

PRESS RELEASE
28th May 2004

PRESS NOTICE

The Association for Charities welcomes the publication yesterday of the draft Charities Bill. This draft Bill includes a number of proposals for changes in charity law and regulation, and the accountability of the Charity Commission, as regulator, which the Association was formed – and has campaigned – to secure.

In welcoming the draft Bill, the Association will be providing evidence to the Joint Parliamentary Committee, designed to address three of the eight issues the Committee has identified as important to its pre-legislative scrutiny inquiry. These are: the right balance between flexibility and accountability (to avoid the danger of over-regulation); the impact of the Bill on improving public confidence in charities (to encourage more giving and volunteering); and the extent to which specific proposals in the Bill are adequate, workable and beneficial.

In our written submission to the Committee we shall include a report prepared for them. This will contain specific proposals, either to amend provisions in the draft Bill, or to include additional ones. It outlines some fourteen of more than forty case studies in the Association's files involving the regulatory intervention of the Charity Commission. The case study authors each have in-depth knowledge of these interventions and the case studies are drawn from a number of small to medium-sized charities in a variety of fields. A leading charity lawyer has contributed a chapter outlining the Commission's regulatory powers; and we are grateful for the advice and comments from a number of other leading charity lawyers who have read a confidential draft of this report and its proposals prior to its submission to the Joint Committee.

We shall also seek the permission of the Joint Committee to give oral evidence which we believe may be helpful to their deliberations in the three areas outlined above.

The Association is greatly encouraged by: the implementation of the Home Secretary's undertaking to publish a draft Bill as soon as possible; the establishment of a Joint Committee from both Houses of Parliamentary to subject it to pre-legislative scrutiny; and the preparedness of the Charity Commission, as regulator, to accept the need for reform identified by the Strategy Unit 2002 Report.

We now look forward to the next stages of pre-legislative scrutiny and the Committee stages of a new Bill. We believe the new Bill should provide a clearer, fairer, better, and more accountable regulatory environment for the millions of people who give freely of their time, funds, expertise and commitment to help 'build a safe, just and tolerant society'.

Ends

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NOTE TO EDITORS

The Association for Charities (AfC) is an independent national association with a specific and narrow focus on the need to reform charity law and regulation, together with the accountability of the Charity Commission as regulator.

Formed in 1999 as a direct result of the concerns of a number of charity trustees, former trustees, donors and supporters of charities who had attended High Court and Court of Appeal hearings on trustee appeals against certain Charity Commission Orders, the Association – self-funded by its members – has campaigned vigorously for the changes now appearing in the draft Bill. The Association is a member of the Coalition for a Charities Act.

The Association has made submissions to a number of bodies, including the National Audit Office, the House of Commons Public Accounts Committee, the Prime Minister's Strategy Unit and the Home Office. In 2001, the Association commissioned a video film '**With charity for all?**', and in 2002, a second, 7-minute video film '**Imagine a Country ..**'. Copies of the Association's concerns and these videos were sent to Members of both Houses of Parliament and are available from our Co-ordinator.

The Association has also drawn the attention of Members of both Houses of Parliament to the need for reform, through periodic announcements in 'The House Magazine' and 'Parliamentary Monitor', and we have contributed articles and letters to various charity press publications.