



IN THE FIRST-TIER TRIBUNAL

Appeal number: CA/2019/0014

GENERAL REGULATOR CHAMBER (CHARITY)

BETWEEN:

DR ZAKIR ABDUL-KARIM NAIK

Appellant

- AND -

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Respondent

DIRECTIONS

Upon the Tribunal having received a Notice of Appeal on 6 June 2019,

And Upon the parties' representatives attending a telephone directions hearing before Judge McKenna on 6 September 2019

IT IS DIRECTED as follows:

Mode of Hearing

1. The parties require an oral hearing.
2. It is anticipated that the hearing will last two days, with timetabling to be agreed in view of the time difference between the UK and Malaysia.
3. The parties request the hearing to be held in London.
4. **The Tribunal will investigate setting up a video call to the Appellant at a court in Malaysia.**
5. This appeal shall be determined **on the first available date after 16 January 2020.**
6. By no later than **5pm on 11 November 2019**, the parties are to send the Tribunal a list of any dates after **16 January 2020** when they, their representative or any witnesses will not be available to attend a hearing.

7. The Tribunal will inform the parties of the hearing date and location as soon as possible.

Agreed bundle of documents

8. 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:
9. By **5pm on 4 November 2019**, the first draft of the index to the hearing bundle is to be prepared by the Respondent and served on the Appellant.
10. By **5pm on 18 November 2019**, the Appellant is to notify the Respondent whether there are any additional documents in its possession that it wishes to add to the bundle. The Appellant is to supply a copy of any documents to the Respondent in pdf, word or other agreed format.
11. A consolidated version of the bundle is to be prepared by the Respondent and forwarded to the Appellant electronically and in hard copy by **5pm on 2 December 2019**.

Witness statements

12. By **5pm on 14 October 2019**, the Appellant is to serve on the Respondent any written witness statements on which it wishes to rely at the hearing or confirm that it will not be calling witness evidence. If the witness statement refer to any documents in the hearing bundle, the relevant page number is to be used in the statement(s) (but this can be done by adding a note to the margin of the witness statement once the page number of the bundle are known).
13. By **5pm on 28 October 2019**, the Respondent is to serve on the Appellant any written statements on which it wishes to rely at the hearing or to confirm that it will not be calling witness evidence.
14. 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 on any witness in respect of whom a written statement has not been exchanged without the Tribunal's permission.
15. By **5pm on 4 November 2019**, each party is to notify the other if they wish to cross examine any witness in respect of whom a statement has been filed.

Skeleton arguments

16. By **5pm on 6 January 2020**, the parties are to exchange statement of cases (skeleton arguments) with each other and to send an electronic copy to the Tribunal. When referring to any documents in the hearing bundle, the relevant page number is to be used in the skeleton argument.
17. The parties are to use their best endeavours to agree a chronology, a schedule of agreed facts and a list of issues to assist the Tribunal. These are to be sent with the skeleton arguments.

Bundle of authorities and statutory materials

18. The parties are to use their best endeavours to agree a bundle of authorities and statutory materials in accordance with the directions below. The authorities must only be those specifically referred to in the written submissions.
19. The first draft of the index to the authorities bundle is to be prepared by the Respondent and be sent to the Appellant by **5pm on 25 November 2019**.
20. The Appellant is to notify the Respondent whether there are additional materials which he wishes to be included in the authorities bundle by **5pm on 2 December 2019** and provide electronic copies of the documents at the same time.
21. The index to the consolidated version of the authorities bundle is to be prepared by the Respondent and provided to the Appellant and the Tribunal by email, by **5pm on 9 December 2019**.
22. The Respondent is to prepare and serve a consolidated version of the authorities bundle (electronically and in hard copy) on the Appellant by **5pm on 20 December 2019**.

Lodging of bundles with the Tribunal

23. A final version of the hearing bundle is to be prepared by the Respondent.
24. Four copies are to be lodged with the Tribunal by 5pm on **6 January 2020**.
25. A further copy is to be brought by the Respondent to an oral hearing for use by witnesses (if any). **The Appellant will be responsible for arranging access to a bundle in Malaysia for use during the hearing.**
26. A consolidated version of the authorities bundle is to be prepared by the Respondent and four copies are to be lodged with the Tribunal by 5pm on **6 January 2020**.

Other

27. The parties have permission to apply to vary these directions or to apply for further directions provided such application is in writing setting out the full reasons for the application and (where applicable) before the time limit for complying with the direction has been reached.
28. **This matter is reserved to Judge McKenna.**

(Signed)
Judge Alison McKenna
Chamber President

Dated: 6 September 2019