JERSEY CHARITY TRIBUNAL

ANNUAL REPORT
2022

This is the fifth Annual Report of the Jersey Charity Tribunal ("JCT") and covers the period 1 January 2022 to 31 December 2022

Contents

Membership of the JCT....3

Chair's Foreward....4

Overview....5

Statistics relative to the Charities (Jersey) Law 2014....6

Refusal of Registration....6

Registered charity appeals....6

Article 26/required steps notice appeals....6

Attorney General appeals....6

Third party appeals....6

Party failing to attend....6

Charities appeal issues and outcome....6

Representation of parties....6

Use of translators....6

Contact details of the Tribunal Service....7

Membership of the JCT

The JCT consists of a professionally qualified Chair, Vice-Chair and up to four other tribunal members.

The Chair and/or the Vice-Chair will sit with other tribunal members in respect of appeals, those other tribunal members will be selected with relevant knowledge applicable to the appeal.

All appointments to the JCT are made following an open recruitment process overseen by the Jersey Appointments Commission in accordance with published guidelines.

Once appointed lay members remain entirely independent of their background, they do not represent any organisations with which they are associated and are entirely impartial, even though in charity related appeals they will have a background in charitable matters.

Members of the JCT

The members of the JCT were appointed on 9 February 2018 for a three year term. The members of the JCT were re-appointed on 10 March 2021 for a further three year term, with the exception of Mr Dominic Herbert, who stood down. The Chair would like to thank Mr Dominic Herbert for his time, dedication and commitment during the first three year term.

The members of the JCT are as follows:-

Chair

Mrs Sarah Bartram-Lora Reina

Vice Chair

Ms Ann Przybyszewska

Panel Members

Advocate Martin Elks

Mr Kevin Hart

Mrs Deborah Thompson

Tribunal Service Team Members

Manager

Tracey Buesnel

Registrars

Helena Nensen-Whelan

Janet Smith

Chair's Foreward

On 9 February 2018, the JCT was established with its respective members appointed. The members with the assistance of the Tribunal Service Team have established the forms, guidance notes and website for the JCT in preparation for those appeals made in accordance with the Charities (Jersey) Law 2014. The process will involve a case management meeting as with other tribunals.

In 2021, the JCT members as shown, were reappointed for a further three year term. As in 2021 and earlier years, there were no appeals received by the JCT during 2022. For future effective governance the report below details those who can make an appeal and will contain detailed summaries in future years to assist with any issues that may arise.

Finally, I would like to thank the Vice-Chair and the tribunal members for their valuable and continued support for the JCT along with the Registrars for sharing their knowledge, support and continuing the smooth running of the JCT.

We look forward to working with the users of the JCT in 2023.

[redacted]

Sarah Bartram-Lora Reina

Chair

26 January 2023

Overview

The JCT is an independent judicial body set up to hear appeals in accordance with the Charities (Jersey) Law 2014 that will either be upheld or struck out depending on the facts and legislation.

The JCT is one of several tribunals managed by the Judicial Greffe, the administrative arm of the Jersey Courts, through the Tribunal Service. The Judicial Greffe maintains budgetary control of the tribunal's day to day resources and the Chief Minister oversees the appointment of new tribunal members.

The other tribunals in the Tribunal Service are:

- the Employment & Discrimination Tribunal
- the Planning Tribunal
- the Health & Safety Tribunal
- the Social Security Tribunal, which is made up of three tribunals dealing with medical appeals, social security appeals and income support medical appeals
- the Mental Health Review Tribunal

The JCT itself is similar to a court but is less formal. Hearings are open to the public, although there are certain circumstances when a hearing may be held in private, primarily those which are on/applications for the restricted sector. The JCT aims to provide a user friendly service ensuring that the documentation and terminology used in its proceedings is easily accessible to all parties. The services of a translator are provided when required at no charge to a party.

The JCT claim and response forms, together with its user guides and other explanatory information are available on the Tribunal Service website www.tribunal.je.

The JCT's decision will be published on the Jersey Legal Information Board website and www.tribunal.je, and those redacted appeals in respect of the restricted sector.

Statistics Relating to the Charities (Jersey) Law 2014

In 2022, the JCT received no appeals. Further details as to the appeals is hereunder.

Applicant for registration appeals

In 2022, the JCT received no appeals.

Registered Charity Appeals

In 2022, the JCT received no appeals.

Article 26/Required Steps Notice Appeals

In 2022, the JCT received no appeals.

Attorney General Appeals

In 2022, the JCT received no appeals.

Third Party Appeals

In 2022, the JCT received no appeals.

Party's failure to attend

There are no figures to report as no appeals were received in 2022.

Charities appeal issues and outcome

There were no figures to report as no appeals were received in 2022.

Representation of parties

There were no appeals heard in 2022 whereby representation of parties was required.

Use of Translators

The services of a translator are provided by the Tribunal Service when required. This service facilities the smooth running of hearings and ensures fairness. In 2022 as no appeals were received, this service was not required.

Contact details of the Tribunal Service

Address

1st Floor, International House, 41 the Parade, St Helier, JE2 3QQ

Opening Hours

Monday – Friday

9.00 am to 5.00 pm

Telephone

(01534) 441380

Email

registrartribunalservice@courts.je

Website

www.tribunal.je