

**THE CHARITIES ACT (NORTHERN IRELAND) 2008
THE CHARITIES ACT (NORTHERN IRELAND) 2013
THE CHARITY TRIBUNAL RULES (NORTHERN IRELAND) 2010**

IN THE CHARITY TRIBUNAL FOR NORTHERN IRELAND

**IN THE MATTER OF A REFERENCE PURSUANT TO SCHEDULE 4 OF THE
CHARITIES ACT (NORTHERN IRELAND) 2008**

**DECISION NOTICE (APPLICATION ON BEHALF OF MR. G. BURKE AND MS. E.
HAMPTON FOR VARIATION OF LISTING DIRECTIONS)**

1. The Tribunal, on 22/12/2022, issued Directions for the Determination of these proceedings on 10/02/2023 ('the said Directions')
2. By email dated 12/01/2023, the representative of two of the Respondents joined to these proceedings by the Tribunal, on their application, Mr. G. Burke and Ms. E. Hampton, made application to vary the said Directions. This application was stated to be in agreement with the representative of the Attorney-General, who is automatically a Respondent, and Mr. R. Crawford and Mr. T. McKee, two of the other parties joined as Respondents, on their application, by the Tribunal. While such agreement has not been confirmed by those other three parties, the Tribunal, in the absence of any communication from them to the contrary, will assume that such agreement exists.
3. The application for variation of the representative of Mr. Burke and Ms. Hampton is two-fold and appears to relate to the interests of him solely (and not pursuant to any personal interest of either Mr. Burke or Ms. Hampton) who apparently has a personal interest in some other matter in Laganside Courts on the same date as the Determination of the proceedings before the Tribunal. The Tribunal, however, has no knowledge of that matter or the nature of the representative's interest or involvement, if any.
4. The first element of the application for variation is that the order of the hearing of the Determination of these proceedings before the Tribunal be altered to allow the representative of Mr. Burke and Ms. Hampton to make his representations, if any, immediately after those of the Attorney-General, if any. **This application for variation is granted.**
5. The second element of the application for variation is that the representative of Mr. Burke and Ms. Hampton appear in person before the Tribunal. **This**

application is not granted. The Tribunal will not be determining these proceedings in a face-to-face hearing but, instead, in accordance with current normal practice, in a remote oral hearing by WebEx (since the parties declined to have these proceedings determined on the papers alone, the Attorney-General changing her position in that regard). However, in ease of the representative of Mr. Burke and Ms. Hampton, a link to the WebEx hearing can be provided to him so that he can, if he wishes, fully participate in the hearing over his personal laptop from any location.

6. The Tribunal is concerned however, in any event, that both elements of this application for variation may, potentially, if the representative wishes to give priority to the matter in which he states he had a personal interest in Laganside Courts over the proceedings of the Tribunal where he is the representative of two of the parties to those proceedings, that this may have an unfortunate effect in disrupting the proceedings of the Tribunal, a potential effect that must be avoided. The Tribunal has no way of knowing whether the representative of Mr. Burke and Ms. Hampton will, in fact, in light of his application, be in a position to participate fully and throughout the Tribunal proceedings from their commencement to their conclusion.

Signed:

**Damien McMahon,
President,
Charity Tribunal for Northern Ireland**

Date: 13 January 2023