



EMPLOYMENT TRIBUNALS

Claimant
Ms S Khanum

Respondent
HMRC

REASONS

1. On 25 November the following Judgment was sent to the parties:
"The claimant having not paid deposits previously ordered, the following contentions advanced by the claimant are struck out.
 - 1.1 *the respondent's alleged conduct at 15.2 (harassment) was related to the further alleged disabling impairments;*
 - 1.2 *the claimant's inability to work until a suitable chair was provided was something arising from the further alleged disabling impairments;*
 - 1.3 *she was put at the alleged substantial disadvantages by the alleged PCPs and the further alleged disabling impairments (see 4.3.1 to 4.3.4 and 4.6 of the 2 July list of issues); and*
 - 1.4 *that the respondent ought reasonably to have known of the same.*

where "further alleged disabling impairments" means panic attacks, regular suicidal severe anxiety and depression, Spina Bifida, low blood pressure/heart rate, other Musculo skeletal (such as left wrist tear)/chronic pain syndrome, hip and foot injury from fall, internal bleeding, thyroid fluctuations and high TPO antibodies, asthma, PTSD, Mobitz1 Wecheanbeck heartblock, irritable bowel syndrome, regular body (and hormone) imbalances, cancer, trachetis infection in gut and varicose veins, severe insomnia, work related stress, "and any other illnesses in my disabilities impact statement which I may have missed".
2. The claimant requested written reasons for that Judgment.
3. The applicable law is within Rule 40 of the Employment Tribunal Rules of Procedure 2024 which includes: *If the depositor fails to pay the deposit by the date specified by the deposit order, the Tribunal must strike out the specific allegation or argument to which the deposit order relates.*
4. Rule 60 includes:
 - 6) The reasons given for any decision must be proportionate to the significance of the issue and for decisions other than judgments may be very short.
 - (7) In the case of a judgment the reasons must—
 - (a) identify the issues which the Tribunal has determined,
 - (b) state the findings of fact made in relation to those issues,

- (c) concisely identify the relevant law, and state how that law has been applied to those findings in order to decide the issues,
5. There was no issue to decide in striking out the deposited contentions, the claimant having failed to pay deposits. The question of whether to revoke the order was addressed in separate reasons in writing replicated below.
 6. The relevant facts are as follows.
 7. These proceedings have a lengthy procedural history to which reference is made (and these reasons should be read with all previous orders and those made at a hearing on 12 September 2025).
 8. A deposit order was made in the circumstances of paragraphs 7 to 10 of that Order and for the reasons set out at paragraph 11 as follows:

The Disabilities relied upon and Deposit Order

7 The respondent has conceded anxiety and depression, back pain, and endometriosis (see email of 7 March 2025 and agreement of 2 July 2025 list of issues) as impairments which, given the impact on day to day activities, render the claimant a disabled person.

*8 The Tribunal's 2 July 2025 list of issues is to be amended as follows: at paragraph 2.1 "It is accepted that the Claimant was disabled because of anxiety and depression, back pain and endometriosis. In respect of **"thoracic spine pain (also referred to as Kyphosis of thoracic spine) and fibromyalgia parasthesia in her legs and feet"**, did the Claimant have a disability as defined in section 6 of the Equality Act 2010 at the time of the events the claim is about?*

9 The Tribunal may therefore have to decide paragraphs 2.1.1 to 2.1.5 and 4.5 in relation to those conditions and whether the respondent ought reasonably to have had knowledge of both the disability and disadvantages arising and contended for.

10 As to the further alleged disabling impairments (panic attacks, regular suicidal severe anxiety and depression, Spina Bifida, low blood pressure/heart rate, other Musculo skeletal (such as left wrist tear)/chronic pain syndrome, hip and foot injury from fall, internal bleeding, thyroid fluctuations and high TPO antibodies, asthma, PTSD, Mobitz1 Wecheanbeck heartblock, irritable bowel syndrome, regular body (and hormone) imbalances, cancer, trachetis infection in gut and varicose veins, severe insomnia, work related stress, "and any other illnesses in my disabilities impact statement which I may have missed"), I consider the reliance on those impairments and consequent contentions that:

10.1 the respondent's alleged conduct at 15.2 (harassment) was related to the further alleged disabling impairments;

10.2 the claimant's inability to work until a suitable chair was provided was something arising from the further alleged disabling impairments;

10.3. she was put at the alleged substantial disadvantages by the alleged PCPs and the further alleged disabling impairments (see 4.3.1 to 4.3.4 and 4.6 of the 2 July list of issues); and

10.4. that the respondent ought reasonably to have known of the same

*to have little reasonable prospects of success and those contentions will be dismissed unless by **13 October 2025** the claimant pays a deposit of £200 **per alleged impairment** (see attached note accompanying deposit order).*

Note: if the claimant pays the deposit and at a final hearing a contention is dismissed for the reasons below the respondent may seek its defence costs in relation to any additional time spent addressing that contention. The Tribunal may decide that the claimant has acted unreasonably in continuing to advance the contention, and may order her to pay a contribution to the respondent's costs. The claimant is encouraged to seek legal advice in connection with this order.

*11 Reasons: The claimant's case (bottom of page 12 of her strike out application of 7 September 2025) is "**based around equipment that needed amending to support my thoracic spine pain and fibromyalgia parasthesia in my legs and feet**". The Equality Act allegations are clearly discerned by Employment Judge Buckley and Employment Judge Davies. The claimant's subsequent reliance upon medical conditions which appear to have no bearing or connection with her case, as she herself describes it, suggests to me that there is little or no prospect of those further impairments having any part to play in the causes of action relied upon and identified above. The claimant tells me she owns her own house, it is mortgage free, and she has savings of £37,000. This is a public purse case and the respondent should [sic] be put to the increased costs of addressing the claimant's extended list of conditions, when they have little or no arguable bearing on the issues, but will substantially increase time and cost.*

9. These orders were sent to the parties on 15 September 2025. The claimant materially wrote on 2 and 7 October to the Tribunal. She did not pay any deposits. On 25 November 2025 a letter was sent to the parties which included:
..To the extent that the claimant's correspondence seeks revocation of the deposit order, that too is refused.

4. The parties are entitled to legal certainty, and the claimant has not engaged with why the further conditions/contentions in respect of the deposited matters, have more than little reasonable prospects. The claimant's contentions as set out at paragraph 10 of the Case Management Orders sent to the parties on 15 September 2025 will be dismissed in a separate Judgment, the claimant having not paid deposits.

10. The Tribunal applied the mandatory provision of Rule 40 and the contentions were struck out.

Employment Judge JM Wade
3 December 2025