

PRESS RELEASE – FOR IMMEDIATE DISTRIBUTION

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Case References: CA-2024-001342 / BV20D01752

Autistic Litigant Issues Final Notice to Ministry of Justice and HMCTS over Equality-Law Breaches in Family Courts

Family Court accused of misinterpreting autism traits as misconduct and revoking disability participation measures in breach of the law.

Background

Nadia Zahmoul, an autistic and PTSD-diagnosed litigant, has issued a **Final Notice of Continuing Non-Compliance** to the **Ministry of Justice (MoJ) and HM Courts & Tribunals Service (HMCTS)**, following weeks of silence and deflection in response to her formal Pre-Action correspondence.

In her 2024 High Court proceedings, the court acknowledged Ms. Zahmoul's vulnerabilities and granted participation measures under **FPR Part 3A**, including structured breaks, an assistant in the witness box, and modified questioning.

However, after the trial concluded, those measures were revoked abruptly without notice, hearing, or review, leaving her unable to participate in post-trial steps, including the making of final and costs orders.

Subsequent judgments — dated 18 April 2024, 24 May 2024, and 8 May 2025 — contain what Ms. Zahmoul identifies as procedurally **unsafe and discriminatory findings**.

Paragraph 64 of the 18 April 2024 judgment described her as “obsessed” with proving non-disclosure by her ex-husband, a finding not supported by oral evidence. The transcript of the trial shows more than twenty references to her PTSD and autism, while the judgment contains none.

“The court had clear evidence of my autistic communication profile — yet instead of viewing my behaviour through that lens, it turned my traits into allegations of bad character” Ms. Zahmoul said.

Administrative Breaches

Ms Zahmoul’s Pre-Action correspondence (20 and 21 October 2025) and subsequent escalations (28 and 31 October) allege:

1. Unlawful revocation of participation measures post-trial, in breach of FPR 3A.7–3A.9 and PD 3AA § 4.1–4.4;
2. Failure to maintain equality adjustments despite continuing disabilities;
3. Mischaracterisation of autism-related behaviours as misconduct and bad character; and
4. Institutional deflection by MoJ and HMCTS, which repeatedly misclassified equality-law breaches as judicial matters, preventing any administrative redress.

Following four separate departmental responses that failed to engage with the substance of her complaint, Ms Zahmoul filed a Stage 3 Escalation Letter on 31 October 2025 and, today, a Final Notice of Continuing Non-Compliance, requiring a substantive reply within seven days.

Broader Significance

This case illustrates the enforcement gap identified by the **House of Lords Autism Act 2009 Committee**.

As **Tom Purser, CEO of Autism Action**, told the Committee in June 2025:

“Crucially we have seen that the Act has not proven to be enforceable at any level – from individuals to ministers – and no person or agency has been made accountable for its delivery or, critically, its failure.”

Ms Zahmoul’s experience demonstrates this failure in practice: when courts themselves breach equality duties, there is no independent enforcement mechanism or immediate relief available to disabled litigants.

Call for Reform

Ms Zahmoul is urging the MoJ, HMCTS, and Parliament to:

1. Establish an independent mechanism to review and enforce compliance with FPR Part 3A and equality-law duties;
2. Introduce mandatory post-trial reviews of participation measures for vulnerable parties; and
3. Create a transparent accountability framework within HMCTS to ensure that equality failures are treated as administrative breaches, not judicial matters.
4. She has also invited the Autism Act 2009 Committee to treat her case as supplementary evidence for its forthcoming report.

Supporting Documents

Stage 3 Escalation Letter (30 October 2025)

Final Notice and Continuing Deflection (Exhibit NZ-U) (31 October 2025)

Annex B: Misclassification Background Note (30 October 2025)

Court of Appeal Correspondence (Exhibit NZ-T, 29 October 2025)

Stage 2 Escalation Letter (29 October 2025)

Pre-Action Protocol Letter + Annex A (20 October 2025)

Follow-Up Pre-Action Letter (21 October 2025)

Urgent Escalation Letter (28 October 2025)

Letter to Autism Act 2009 Committee (24 October 2025)

Deflection Exhibits (NZ-U1 – NZ-U4)

All documents are available for accredited journalists and public-interest organisations upon request.

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