

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court Court of Appeals	Claim no. CA 2024-001342-A
Fee account no. (if applicable)	Help with Fees – Ref no. HWF - AGUPL
Warrant no. (if applicable)	24 Jun 2025
Claimant's name (including ref.) Nadia Zahmoul	CA-2024-001342-A
Defendant's name (including ref.) Karim Noureddine Zahmoul	
Date	07 February 2025

1. What is your name or, if you are a legal representative, the name of your firm?

Nadia Zahmoul

2. Are you a Claimant Defendant Legal Representative
 Other (please specify) _____

If you are a legal representative whom do you represent?

NA

3. What order are you asking the court to make and why?

Reopen Appeals and set aside orders, cost order, judgments made by the lower court on 18 April and 24 May 2024. Enforce MPS order to address severe financial hardship, homelessness, and children school fees. Stay the order made by the High Court on 5/6/2025 pending final decision by the Court of Appeals.

4. Have you attached a draft of the order you are applying for? Yes No
5. How do you want to have this application dealt with? at a hearing without a hearing
 at a remote hearing
6. How long do you think the hearing will last?
 Is this time estimate agreed by all parties?
 5 Hours Minutes
 Yes No
7. Give details of any fixed trial date or period
 NA
8. What level of Judge does your hearing need?
 Court of Appeals or above
9. Who should be served with this application?
 Defendant
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

This is an application to reopen the appeals in this matter for the following reasons (see CPR 52.30)

- (a) It is necessary to do so in order to avoid real injustice;
- (b) the circumstances are exceptional and make it appropriate to reopen the appeal; and
- (c) there is no alternative effective remedy.

I request copies of the court orders revoking the MPS and my Part 3A participation measures in order to prepare a legal challenge for failure to follow statutory guidance under the legislation.

The Court of Appeals failed to address the two fundamental aspects of this case which I rely on to challenge the decisions made by the lower court:

- (i) unlawful discrimination, Autism Act 2009, unfair trial, violation of Convention rights, and
- (ii) unlawful revocation of Part 3A participation measures for mental health disabilities and protected characteristics (autism and PTSD) in violation of CPR r.3.3: "Court's power to make order of its own initiative".

The Court of Appeal's order failed to address the unlawful discrimination, unfair proceedings and violations of my Convention rights resulting from the procedural irregularities identified in my PTA, skeleton, and grounds of appeal.

1. Equality Act 2010, Human Rights Act 1998, Autism Act 2009, and ECHR.

The court has acted in a way which is unlawful under the Equality Act 2010, the Human Rights Act 1998, the European Convention on Human Rights, and which involves issues of discrimination. The court's decision is not compatible with my Convention rights.

Pursuant to FPR 29.5 (2) I seek to rely on my rights arising under the 1998 Act and I seek any appropriate remedy available under that Act.

- a) I assert that my Convention rights were infringed: (i) Right to life, (ii) Freedom from torture and inhuman treatment, (iii) Right to a fair trial, and (iv) Protection from discrimination
- b) I seek a declaration of incompatibility.

2. Right to a fair trial and right to not be discriminated against.

As set forth in my PTA to the Court of Appeal, I have substantial mental health disabilities (PTSD and autism) within the meaning of the Equality Act 2010. These impairments have a long-term adverse effect on my ability to carry out normal day-to-day activities and are an impediment to my full and effective participation in society on an equal basis with others.

Courts must make reasonable adjustments to remove barriers for people with disabilities, including autism (Fairness in Courts and Tribunals, Judicial College, 2012, giving effect to the Equality Act 2010) and incorporating the Autism Act 2009 principles.

I assert that my PTSD and autism are a significant barrier to participation in the proceedings and to achieving a fair trial.

3. The court was wrong to make a cost order for my mental health disabilities.

It is unlawful and discriminatory to attribute legal costs to a vulnerable party who suffers from mental health disabilities. The judge was wrong to attribute legal costs to my alleged "disruptions" caused by my autism and PTSD disorders. This is a violation of my dignity and human rights. It is unfair, unethical, and discriminatory. Furthermore, as the attached transcript of oral evidence demonstrates, the judge's findings and description of my outward presentation in the witness box are not supported by the oral evidence.

4. The revocation of my Part 3A participation measures constitutes an act of unlawful discrimination.

The court revoked the Part 3A participation measures for my mental health disabilities in violation of CPR r.3.3: "Court's power to make order of its own initiative". The court's unlawful revocation of my participation measures is an act of discrimination and a direct violation of my human rights. The participation adjustments for autism and PTSD are a necessity, they are not optional. Without them, it is impossible for me to overcome the unfair disadvantage, and it is impossible to achieve a fair trial. I was forced out of the proceedings in February 2024 because the participation measures were unlawfully revoked and I have not been able to participate in any part of the proceedings since then. (continued in attached sheet)

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

I am legally disabled under the 2010 Act and I need participation measures under part 3A for PTSD and ASD for evidence as well as for the proceedings. I am a victim of domestic abuse and I refuse all contact with the respondent. I have autism burnout and my capacity to litigate has been severely impaired. I am unable to be a litigant in person due to my mental health disabilities and my autism burnout. I can give evidence and I require participation measures to ensure my communication and participation in the proceedings. The judge(s) must be made aware of my sensory difficulties, my autism, and my trauma symptoms and how they affect my behaviour.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

Nadia Zahmoul

- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
0 5	0 6	2 0 2 5

Full name

Nadia Zahmoul

Name of applicant's legal representative's firm

NA

If signing on behalf of firm or company give position or office held

Applicant's address to which documents should be sent.

Building and street

Homeless. Currently staying with friends.

Second line of address

Town or city

County (optional)

Postcode

--	--	--	--	--	--

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Email

Nadia@rosekross.com



CIVIL APPEALS OFFICE

Royal Courts of Justice

Strand, London WC2A 2LL

DX 44450 STRAND

Telephone 020 7947 6409/6916 (Enquiries Only)**Fax** 020 7947 6740

RNID Typetalk 18001 (Text) 18002 (Voice)

(Helplines for the deaf and hard of hearing)

<http://www.civilappeals.gov.uk>

Nadia Zahmoul
3 Montpellier Parade
Cheltenham GL50 1UA

DATE: 26 June 2025

COURT OF APPEAL NUMBER: CA-2024-001342-A

TITLE: Zahmoul v Zahmoul

ORDERS APPEALED: 24-05-2024

Receipt is acknowledged of the following documents relating to this case:

- Application Notice

The application notice will be treated as filed in the Civil Appeals Office on «dsetdown» and has been allocated the number above within the main Court of Appeal record. This case number will form part of the full Court of Appeal reference when it has been entered in the Court's records.

The application notice and supporting bundle will now be referred to a Lord or Lady Justice for consideration. You will have no opportunity to file further documents and you will receive no further notification from this office until you are notified of the judge's decision. If your application is refused on the papers, there is no further right to have the matter reconsidered at an oral hearing. A decision on the papers to refuse permission to re-open is final: CPR 52.30 (7).

Do NOT serve the application notice on any other party to the original application / appeal unless directed to do so by the court: CPR PD 52A paragraph 7.2.