



EMPLOYMENT TRIBUNALS

Claimant: Ms Lara Abou Alwan

Respondent: Muslim Hands

Heard at: Midlands East Tribunal

On: 2 October 2026

Before: Employment Judge Brewer

Representation

Claimant: In person

Respondent: Mr A Ismail, Counsel

JUDGMENT

The judgment of the Tribunal is that the claimant's application for interim relief is refused.

REASONS

Introduction

1. The claimant made an application for interim relief following the presentation of her claim on 4 September 2026.
2. The claim presented by the claimant alleges that she was automatically dismissed for having made a public interest disclosure (see s.103A Employment Rights Act 1996 (ERA)).
3. I had a bundle of documents and heard from both parties. Although the respondent provided a witness statement, I refused to hear oral evidence because interim relief proceedings are governed by rule 94 of the 2024 Procedure Rules which provides that rules 52 to 54 (preliminary hearings) apply. Importantly, rule 94 says that the tribunal must not hear oral evidence unless it directs otherwise. It is highly unusual for a tribunal to direct that it will hear oral evidence. This is because the tribunal is

not making factual findings. Instead, it is carrying out an expeditious summary assessment of the prospects of success based on the material which has been deployed at short notice (see **Al Qasimi v Robinson** EAT/0283/17).

Issues

4. The issue I had to determine is whether to grant the application.

Law

5. The legal test the tribunal applies when deciding whether to order interim relief is set out at section 129(1) ERA. This is whether “it appears to the tribunal that it is likely that on determining the complaint to which the application relates”, the tribunal will find that the reason or principal reason for dismissal was the reason relied upon by the claimant.
6. This has long been interpreted as requiring the tribunal to determine whether the claimant has a “pretty good chance of success” at the final hearing (see **Taplin v C Shippam Ltd** [1978] ICR 1068)
7. This test is not satisfied if the tribunal simply thinks it is more likely than not that the claim will succeed (see **Wollenberg v Global Gaming Ventures (Leeds) Ltd** EAT/0053/18).
8. The test is set comparatively high for reasons of policy (see **Dandpat v University of Bath** EAT/0408/09). It is something nearer to certainty than mere probability.
9. In assessing whether there is a pretty good chance of success, the tribunal will take into account all elements of the claim, not just the reason for dismissal. This may include preliminary matters such as whether the claimant was an employee (if this is disputed), whether the claimant’s resignation should be construed as a dismissal (a “constructive” dismissal), and whether a protected disclosure has been made (see **Ministry of Justice v Sarfraz** [2011] IRLR 562).

Discussion and conclusions

10. I can deal with this application fairly shortly.
11. It seems to me the questions I have to consider are, is it nearer to certainty than mere probability that,
 - 11.1. the claimant can show that she made disclosures of information,
 - 11.2. that, if she did, she reasonably believed they were in the public interest and
 - 11.3. that the disclosures were the sole or principal reason for dismissal.
12. The disclosures, largely set out in a table [page 45 *et seq* of the bundle] and the reference to governance issue on page 41.

13. On the face of it the disclosures are almost entirely unspecified, general allegations. There are two references to specific comments alleged to have been made which could, arguably, be sufficient to be disclosures of information, but the point is that these are arguable. I cannot say that on the basis of the information before me the disclosures meet the high threshold required for an award of interim relief.
14. The second problem is the public interest.
15. It is not sufficient to say disclosures are in the public interest. The claimant has to have a reasonable belief, and that clearly has to be tested where the disclosures are not obviously matters of public interest. In this case the disclosures appear to relate largely to how the claimant say staff were treated, which arguably is a private law matter.
16. The claimant references staff employed by entities other than the respondent, staff based in the USA, Canada and Pakistan for example, and whether disclosing concerns about their treatment engages the public interest for the purpose of a claim against a UK charity is a matter a tribunal will need to consider.
17. The reference to governance issue might engage the public interest, but the disclosures are so lacking in detail that it is not at all clear what happened, when and where. The concerns raised are really about the fact that Mr Haider holds a post in the respondent and a post in 'Muslim Hand Canada' which the claimant alleges is problematic, [see page 41 of the bundle]. But equally that may just be an internal issue not obviously engaging the wider public interest. Again, this is clearly a matter for evidence at. Full hearing.
18. Finally, there is the causation issue related to the dismissal. The claimant's own submissions made the point clearly because she referred to a number of factual disputes related to the alleged partiality of the dismissing manager, missing documents. Incorrect notes, incorrect concessions she is said to have made and so on. It seems to me that alone should have alerted the claimant to the very real difficulty her application has. As the Presidential Guidance on interim relief applications says,

“the claimant will need to show that there is a pretty good chance the tribunal will find that the protected disclosure caused the dismissal. The employer usually disputes this. If an employer identifies an apparently good reason for dismissing the claimant that is unrelated to a protected disclosure, this is usually something the tribunal will need to decide at the final hearing on the basis of full evidence. It is difficult to see how the claimant will show that they have a pretty good chance of success, unless they have clear evidence that this was not the real reason”
19. That is exactly the situation in this case. The respondent says there were serious misconduct allegations against the claimant which were investigated, which were the subject of a disciplinary hearing, and which formed the reason for dismissal. The claimant disagrees. This must therefore be the subject of detailed findings of

fact at a full tribunal hearing all of the relevant evidence.as things stand today, for the reasons set out above, the application for interim relief is refused.

Approved by:

Employment Judge Brewer

Dated: 02 October 2026

Sent to the parties on

...05 October 2026.....

For the Employment Tribunal

...Elliot Barker.....

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>