

21, Hereford Road
Liverpool
Merseyside
L15 9HJ

E-mail: robertwagener@sky.com

11 October 2012

Dear Judge Ryan

Re: Mr. R Wagener v the Cabinet Office (2404203/2012)
Pre-Hearing Review, 9 October 2012

You heard and made judgement on this case on the above date. The respondent requested written reasons, which I understand will set out the grounds for your decision in full. As I will be referring your judgement to Diabetes UK and the Equality Commission, who have been advising me in this matter, it would assist me if your written judgement could fully clarify your reasoning regarding the points mentioned below.

According to my notes, you concluded that it would be impracticable for the respondent to make a reasonable adjustment, as this would necessitate continuous monitoring of the life expectancies of numerous groups, including the general population, each disability group, and non-disabled employees. I believe you also suggested that this monitoring process would have to continue after retirement.

It would be helpful if you could expand on this, as someone making a reasonable adjustment claim of the type I am seeking would only need to refresh this once, namely when they retired. They would then need to provide up-to-date supporting medical evidence, as currently happens with ill-health retirements claims.

I am also unclear why this monitoring process would have to continue after retirement. Under the PCSPS rules, there is no process that requires the monitoring of ill-health claims after the date of retirement, even though medical advances might benefit them just as much as a disabled person who retired early.

Yours sincerely

Robert Wagener