



Tribunals Service

Information Rights

IN THE MATTER OF AN APPEAL TO THE FIRST TIER TRIBUNAL
UNDER SECTION 57 OF THE FREEDOM OF INFORMATION ACT 2000

Appeal No: EA/2010/0162

BETWEEN:

MR C. ZACHARIDES

Appellant

and

THE INFORMATION COMMISSIONER

Respondent

THE UK SPORTS COUNCIL

Additional Party

DIRECTIONS

The parties are referred to as “the Appellant” and “the Commissioner”, and “the Additional Party”, respectively

Upon reading the Notice of Appeal, and the Replies from the Commissioner, the Additional Party and the Appellant, respectively:

IT IS ORDERED THAT:

Agreed Bundles

1. The parties are to agree the contents of a bundle of documents for this appeal, in accordance with the arrangements set out below.
2. By 9 December 2010, the Commissioner shall prepare and serve on the other parties, a first draft of the index to the proposed bundle.
3. By 22 December 2010, the other parties shall notify the Commissioner whether there are any additional documents in their possession that they wish to add to the bundle, and shall supply a copy of any such documents to the Commissioner if requested.

4. By 22 December 2010, each party shall provide to the other parties, a list of witnesses on whose evidence they intend to rely (and whom they would intend to call to give oral evidence at the hearing of this appeal), together with a summary of the issue(s) that the witness will be addressing.
5. By 12 January 2011, a consolidated version of the index and bundle shall be prepared by the Commissioner and served on the other parties.
6. By 26 January 2011, the parties shall exchange written witness statements (complete with any exhibits), of the witnesses referred to in paragraph 4. If the statements refer to any documents, the relevant page numbers of the agreed bundle are to be given. Such witness statements are to stand as evidence in chief in the event there is an oral hearing of this appeal, although supplementary questions in chief may be asked with the permission of the Tribunal. No party may call any witness in respect of whom a written statement has not been exchanged in accordance with this paragraph, without the Tribunal's permission.
7. By 9 February 2010, a final version of the bundle, to include witness statements and any exhibits, a chronology, and agreed statement of facts, shall be prepared by the Commissioner, and four copies shall be lodged with the Tribunal, together with all documents in MSWord format (except exhibits).

Disputed Information

8. The information which is being sought by the Appellant from the Additional Party ("the Disputed Information"), shall not be included in the bundle, but shall be lodged with the Tribunal by the Additional Party, by 9 February 2011, and shall be clearly marked "confidential".
9. The content of the Disputed Information shall not be disclosed by the Tribunal or Commissioner at any oral hearing of this appeal except at that part of the hearing held in private.
10. If the Commissioner or the Additional Party consider that any other document relating to the Disputed Information, ought not to be disclosed to the Appellant, the Commissioner or the Additional Party, as the case may be, shall lodge such document with the Tribunal, by 9 February 2011 (and shall clearly mark it "confidential"), together with an explanation as to why it ought not to be disclosed. The Tribunal may then give directions in relation to such document.

Type and Date of Hearing

11. The appeal will be determined at an oral hearing at a venue in London to be fixed. The hearing may take place partly in a closed session.

12. By 2 December 2010, the parties shall notify the Tribunal of any dates between 14 and 30 March 2011, on which they are not available to attend an oral hearing. They must also indicate, at the same time, whether they agree with the Tribunal's estimate that the hearing is likely to last two days.
13. By 23 February 2011, the parties shall lodge with the Tribunal, their Skeleton Arguments, together with copies of any authorities and statutory materials relied on. The parties are at liberty to submit, by the same date, separate confidential Skeleton Arguments in relation to the specific content of the Disputed Information and other documents referred to in paragraphs 8-10 above. The Skeleton Arguments shall be lodged in MS Word format.
14. Reply Skeleton Arguments, if any, must be lodged by 4 March 2011.
15. On the Tribunal's own motion or at the request of any party (any such request to be supported with reasons and to be made no later than one month prior to the hearing date), there may be a pre-hearing review by telephone (at a date and time to be scheduled) approximately one to two weeks before the hearing.
16. At least 48 hours before the commencement of the hearing, the parties shall provide to the Tribunal an agreed timetable for the hearing with estimated times for opening statements (if any), witness evidence and final submissions.

Other Directions

17. A party who lodges any documents with the Tribunal shall, at the same time, serve them on all the other parties and confirm to the Tribunal that it has done so.
18. Since these directions have been issued on the Tribunal's own motion, any party wishing to seek a variation of these directions or wishing to seek any additional directions, may apply to the Tribunal in writing, by 2 December 2010, with a copy to the other parties. Before making such application, the party seeking the variation or additional direction shall try to agree it with the other parties, and shall indicate to the Tribunal when making the application, whether it has been agreed.
19. Paragraph 22 is not intended to restrict the parties from making such application at any other time. However, should any party wish to apply for an extension of time, such application must be made at least 3 days before any date for compliance set out in these directions.
20. The parties should note that the Tribunal will be reluctant to make or vary any directions that would have the effect of delaying the hearing of this appeal.

21. The Tribunal may, on its own motion, make further directions at any time.

22. The parties may need to exchange communications with each other for the purposes of complying with these directions. The parties are requested not to copy the Tribunal in on such communications unless they are relevant to any further directions being sought from the Tribunal.

A handwritten signature in black ink, appearing to read 'A Dhanji', written in a cursive style.

Ms A Dhanji
Tribunal Judge

18 November 2010