



**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
CHARITY**

Tribunal Reference: CA / 2015 / 0003
Appellant: Steadfast Trust
Respondents: Charity Commission for England and Wales
Judge: Peter Lane

DIRECTIONS

Amended grounds of appeal

1. By consent, the appellant is hereby permitted to vary its grounds of appeal, so as to substitute for the entirety of the original grounds, the new grounds sent to the Tribunal on 11 January 2016.

Amended response and reply

2. Not later than **7 March 2016**, the respondent shall serve on the Tribunal and the appellant any amended written response to those amended grounds.

3. If the appellant wishes to serve an amended reply, it must do so on the Tribunal and the respondent not later than **4 April 2016**.

Witnesses

1. Direction 7 of 18 November 2015 refers. The appellant has produced a list of experts that the appellant wishes to call. It does not appear that these persons have been instructed and it is unclear whether they have otherwise been approached to signify their willingness to give evidence. The appellant has requested three months additional time to comply with direction 7. The request is linked with the respondent's making disclosure, as requested by the appellant. The Tribunal has difficulty in seeing any material connection between disclosure and the subjects on which the proposed experts are to give evidence. The Tribunal also does not consider the three month extension is

compatible with the overriding objective in rule 2 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009. The fact that the appellant is said to have only modest resources is not a reason for postponing resolution of this matter.

2. Accordingly, the appellant is hereby directed to comply with direction 7 not later than **7 March 2016**. Any proposed witness in respect of whom the appellant fails to comply with direction 7(2) and (3) of 18 November by that date may not be called by the appellant to give oral or written evidence.

Evidence/disclosure

3. The Tribunal grants permission to the appellant to adduce the materials contained in the “Partial Bundle” it has produced.
4. The respondent shall no later than **15 February 2016** serve on the appellant a copy of all the material within the appellant’s disclosure request, which the respondent has said (in the table attached to its letter of 1 February 2016) it intends to disclose.
5. Not later than **22 February 2016**, the appellant shall state in writing to the Tribunal and the respondent whether it disagrees with any of the explanations given by the respondent in that table for refusing to disclose material, and, if so, giving the appellant’s reasons for each such disagreement. Any remaining disclosure issues will be decided by the Tribunal at the forthcoming oral directions hearing (see below).

Strike out application

6. The appellant asks for the respondent’s “secondary issue” or position to be struck out, on the ground that it has no reasonable prospect of succeeding. The application is refused. The appellant is entitled to advance any relevant matters contained in the strike-out application in the substantive proceedings but, as matters stand, it cannot be said that there is no arguable case to be made by the respondent on the secondary issue. It is also relevant that, as the respondent points out, acceding to the appellant’s request will not dispose of the appeal and is, in the Tribunal’s view, unlikely to shorten proceedings to any material extent.

Oral directions hearing

7. The Tribunal agrees that an oral directions hearing is likely to be useful. As well as dealing with the matter mentioned in direction 5 above, the Tribunal will be able to set out a timetable for any remaining steps that need to be taken before the substantive hearing, as well as fixing a date for that hearing. The parties are accordingly directed to liaise with a view to proposing dates for

such a directions hearing, to be held in Central London after 4 April 2016, with a time estimate of two hours.

Judge Peter Lane

Chamber President

Dated 5 February 2016

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