



**Appeal number: CA/2014/0016**

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

**MOHAMMED ANIQUE**

**Appellant**

**- and -**

**THE CHARITY COMMISSION FOR ENGLAND  
AND WALES**

**Respondent**

**TRIBUNAL: JUDGE JONATHAN HOLBROOK**

**Sitting in Chambers on 2 July 2015**

Upon considering written representations made by the parties

**IT IS ORDERED** as follows

1. The Appellant's applications for orders requiring various persons to answer questions and/or produce documents are refused.
2. The Directions issued by the Tribunal on 26 March 2015 are varied in the following respects:
  - (1) The Respondent is deemed to have complied with paragraph 5 of the Directions by virtue of having sent the Appellant a consolidated hearing bundle under cover of its letter dated 19 June 2015.
  - (2) The deadline in paragraph 6 of the Directions for exchange of witness statements is varied to 5pm on 16 July 2015.
  - (3) The deadline in paragraph 7 of the Directions for the parties to notify each other if they wish to cross-examine any witnesses is varied to 5pm on 23 July 2015.

## **REASONS**

1. I note that there have been discussions between the parties in an attempt to agree the contents of the hearing bundle. The Respondent has compiled a substantial bundle (apparently running to two ring binders) and has provided a copy to the Appellant.
2. The Appellant believes that there are additional documents in the possession of the Respondent and/or others which should be disclosed and included within the bundle. The Respondent has asserted that it has searched for copies of the documents in question but that it does not possess them. I accept this assurance and it would therefore be inappropriate to order further disclosure by the Respondent.
3. The Appellant also seeks an order requiring the documents in question to be disclosed by persons who are not party to these proceedings, including the charity and an additional individual. I am not persuaded that it would be proportionate to make such an order or that it would otherwise assist in achieving the overriding objective to do so. There is no certainty that these third parties possess copies of the documents in question and, in any event, I am not convinced that production of those documents would assist the Tribunal to determine the issues arising in these proceedings.
4. In addition, the Appellant seeks an order that five individuals who acted as election commissioners for the charity reply to a questionnaire. I am not persuaded that it is appropriate to make that order either. If the Appellant wishes individuals to provide witness evidence in support of his case he should consider calling them as witnesses at the hearing.
5. It follows that I do not consider it necessary to permit the parties additional time to prepare for the hearing. However, given that the hearing date previously notified has been vacated for reasons of judicial availability, I shall permit the parties a further period of 14 days to finalise and exchange witness statements.

SIGNED: J W HOLBROOK

DATED: 2 July 2015

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