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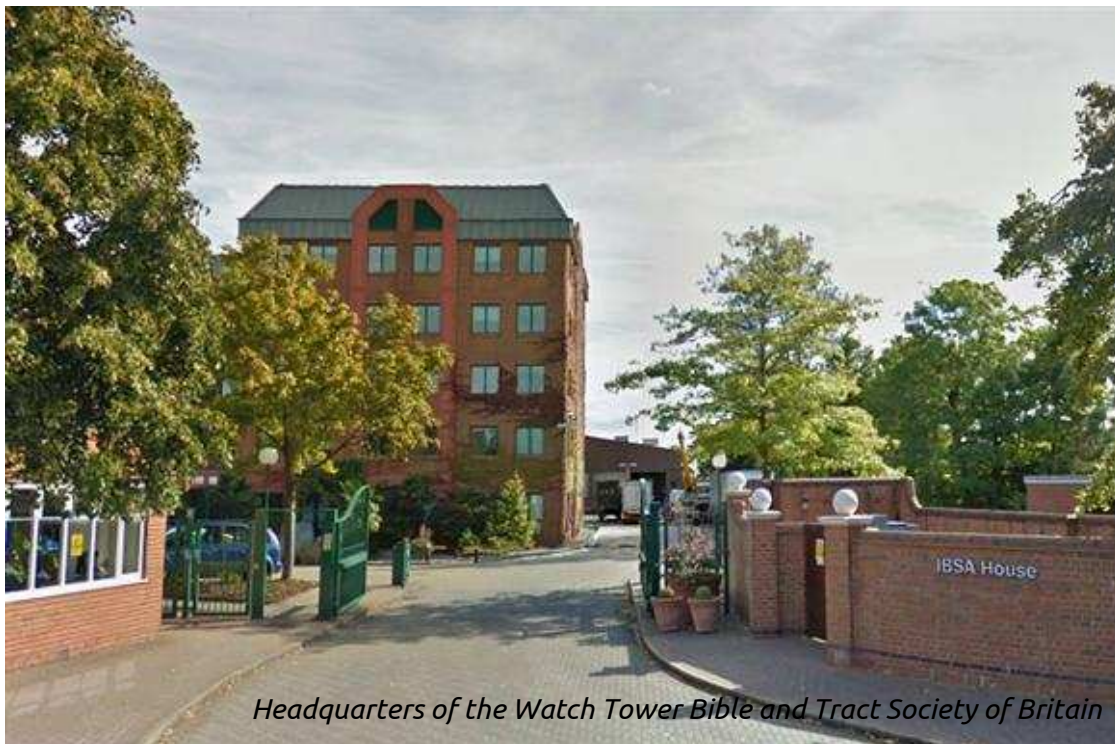


More details 

Jehovah's Witnesses refused leave to appeal to charity tribunal over regulatory action

10 March 2015 by Sam Burne James, 8 comments

In a decision published today, the tribunal says an appeal against the decision to open a statutory inquiry had been made outside the 42-day time limit



Headquarters of the Watch Tower Bible and Tract Society of Britain

The governing body of the Jehovah's Witnesses in the UK has been refused permission to make an appeal to the charity tribunal against the Charity Commission's decision to open a statutory inquiry into the charity, because it was out of time.

The charity has also been refused permission to apply for a judicial review of the decision, because it should have applied to the tribunal.

The commission announced its inquiry into the Watch Tower Bible and Tract Society of Britain in June 2014. There were several issues, including concerns about how a congregation in Manchester dealt with a former trustee who served nine months in prison for the indecent of assault of two girls.

The following month, the charity said it would appeal this decision at the tribunal. However, it first applied for a judicial review of the commission's decision. This application was rejected on 12 December, with the judge saying that the case should be taken to the charity tribunal, and that he was satisfied the tribunal would be able to extend the deadline for the bringing of an appeal.

The tribunal appeal was made on 22 December and included an application for the appeal to be allowed even though it was outside the 42-day time limit.

A decision reached by the charity tribunal last week and published today has refused to extend the time limit to allow this appeal.

Alison McKenna, principal judge of the tribunal, wrote in the decision that the commission had told the charity repeatedly "that judicial review would not be available to it because parliament had created the alternative remedy of an appeal to the tribunal".

According to the decision document, McKenna asked the charity's lawyer why he had not made an appeal to the tribunal in time and had then asked for it to be stayed pending the judicial review process. The document said: "He replied, frankly: 'We could have, but we didn't.'"

McKenna said in the decision that the commission's statutory inquiry had been delayed for more than six months. "It does not seem to me that it would be fair and just to allow the charity to start new proceedings in the tribunal now and thus and delay matters further, having taken the course that it did," she wrote.