

Response ID ANON-5A6A-2U9C-G

Submitted to Charities (Amendment) Bill - Call for Evidence
Submitted on 2026-07-16 12:13:41

Consent and introduction

What is your name?

Name:

[REDACTED]

What is your email address?

Email address box:

[REDACTED]

If you are providing a submission on behalf of an organisation, please state its name.

Organisation name box:

Please confirm you have read the Northern Ireland Assembly's Committee privacy notice by clicking the button below.

I have read the privacy notice

Do you consent to your submission being published on the Committee's website and included in the Committee's report?

Yes, publish but with my personal information and any content that could be used to identify me redacted.

General views on the Bill

Do you support the overall purpose of the Charities (Amendment) Bill?

No

Please explain your answer, including any areas where you believe the Bill should be amended.:

I have added in further amendments for consideration in the final bill. I do not believe that the Bill goes far enough in improving responsibilities and powers of Charity Commission or duties of Charities whereby the response to the ongoing Presbyterian Church in Ireland investigation would be improved.

Independent Review and policy intent

Do you consider that the Bill gives appropriate effect to the relevant recommendations of the Independent Review of Charity Regulation in Northern Ireland?

No

Add further information to support your answer:

Are there any areas where the Bill goes too far, does not go far enough, or requires further clarification?

A textbox for adding comments:

If sufficient staffing is not provided, then the same set of circumstances will continue as for the recent Presbyterian Church in Ireland case. The Charity Commission has in effect taken records from those impacted by PCI that it then required were submitted by the impacted individual(s) to INEQE. Stronger duties to undertake meaningful investigations within the Commission responsibilities would be beneficial.

There is nothing on the Commission taking action whereby a Charity breaches equality legislation, deliberately and systemically disadvantaging women in both paid and unpaid positions, such as is the case within the Presbyterian Church in Ireland. Strengthening both the Commission's powers and the Charity Trustees duties in this regard would be beneficial.

There is nothing requiring gender balance within the Trustees of a Charity - this is another issue in the Presbyterian Church in Ireland (PCI) Adding in requirements for Charities, such as the PCI, that benefit both men and women that they are required to have gender balance in their Trustees would be beneficial as a baseline position.

Add in a requirement for Charities that where there is a membership, such as in PCI, that any proposal to substantively change its policies or practices must be referred to the full membership to vote on the basis of one member one vote. It is foreseeable that such a change will be proposed and implemented by the PCI that will disadvantage women in particular and more specifically prevent women from holding positions of leadership within the

Church as these will be reserved for men only.

This section of my answer should be read against the appropriate question within this consultation response

Information sharing — Clause 2

Clause 2 would amend the Charity Commission's information-sharing powers. Are the proposed powers necessary, clear and proportionate?

Yes

Please add any additional information to support your answer:

Are any further safeguards, limits or reporting requirements needed?

Yes

Please add any additional information to support your answer:

See my earlier response

Official warnings — Clause 3

Clause 3 would allow the Charity Commission to issue official warnings to charities, charity trustees or trustees for a charity. Do you consider this to be an appropriate and proportionate regulatory tool?

Yes

Please add any additional information to support your answer:

Yes. However if a Trustee is warned or removed, how will this impact eg their professional status eg as an accountant, business leader? It feels useful for one specific charity but not deep enough to dissuade others from whatever behaviour or poor practice that led to the warning.

Are the proposed notice, representation, publication, variation and withdrawal arrangements sufficient, including in relation to reputational impact?

No

Please add any additional information to support your answer:

This would need additional impacts on those who are members of professions or other Charities so that it has real meaning and impact

Strengthened regulatory powers — Clauses 4 to 6

Clauses 4 to 6 would strengthen the Commission's powers in relation to removal from office, directions that specified action must not be taken, and automatic disqualification. Are these powers clear, necessary and proportionate?

Yes

Please add any additional information to support your answer:

Are the safeguards and appeal rights sufficient?

Not Answered

Please add any additional information to support your answer:

Accounting, audit and reporting requirements — Clauses 7, 8 and 10

Clauses 7, 8 and 10 would allow different accounting and reporting requirements for different classes of charity and would remove the requirement for independent examination of accounts for charities with gross annual income under £20,000. Do you support this approach?

Yes

Please add any additional information to support your answer:

What impact would this have on transparency, public confidence, administrative burden and small charities?

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Definition of gross income — Clause 9

Clause 9 would allow the Department to make regulations about what counts, or does not count, as charity income for the purpose of “gross income”. What should be included or excluded from that definition?

A textbox for adding comments:

Churches buildings and any related businesses should be included

Non-Northern Ireland institutions — Clause 11

Clause 11 would repeal section 167 of the Charities Act (Northern Ireland) 2008 in relation to institutions operating for charitable purposes in or from Northern Ireland but established elsewhere. Do you agree with this approach?

Not Answered

Please add any additional information to support your answer:

What practical, regulatory or public confidence issues should the Committee consider?

A textbox for adding comments:

Delegated powers and Assembly scrutiny

Are the delegated powers in the Bill appropriate, including powers to make regulations on accounts, gross income, annual reports and annual returns?

No

Please add any additional information to support your answer:

Include powers to review investigations such as into PCI

Should any of these powers be subject to a higher level of Assembly scrutiny?

Not Answered

Please add any additional information to support your answer:

Impacts and suggested amendments

What impact would the Bill have on small, rural, community-based or volunteer-led charities, and are there any equality, human rights, data protection or rural needs issues the Committee should consider?

A textbox for adding comments:

Yes, see my earlier comment on equality.

Women are already disadvantaged by PCI in how many churches advocate for only male leadership brought into effect by those whose leadership is majority or unanimously men. It is foreseeable that this will be proposed as a fundamental change to the PCI policy to change the current status whereby men and women are equally eligible for election. The proposals in this Bill do not address the need for gender balance in paid and unpaid Charity leadership roles, including as Trustees, in Charities that benefit both men and women.

Please identify any specific amendments you would suggest, including the relevant clause where possible.

A textbox for adding comments:

A new clause on gender balance required, as per earlier comments