



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

and

THE UK SPORTS COUNCIL

Additional Party

DIRECTIONS

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

References to the “Directions” are to the Tribunal’s directions dated 18 November 2010, as varied on 7 December 2010 and 30 January 2011.

These directions are being made in order that the hearing of this appeal proceeds fairly and makes proper use of the Tribunal’s and the parties’ time and resources, in keeping with the overriding objective set out in Rule 2 of The Tribunal Procedure (first-tier Tribunal) (General Regulatory Chamber) Rules 2009.

Evidence

1. The Appellant has indicated that he intends to call the 6 witnesses listed at page 412 of the open bundle. It may be that some of the evidence of these witnesses (as set out in their witness statements), is not contentious. The Commissioner and Additional Party must each indicate, by 4pm on Friday, 18 March 2011, if there are any witnesses they do not intend to cross-examine. If so, the witness statements of such witnesses shall stand as their evidence in chief, and it shall not be necessary for such witnesses to attend and give oral evidence at the

hearing. If the Appellant wishes, nevertheless, for any such witnesses to give oral evidence, he may seek the Tribunal's leave for them to do so. Any such application should be made at the hearing.

2. The Tribunal has been provided with a copy of the National Governing Body Funding Agreement between the Additional Party and UK Athletics for the years 2005 to 2009. The Tribunal would find it helpful to see the equivalent agreements between the Additional Party and the national bodies for other sports. If it is practicable to send such agreements to the Tribunal electronically, the Additional Party should do so by 4pm on Friday, 18 March 2011. If, because of the number of such agreements or any other reason, this is not practicable, the Additional Party should bring one copy of each such agreement to the hearing.
3. Any party seeking to rely on documents not contained in the open or closed bundles lodged with the Tribunal, should bring, to the hearing, 3 copies of such documents (even if such documents have already been provided to the Tribunal by e mail), in order that the panel may insert them into their bundles. These should include:
 - the enclosures with the Appellant's Notice of Appeal (to the extent not included in the open bundle);
 - the documents sent to the Tribunal by e mail by the Additional Party on 14 March and 16 March 2011; and
 - the UK Sports Royal Charter sent to the Tribunal by e mail by the Commissioner on 25 February 2011.

The Commissioner should bring 3 copies of the table of contents for the Panel, revised to reflect any such additions to the bundles.

Issues

4. The Tribunal has been copied in on current e mail exchanges between the Additional Party and the Appellant. The Tribunal is not able to devote the resources to follow on-going e mail discussions between the parties, and should not, therefore, be copied in. However, the Tribunal does need to know whether, and to what extent, any recent disclosures by the Additional Party to the Appellant affects the issues in this appeal and the scope of the information in dispute. The parties are asked to clarify this in brief submissions to the Tribunal by 4pm on Friday, 18 March 2011.

Agreed Timetable

5. As set out at paragraph 15 of the Directions, the parties are required to provide to the Tribunal, an agreed timetable for the hearing with estimated times for opening statements (if any), witness evidence and final submissions. This was to be provided at least 48 hours before the commencement of the hearing. However, in order to accommodate any

impact on the timetable as a result of the matters referred to in paragraphs 1 and 4 above, this direction is varied so that the timetable must now be provided to the Tribunal by 4pm on Friday, 18 March.

Ms A Dhanji
Tribunal Judge

Dated: 17 March 2011