



**First-tier Tribunal
(General Regulatory Chamber)
Charity**

Tribunal Reference: CA/2018/0011
Appellants: John Nicholson, Annie O’Gara & Kholoud al Ajarma
Respondent: The Charity Commission for England and Wales
Judge: Jonathan Holbrook

CASE MANAGEMENT NOTE

On 6 November 2018, the Tribunal received a Notice of Appeal by which the above-named Appellants seek to appeal against the Charity Commission’s decision not to remove the following three charities from the register of charities: The JNF Charitable Trust; The JNF Educational Trust; and KKL Charity Accounts.

Each Appellant contends that he or she has standing to make this appeal by virtue of being a ‘person who is or may be affected by the decision’. However, it is apparent that there is some dispute between the parties about whether this is correct. In addition, I consider that a question arises – at least in relation to the position of Mr Nicholson – about whether that issue has already been determined, both by this Tribunal and by the Upper Tribunal.

The question of the Appellants’ standing therefore needs to be dealt with as a preliminary issue.

IT IS DIRECTED as follows

1. The Charity Commission is NOT required to provide a full response at this stage, but only to provide its comments (and any relevant supporting documentation) in relation to the following questions:

- Does the Commission accept that a decision appealable to the Tribunal has been made?
- If so, when was it made?

- In respect of each of the three Appellants, does the Commission accept that the Appellant is a person falling within column 2 of the table in Schedule 6 to the Charities Act 2011 and so entitled to bring an appeal?
- If not, why not?

2. The Charity Commission is to reply to the above questions within 14 days of the date appearing below. A copy must also be sent to the Appellants.

3. Within 14 days of receiving the Charity Commission's response to the above questions, the Appellants must provide their comments thereon (and any relevant supporting documentation). A copy must also be sent to the Commission.

4. The Tribunal will then decide whether to proceed to a determination of the preliminary issue of standing on the papers. Alternatively, the Tribunal may decide to issue further directions and/or to list this matter for a case management hearing. However, if any party requires the preliminary issue to be dealt with at an oral hearing, they must give notice to this effect within 28 days of the date appearing below.

Signed: J W HOLBROOK
Date: 9 November 2018

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