

Dyspraxia Scotland  
Appellants

Office of the Scottish Charity Regulator  
Respondents

Hearing 29th August 2013

Members of the Panel: John Walker (Chair); Nicholas Morris ; Patricia Paton

For the Appellants: Stuart Craigon, Charity Trustee

For the Respondents: Ms Wilkins Solicitor (Office of Legal Adviser, OSCR)

### Decision

Edinburgh 11th September 2013

Having heard a Motion from the Respondents to withdraw its opposition to the appeal.

The Panel has unanimously agreed in terms of Section 76(5)(b) of The Charities and Trustees Investment (Scotland) Act 2005 to quash the Decision of the Respondents' and directs the Respondents to meet with the Appellants to discuss the requirements of the Charity Test and the Appellants' duties in connection with meeting the Respondents' general requirements in respect of the operation of the Charity in a straightforward way.

The Panel finds no expenses due to or by either party.

The Panel has appended a Note of reasons for this decision.

John Walker  
Chair, Scottish Charity Appeals Panel.

Note:

1. This decision highlights the Panel's aim to provide access to its remedies in a way which is accessible to all Charities and Charity Trustees given the diverse nature of the sector.
2. When the Charity Trustee initially made contact with the Panel it became clear that its normal procedures were not necessarily appropriate given his disability.
3. The Panel chose to hold an ad hoc Case Management Discussion with the Appellants where the reasons for the Appeal were noted and the next stage in the procedure explained.
4. Following that meeting the Panel received intimation from the Respondents that it intended to withdraw its opposition to the Appeal.
5. The Respondents indicated that it was willing to open a discussion with the Charity to find a way forward.
6. The Panel has previously commented on the volume of Policies and Publications which OSCR have issued in relation to its statutory obligations. These need to reflect not only access to documentation e.g. in different languages Braille and the like but also to those members of society who have difficulty in comprehending such information.
7. This particular charity is established to promote and highlight difficulties by people with Dyspraxia which in itself could be a protected characteristic within the Equality Act 2010 - any documentation issued to the Charity and its Trustees who may have been reasonably be assumed to be Dyspraxic should have taken that into account. In addition the Appellants should make reasonable adjustments should be made when dealing with the Appellants and other Charities and Charity Trustees with disabilities.
8. The Panel was not addressed on the question of expenses but given the brevity of the appearance required before the Panel albeit on two occasions and the notice given by the Respondents on its intention to withdraw the opposition to the appeal the Panel does not consider an order for expenses necessary.