



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

Appeal number: CA/2016/0010

SUPPORT THE HEROES

Appellant

- and -

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Respondent

Before: Judge Alison McKenna

Sitting in Chambers on 16 May 2017

DIRECTIONS

Further to the Directions of 15 March and 24 April 2017

And upon the Respondent applying for permission to include the Draft Interim Manager's Report in the Tribunal's hearing bundle

And upon the Appellant objecting to the same

IT IS DIRECTED as follows:

1. The draft interim manager's report is to be added to the Tribunal's hearing bundle.

REASONS

1. The Respondent has already prepared and served the Tribunal's bundle for the forthcoming paper determination on 12 June 2017, in accordance with the Tribunal's earlier Directions. It has recently received the Interim Manager's draft report and wishes to add this document to the hearing bundle. It is submitted that it would be relevant for the Tribunal to read the report because the Tribunal will be deciding for

itself whether the Interim Manager's appointment should continue and may consider evidence which was not available to the Respondent when it made the Order under appeal.

2. The Appellant does not agree and so the Respondent now seeks the Tribunal's direction pursuant to rule 6 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009, as amended.
3. The Appellant opposes the inclusion of the report on the basis that it would involve extending the deadline for completion of the bundle in the 15 March Directions and (if I have understood the submissions correctly) also that it would be prejudicial to the Appellant's case to admit it into evidence. The Appellant also makes points about the costs and delay of producing the report and about an alleged conflict of interest of the Interim Manager.
4. I am satisfied that it would be fair and just to allow the report to be added to the Tribunal's bundle. It is appropriate for the Tribunal to have the fullest picture of the charity before it when it makes its decision. To the extent that the Appellant disagrees with any matters contained in the draft report, it will be able to make these known to the Tribunal in the Appellant's written submissions, which are not yet due to be served.
5. Accordingly, the Respondent's application is allowed.

(Signed)

Alison McKenna

16 May 2017

Principal Judge