



Appeal number: CA.2021.0013

FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
(CHARITY)

MERMAIDS

Appellant

- and -

THE CHARITY COMMISSION FOR ENGLAND AND WALES

First
Respondent

- and -

THE TRUSTEES OF LGB ALLIANCE

Second
Respondent

DIRECTIONS

UPON the Tribunal's decision of 13 December 2021 refusing the second Respondent's application for a preliminary issue hearing

AND UPON the Tribunal directing the parties to cooperate as to further Case Management Directions to bring this matter to a final hearing

AND UPON the Tribunal listing this matter for a final hearing on 10 and 11 May 2022

AND UPON the Parties communicating to the Tribunal their agreement to the following directions

IT IS DIRECTED THAT

1. This appeal is to be determined at a 2-day hearing in London on 10 and 11 May 2021.
2. All issues in dispute between the parties are to be determined by the Tribunal following a final hearing.
3. Paragraphs 15 onwards of the Order of Judge Macmillan dated 23 September 2021 shall no longer apply, and are replaced by the further directions set out below.

Witness statements

4. By 5pm on 31 January 2021 Mermaids must serve on the Respondents any written witness statements on which it wishes to rely at the hearing, or must confirm that it will not be calling witness evidence.
5. By 5pm on 28 February 2021 the Respondents are to serve on Mermaids any written witness statements on which they wish to rely at the hearing, or must confirm that they will not be calling witness evidence.
6. If witness statements refer to any documents in the bundle, they should give the bundle reference.
7. The witness statements (which must contain a statement of truth) are to stand as evidence in chief at the hearing, although supplementary questions may be asked with the permission of the Tribunal. No Party is to call any witness in respect of whom a written statement has not been exchanged without the Tribunal's permission.
8. Each Party is to notify the other Parties if they wish to cross examine any witness in respect of whom a statement has been filed by 5pm on 14 March 2021.

Agreed bundle of documents

9. The Parties are to use their best endeavours to agree the contents of a bundle of documents for the Tribunal hearing in accordance with the arrangements set out below:
 - a. The first draft of the index to the hearing bundle is to be prepared by Mermaids and served on the Respondents by 5pm on 14 March 2022;

- b. By 5pm on 21 March 2022, the Respondents are to notify Mermaids whether there are any additional documents in their possession that they wish to add to the bundle;
- c. All Parties must supply a copy of any relevant document to the other parties if requested;
- d. A consolidated electronic version of the bundle is to be prepared by Mermaids and forwarded to the Respondents by 5pm on 28 March 2022.

Lodging of bundles with the Tribunal

10. A final version of the hearing bundle, to include any witness statements and any exhibits, is to be prepared by Mermaids. The bundle will be provided by electronic means only and will be with the Tribunal no later than 5pm on 4 April 2022.

Skeleton arguments

- 11. Statements of Case (skeleton arguments) are to be dealt with as follows:
 - a. On or before 12 April 2021, Mermaids will send its skeleton argument to the other parties and the Tribunal.
 - b. On or before 26 April 2021, the Respondents will send their skeleton arguments to the other parties and the Tribunal.
- 12. The Parties are to use their best endeavours to agree a proposed reading list for the Tribunal, a chronology, a schedule of agreed facts and a list of issues to assist the Tribunal, as follows:
 - a. the Appellant shall serve a first draft of these documents with its skeleton argument;
 - b. the Respondents shall confirm, when filing their skeleton arguments, the extent to which the Appellant's drafts are agreed;
 - c. to the extent that they have been agreed, these documents must be sent to the Tribunal on or before 3 May 2021.

Bundle of authorities and statutory materials

13. The Parties are to use their best endeavours to agree a bundle of authorities and statutory materials. The authorities bundle must contain only those authorities specifically referred to in the skeleton arguments. The Appellant is to send a final electronic copy of the authorities bundle to the other

parties, and lodge it by electronic means with the Tribunal, by no later than 5pm on 5 May 2021.

Preliminary issue

14. At the substantive hearing on 10 May 2022 the Tribunal will determine, as a preliminary issue, whether the Second Respondent should be as currently averred, or should instead be 'The LGB Alliance'.

Tribunal Judge Moira Macmillan

Dated: 24 January 2022