

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
THE ADMINISTRATIVE COURT  
BEFORE THE LORD CHIEF JUSTICE AND MR JUSTICE OUSELEY  
21 October 2015

BETWEEN:-

THE QUEEN ON THE APPLICATION OF CAGE ADVOCACY UK LTD

Claimant

- and -

JOSEPH ROWNTREE CHARITABLE TRUST

Interested Party

- and -

THE CHARITY COMMISSION

Defendant



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ORDER

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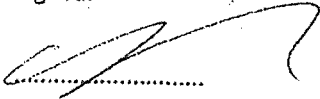
UPON hearing counsel for the Claimant, leading counsel for the Interested Party and counsel for the Defendant;

AND UPON the parties having agreed the following statements: (i) Trustees must be free to exercise their fiduciary powers and duties in light of the circumstances that exist at the time, if acting properly within their objects and powers and in the best interests of the charity. The Commission does not seek to fetter charities' exercise of discretion whether to fund the charitable activities of Cage for all time, irrespective of changed circumstances. (ii) The Commission recognises that it has no power to require trustees to fetter the future exercise of their fiduciary powers under its general power to give advice and guidance. In consequence there is no obligation on the trustees of JRCT to fetter the proper and lawful exercise of their discretion in future;

BY CONSENT IT IS ORDERED THAT:-

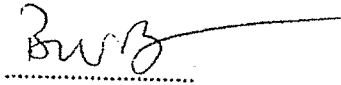
1. The claim for judicial review be withdrawn.
2. There be no order for costs.

Signed:



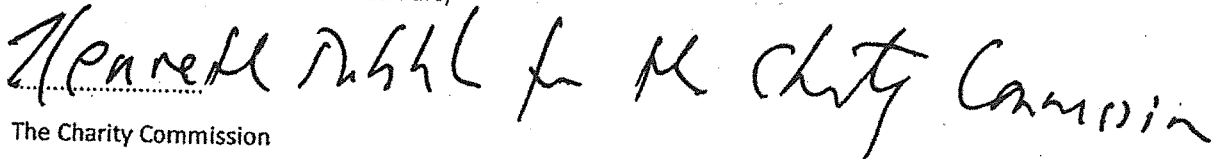
HMA Solicitors

For and on behalf of the Claimant



Bates Wells Braithwaite Solicitors

For and on behalf of the Interested Party



The Charity Commission

For and on behalf of the Defendant

DATED: 21ST OCTOBER 2011



*By the Court*