgment	Claims of direct disability discrimination, and discrimination arising from disability	Claim for direct disability discrimination dismissed. Claims for discrimination arising from disability and for failure to make reasonable adjustments dismissed, with claimant having failed to pay any deposits

19.09.2023	E347 - E348	Gap Technical Ltd	1601137/2021	ET	Judgment	N/A	Upon application to strike out the claim and/or for a deposit order, claim dismissed on grounds it had no reasonable prospects of success and/or on the grounds that it is vexatious
06.10.2023	E349 - E350	Gap Technical Ltd	1601137/2021	ET	Judgment, and reasons	N/A	Application for reconsideration of judgment refused, on grounds that there was no reasonable prospect of the original decision being varied or revoked
16.10.2023	E351	Autosmart International Ltd	1301487/2021	ET	Judgment	N/A	Claim dismissed following claimant's withdrawal
09.11.2023	E352	Ambition Europe Ltd	2204384/2022	ET	Judgment	N/A	Claim dismissed, as the complaints were not presented in time and it was not just and equitable to extend the applicable time limits
12.11.2023	E353 - E362	Gap Technical Ltd	1601137/2021	ET	Judgment, with written reasons	Claim for failure to make reasonable adjustments	Upon application to strike out the claim and/or for a deposit order, claim dismissed on grounds it had no reasonable prospects of success and/or on the grounds that it is vexatious
20.11.2023	E364 - E373	Vector Recruitment Limited	3304952/2022	ET	Judgment, and reasons	Claim for failure to make reasonable adjustments	Claim was not well-founded, such that the duty to make reasonable adjustments did not arise
20.11.2023	E363	Energy Saving Trust	3207240/2021	ET	Judgment	N/A	Claim dismissed following claimant's withdrawal
10.12.2023	E374 - E387	Electus Recruitment Solutions Ltd	1403362/2020	ET	Judgment, and costs	Claims for direct discrimination and a failure to make reasonable adjustments	Claimant ordered to pay the respondent's costs in the sum of £18,000
11.01.2024	E388 - E391	Aecom Ltd	3202234/2018	EAT	Order	Disability discrimination claim for failure to make reasonable adjustments	Claimant's application relating to the award for injury to feelings is allowed, with a full half day hearing to be scheduled

12.01.2024	E392	Aecom Ltd	3202234/2018	EAT	Amended Grounds of Appeal	Disability discrimination claim for failure to make reasonable adjustments	Appeal for the level of the award for injury to feelings be set aside
18.01.2024	E393	PBA Sales Recruitment Ltd	3309656/2022	ET	Judgment	N/A	Claim struck out on grounds of no reasonable prospect of success
14.03.2024	E394	Pennon Water Services Ltd	2200615/2022	ET	Judgment	N/A	Claim dismissed following claimant's withdrawal
14.03.2024	E395	Regulatory Finance Solutions Ltd	1403760/2021	ET	Judgment	N/A	Claim dismissed following claimant's withdrawal
30.03.2024	JDC1 at 554-560	Electus Recruitment Solutions Ltd	1403362/2020	ET	Judgment on application for reconsideration	Claims for direct discrimination and a failure to make reasonable adjustments	Claimant's application for reconsideration is refused because there is no reasonable prospect of the decision being varied or revoked
12.04.2024	E396 - E408	(1) Department for Business, Energy & Industrial Strategy (2) the Cabinet Office	1304814/2021	ET	Judgment, and reasons	Claim for unlawful discrimination on the grounds of age and race, and claim of failure to make adjustments	Claim for unlawful discrimination dismissed following claimant's withdrawal, claim for failure to make adjustments dismissed
15.06.2024	JDC2 at page 561 to 576	Steer Energy Solutions Limited	1403759/2021	ET	Reconsideration judgment on costs	Failure to make reasonable adjustments	Claimant still ordered to pay £7,500 towards respondent's costs Reference to oral judgment on liability, whereby tribunal had concluded that the claimant had acted unreasonably under rule 76(1)(a)
19.06.2024	E410 - E420	Energy Systems Catapult Ltd	1306502/2020	ET	Deposit order, and reasons	Claims for failure to make reasonable adjustments	Claims were considered to have little reasonable prospect of success, and claimant was ordered to pay £250 deposits in respect of both claims
28.06.2024	E421 -	CV-Library Ltd	3304681/2024	ET	T Response Form	N/A	N/A

17.07.2024	E429 - E445	Aldi Stores Ltd	1302695/2024	ET	Case management orders	The claims cited include direct disability discrimination, discrimination arising from disability, indirect discrimination and failure to make reasonable adjustments.	N/A
30.07.2024	E446	Energy Systems Catapult Ltd	1306502/2020	ET	Letter to parties	Claims for failure to make reasonable adjustments	Claims struck out following non-payment of the deposit
31.07.2024	E447 - E448	Gateley Capitus Ltd	1303617/2021	ET	Case management orders	N/A	Costs hearing scheduled following respondent's application for costs
31.07.2024	E449	Gateley Capitus Ltd	1303617/2021	ET	Judgment	Claims for failure to make reasonable adjustments and direct disability discrimination	Claims failed and dismissed
21.08.2024	E450 - E454	Probe UK Ltd	1303735/2023	ET	Deposit order, and reasons	Claims of direct disability discrimination, failure to make reasonable adjustments, and discrimination arising from disability	Claimant ordered to pay £50 deposit in respect of each claim to continue

03.09.2024	E455 - E469	West Midlands Growth Company Ltd	1308527/2023	ET	Reserved judgment, and reasons	Claims for failure to make reasonable adjustments, discrimination arising from disability and victimisation	Respondent's application to strike out the claimant's claim refused, and application for deposit orders of £1000 in respect of each claim refused
17.09.2024	E470 - E482	KH Recruitment Ltd	2304132/2022	ET	Case management orders, case summary	Claims for direct disability discrimination, discrimination arising from disability and failure to make reasonable adjustments	Preliminary hearing ordered for 10 February 2025
20.09.2024	E483	Gateley Capitus Ltd	1303617/2021	ET	Judgment on costs	N/A	Claimant ordered to pay respondent's costs in the sum of £14,000
30.09.2024	E409	Carbon 60 Limited	3314815/2022	ET	Judgment	Claims of direct discrimination on grounds of disability, of discrimination based on the grounds of something arising out of disability, and	Claims failed

						a failure to make adjustments	
30.09.2024	E484 - E501	Carbon 60 Limited	3314815/2022	ET	Judgment, written decision	Claims of direct discrimination on grounds of disability, of discrimination based on the grounds of	Claims failed, the claimant was not substantially disadvantaged.
11.10.2024	E502 - E516	Cranfield Aerospace Solutions Ltd	3314731/2021 (part of a number of cases case managed together with the lead case being 1303637/2021)	ET	Reserved judgment and reasons	Claim for failure to make reasonable adjustments	Claim is struck out under Employment Tribunal Rule 37(1)(a) because it had no reasonable prospect of success and because it was vexatious
18.10.2024	E517	Probe UK Ltd	1303735/2023	ET	Judgment, and reasons	Claims of direct disability discrimination, failure to make reasonable adjustments, and discrimination arising from disability	The claim was struck out following failure of claimant to pay deposits
25.10.2024	E518 - E535	Surface Transforms PLC	2411246/2023	ET	Judgment, and reasons	Claimant claims for discrimination by failure to make reasonable adjustments and disability related harassment	Claims fail and were dismissed
05.11.2024	E536 - E548	Highfield Professional Solutions Ltd	1406261/2023	ET	Case management orders, case summary	Claims for direct disability discrimination, discrimination arising from disability, indirect discrimination, failure to make reasonable adjustments, and harassment related to disability	Listing of further hearings

14.11.2024	E549 - E550	Energy Systems Catapult Ltd	1306502/2020	ET	Judgment on costs	Claims for failure to make reasonable adjustments	Claimant ordered to pay the respondent the sum of £2,500 as a contribution towards the respondent's costs.
14.11.2024	E551 - E568	Energy Systems Catapult Ltd	1306502/2020	ET	Reasons on costs	Claims for failure to make reasonable adjustments	The tribunal found that the respondent had incurred additional costs because of the unreasonable conduct of the claimant. The tribunal awarded the respondent £2,500 towards the respondent's costs

18.11.2024	E569	Aldi Stores Ltd	1302695/2024	ET	Judgment	The claims cited include direct disability discrimination, discrimination arising from disability, indirect discrimination and failure to make reasonable adjustments	The claim, having been withdrawn by the claimant, stands dismissed.
27.11.2024	E570 - E583	Surface Transforms PLC	2411246/2023	ET	Reconsideration on judgment, and reasons	Claimant claims for discrimination by failure to make reasonable adjustments and disability related harassment	Claimant application for reconsideration of the judgment refused
03.12.2024	E584 - E586	Energy Systems Catapult Ltd	1306502/2020	ET	Reconsideration on judgment	Claims for failure to make reasonable adjustments	The tribunal refused the claimant's application for reconsideration of the judgment, such that there was no reasonable prospect of the original decision being varied or revoked
04.12.2024	E587 - E600	(1) Top Spark Recruitment (Dissolved) (2) Mr Timothy Wadhams	1402609/2022	ET	Judgment	Claims for discrimination arising out of disability and a failure to make reasonable adjustments	Claims against first respondent dismissed as the tribunal had no jurisdiction to hear them Claims against second respondent deemed totally without merit and dismissed

06.12.2024	E601 - E605	The Coal Authority	6008605/2024	ET	Preliminary hearing, case management summary	Disability discrimination	Case management orders, including listing of preliminary hearing
20.12.2024	E616 - E618	Aecom Ltd	3202234/2018	EAT	Order	Disability discrimination claim for failure to make reasonable adjustments	Claimant's appeal stayed for six months pending listing of the remitted matter
20.12.2024	E606 - E615	Corriculo Limited	6008077/2024	ET	Case management order	Claims for disability discrimination, including discrimination arising from disability, indirect discrimination, reasonable adjustments, harassment related to disability.	The tribunal ordered a preliminary hearing to consider whether the claim should be struck out on the grounds that it had no reasonable prospect of success or was vexatious and whether in the alternative a deposit order should be made
08.01.2025	E619 - E625	Austin Fraser International Ltd	6008710/2024	ET	Judgment, and reasons	N/A	The respondent's application for strike out on the basis that the claims were being pursued in a manner which was scandalous and vexatious, was refused. The claimant's application to add a respondent was also refused. Preliminary hearing for case management listed
12.03.2025	E626 - E642	Corriculo Limited	6008077/2024	ET	Preliminary hearing judgment	Claims for disability discrimination, including discrimination arising from disability, indirect discrimination, reasonable adjustments, harassment related to disability	The claim of disability discrimination was struck out on the grounds of no reasonable prospect of success.
01.04.2025	E643	KH Recruitment Ltd	2304132/2022	ET	Judgment	Claims for direct disability discrimination, discrimination arising from disability and failure to make reasonable adjustments	The claim was struck out following failure of claimant to pay a deposit totalling £500.

18.06.2025	E644	Ernst & Young LLP, Leyton UK Limited	2305649/2021	ET	Case management order	N/A	The claim was stayed pending the outcome of the Attorney General's application for a Restricted Proceedings Order
27.06.2025	E645 - E646	Baxi Heating UK Limited	6000658/2025	ET	Case management order	N/A	The claim was stayed pending the outcome of the Attorney General's application for a Restriction of Proceedings Order
10.07.2025	E647	National Nuclear Laboratory Limited	6022224/2024	ET	Order staying proceedings	N/A	The claim was stayed pending the outcome of the Attorney General's application for a Restricted Proceedings Order
24.07.2025	E648 - E651	West Midlands Growth Company Ltd	1308527/2023	ET	Case management order	Claims for failure to make reasonable adjustments, discrimination arising from disability and victimisation	The claimant's application for reconsideration of the stay order was refused. The interests of justice required that the stay of proceedings remained in place.