



**Appeal numbers: CA/2015/0007
CA/2015/0012**

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

**(1) MR KEVIN GREGORY
(both appeals)**

Appellants

**(2) LEGAL ACTION
(CA/2015/0012 only)**

- and -

**THE CHARITY COMMISSION FOR ENGLAND
AND WALES
(both appeals)**

Respondent

TRIBUNAL: JUDGE JONATHAN HOLBROOK

Sitting in Chambers on 25 January 2016

Upon considering written representations made by the parties

IT IS DIRECTED as follows:

1. The application for a stay of proceedings is refused.
2. Any reply to the respondent's response in either appeal must be sent or delivered to the Tribunal so that it is received by 4pm on 22 February 2016.
3. The appeals will be listed for an oral case management hearing in London. The parties are requested to provide the Tribunal (by 4pm on 29 January 2016) with their dates to avoid between 23 February and 4 March 2016, following which the Tribunal will notify them of the hearing date and venue.

REASONS

1. Two appeals are currently before the Tribunal. The first – which has been allocated case number CA/2015/0007 (“the First Appeal”) – is an appeal against the respondent’s decision not to remove Legal Action from the Register of Charities. The second – which has been allocated case number CA/2015/0012 (“the Second Appeal”) – is an appeal against an interim management order made in respect of Legal Action.
2. On 2 October 2015 I ruled, in relation to the First Appeal, that Mr Gregory was not entitled to lodge that appeal in the name of Legal Action or on its behalf. The Upper Tribunal has since refused permission to appeal that ruling. The same issue appears to arise in relation to the Second Appeal. However, the Tribunal is yet to make any ruling on the issue in relation to that appeal.
3. The respondent has filed a response to each appeal.
4. On 31 December 2015, Mr Gregory applied for both appeals to be stayed. I have considered the written grounds he put forward in support of that application together with the respondent’s lengthy grounds of objection.
5. I am not satisfied that the grant of a stay in the present circumstances would assist in giving effect to the overriding objective of dealing with these appeals fairly and justly. Rather, I consider that giving effect to that objective requires the determination of the appeals to be progressed in an expeditious and orderly fashion.
6. Mr Gregory essentially advanced three reasons why a stay should be granted. First, he said that he is presently unable to deal with the appeals because of his long-term illness and the unavailability of the person who has been assisting him in the proceedings to date. However, little additional information was provided to explain either the nature of the resulting difficulties or the means by which (and the timeframe within which) they are expected to be overcome so that the Tribunal process may continue. Second, Mr Gregory argued that a stay should be granted pending the outcome of his appeal against my ruling of 2 October 2015. Given the Upper Tribunal’s refusal at the permission stage, that argument no longer applies. Third, Mr Gregory argues for a stay pending the outcome of various proceedings in the Court of Appeal. However, he has not demonstrated that there is a nexus between the issues in those proceedings and the appeals now before the Tribunal such that a stay would be appropriate.
7. The next procedural stage in relation to each appeal is for a reply to be filed to the respondent’s response. Although I consider it inappropriate to grant a general stay of proceedings, I am content to allow a further period for any reply to be filed. This will be on a strictly time-limited basis and I consider that this should afford Mr Gregory a reasonable period within which to obtain any necessary assistance with his case.

8. At the end of that period a case management hearing should be held to consider the following issues:
- In relation to the Second Appeal, whether Mr Gregory is entitled to lodge the appeal either in the name of Legal Action or on its behalf.
 - In relation to both appeals:
 - whether they should be consolidated and heard together; and
 - the timetable and appropriate case management orders for the conduct of the proceedings.

SIGNED: J W HOLBROOK

DATED: 25 January 2016

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