

PRE-ACTION PROTOCOL LETTER (JUDICIAL REVIEW)

Formal Letter Before Claim — Pre-Action Protocol for Judicial Review

**URGENT — EXTREME SAFEGUARDING RISK — PLEASE LOG IMMEDIATELY
BY EMAIL ONLY**

Date: 19 November 2025

From:

Nadia Zahmoul

Nadia@rosekross.com

To:

Secretary of State for Justice (Rt Hon David Lammy MP)

Permanent Secretary — Ministry of Justice

Chief Executive — HM Courts & Tribunals Service (HMCTS)

Cc: Justice Select Committee Administrator

URGENT PRE-ACTION PROTOCOL LETTER — JUDICIAL REVIEW

**UNDER NO CIRCUMSTANCES SHOULD PERMISSION BE DETERMINED PRIVATELY ON
THE PAPERS.**

This is my formal Letter Before Claim under the Pre-Action Protocol for Judicial Review.

SECTION 1 — Proposed Claimant

Nadia Zahmoul

Nadia@rosekross.com

SECTION 2 — Proposed Defendants

1. **Secretary of State for Justice**
2. **Permanent Secretary, Ministry of Justice**
3. **Chief Executive, HM Courts & Tribunals Service (HMCTS)**

SECTION 3 — Summary of Intended Claim

This Judicial Review will challenge:

1. **The failure of HMCTS/MoJ to log, process, safeguard, escalate, or transmit serious criminal evidence submitted between April 2024 and May 2025; and**
2. **The failure to safeguard and review the Imerman devices (MacBook Pro and Ubuntu computer) containing source-level criminal evidence, resulting in loss of chain of custody and exposure to risk.**

The criminal evidence has been validated and is under active investigation by U.S. IRS:CI.

The safest and least harmful outcome for MoJ/HMCTS is now to resolve this matter by quashing the tainted family court order and restoring my right to a fair, lawful, evidence-based process.

SECTION 4 — Factual Background (Condensed)

4.1 Criminal Evidence Submitted to HMCTS/MoJ (April 2024 – May 2025)

I repeatedly submitted serious criminal evidence, including:

- Three structured **Criminal Referrals (Parts 1–3)**;
- SJE Solaris analysis;
- Independent expert Paul Sibenik’s analysis;
- BTC cluster tracing and fund-flow mapping;
- Molina prostitution ledgers;
- Notification of the IRS:CI investigation.

None of it was logged, acknowledged, escalated, transmitted, or safeguarded.

4.2 Imerman Devices Containing Criminal Evidence

From 2021 onward, HMCTS/MoJ were repeatedly informed that the Imerman devices contained:

- prostitution ledgers,
- Xero financial records,
- Bitcoin laundering structures,
- criminal-client payment logs,
- blockchain wallet data.

Despite explicit warnings:

- no chain of custody was maintained,
- no forensic review was undertaken,
- no safeguarding steps occurred.

4.3 Disability, Safeguarding, and Administrative Silence

HMCTS/MoJ were repeatedly told of:

- my Autism and PTSD,
- the deterioration triggered by administrative silence,
- safeguarding risks arising from mishandled criminal evidence.

No reasonable adjustments or safeguarding steps were taken.

SECTION 5 — Legal Grounds

Ground 1 — Failure to Safeguard Criminal Evidence

HMCTS/MoJ had a non-discretionary duty to preserve, log, escalate, and protect criminal evidence. No such steps were taken.

Ground 2 — Failure to Log, Process, or Transmit Criminal Evidence

All criminal submissions were ignored.

12 May 2025: criminal evidence transmitted to Parliament, Lords, Cabinet, and Court of Appeal — still no action.

Ground 3 — Procedural Unfairness From Administrative Failures

The failures prevented safeguarding, prevented review, and caused deterioration of health.

Ground 4 — Breach of the Public Sector Equality Duty (PSED)

My Autism/PTSD and need for adjustments were ignored.

Ground 5 — Breach of the Duty of Candour

No disclosure of internal logs, no chain-of-custody material, no safeguarding documentation.

Ground 6 — Failure to Safeguard the Imerman Devices

HMCTS/MoJ failed to review or preserve devices known to contain criminal evidence.

SECTION 6 — Requirement for Oral, Public Permission Hearing

6.1 Absolute Requirement: No Paper Determination

UNDER NO CIRCUMSTANCES SHOULD PERMISSION BE DETERMINED PRIVATELY ON THE PAPERS.

6.2 Evidence of Harmful Paper Determination (Court of Appeal 4 Aug 2025)

The Court of Appeal refused my PTA on the papers, without addressing:

- disability discrimination,
- criminal evidence,
- nondisclosure grounds.

The order was final and non-renewable.

6.3 Autism-Based Necessity

The CLAAS Autism Assessment (1 July 2025) confirms I require:

- direct, transparent communication,
- real-time clarification,
- structured, unambiguous processes.

Paper consideration would be unsafe.

6.4 Public Interest & Safeguarding

This JR involves:

- criminal evidence under IRS:CI investigation,
- potential obstruction of justice,
- safeguarding of a disabled litigant.

6.5 Formal Request

I request an urgent public oral permission hearing with transcription.

6.6 Request for Rolled-Up Hearing

I request that permission and substantive JR be heard together urgently.

SECTION 7 — Sunlight & Preservation Mechanisms

7.1 Pre-Action Preservation & Candour Notice

HMCTS/MoJ must immediately preserve:

- all internal emails, logs, and decisions about my submissions,
- all Imerman-related records,
- all chain-of-custody material.

Deletion after service = **obstruction of justice**.

7.2 Notification to the Administrative Court Office (ACO)

A sealed “Notification of Intended Claim” will be sent to ACO.

7.3 Safeguarding Brief to ACO

A safeguarding notice will follow, explaining medical and safety risks.

7.4 IRS:CI External Anchor

The evidence mishandled by HMCTS/MoJ is under active IRS:CI federal investigation.

7.5 Request for Early Directions Hearing

Due to safeguarding and evidence-risk.

7.6 Evidence Preservation Orders (Requested)

All relevant internal and external communications must be preserved.

SECTION 8 — Exhibit A (One Exhibit in Sub-Parts)

A-1 — Criminal Referrals (Parts 1–3)

A-2 — Conduct Pleadings & Section 25 Statement Extracts (criminal-evidence warnings)

A-3 — Imerman Correspondence (22 June 2022 & 25 Feb 2022)

A-4 — Autism Assessment Report (1 July 2025)

A-5 — Selected Transmission Emails

SECTION 9 — Remedies Sought

9.1 Declaration of Unlawfulness

For failures to safeguard evidence, process submissions, comply with PSED, and uphold duty of candour.

9.2 Mandatory Orders

Including disclosure of internal records and chain-of-custody reconstruction.

9.3 Quashing Relief

Administrative failures must be quashed.

9.4 Costs

Full costs.

9.5 Urgent Listing & Rolled-Up Hearing

9.6 Evidence Preservation Directions

SECTION 10 — Deadline for Response

A full substantive response is required by 16:00 on Monday 24 November 2025.

Failure to respond will result in immediate JR filing.

SECTION 11 — Reply Address

Email: Nadia@rosekross.com
(Address withheld for safety)

SECTION 12 — Statement of Truth

I believe the facts stated in this Letter Before Claim are true.

Signed,

Nadia Zahmoul

Nadia Zahmoul
19 November 2025