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NEW CHARITY TRIBUNAL OPENS FOR BUSINESS

A brand new tribunal, set up to make it easier for charities to appeal against decisions of the sector regulator, starts work today, administered by the Tribunals Service.

The Charity Tribunal has been created by the Charities Act 2006 and is designed to provide a more informal, cheaper and easier independent route of appeal against decisions of the Charity Commission.

Before today, charities in England and Wales wishing to appeal a legal decision of the Commission had to apply to the High Court. Now they can, free of charge, bring cases before the Charity Tribunal.

Peter Handcock, Chief Executive of the Tribunals Service, said:

“I am delighted to welcome another tribunal to the Tribunals Service fold, joining the 27 already in place. Our staff are looking forward to helping those who bring cases to the Charity Tribunal to ensure their experiences are as positive as possible, with cases administered in a fair, efficient and professional manner.”

The President of the Charity Tribunal is Alison McKenna. She said:

“The Charity Tribunal will provide an easier, cheaper route for charitable organisations, particularly smaller ones, to independently challenge decisions of the Charity Commission. It will be unique among the Tribunals Service tribunals as it will also have the power to consider questions of charity law referred to it by either the Attorney General or the Charity Commission. The Attorney General will also be able to intervene in any case to argue in the interests of the general public.”

Mrs McKenna will be supported by five legal members and seven non-legal members. They are currently being recruited by the Judicial Appointments Commission for appointment by the Lord Chancellor. The Tribunals Service expects legal members to be in place in the spring and the latter in the summer.

Both the President and legal members have the ability to progress and hear cases alone, though the first cases are not expected to reach an oral hearing until the summer, once papers have been filed and responded to by each side.

It is anticipated that up to 50 cases will be made to the tribunal each year, with oral hearings taking place in Tribunals Service buildings throughout England and Wales.

Appeals can be made on final decisions made by the Charity Commission from today onwards and application forms are available from www.charity.tribunals.gov.uk where judgments will be posted in due course.

Decisions of the tribunal can be reviewed by them or, on a point of law, appealed to the High Court.

Notes to Editors

1. More detail about the Charity Tribunal can be found at www.charity.tribunals.gov.uk
2. The Lord Chancellor, the Right Honourable Jack Straw MP, appointed Mrs McKenna, aged 44, to be President of the Charity Tribunal with effect from 1 June 2008. Mrs McKenna was called to the Bar (M) in 1988 and admitted as a solicitor in 2003. She was appointed as a Legal Member of the Mental Health Review Tribunal in 2002 and is an experienced specialist practitioner in charity law, heading the charities team at Wilsons Solicitors LLP since 2002. Until 1 June, Mrs McKenna will work on a fee-paid rather than full-time basis for the tribunal.
3. Further details about the ongoing recruitment campaigns are available from <http://www.judicialappointments.gov.uk/current/progress.htm>
4. The Tribunals Service is an executive agency of the Ministry of Justice, formed in April 2006 to provide independent administrative support to central government tribunals and organisations. Some 28 are now administered by the Service. These include employment tribunals, asylum and immigration tribunals, finance and tax tribunals, social security and child support appeals and the Special Immigration Appeals Commission. For more details see www.tribunals.gov.uk

5. For further details about the administration of the Charity Tribunal contact Kathryn Kram, the TS Press Officer, on 020 7340 6510 or email pressoffice@tribunals.gsi.gov.uk
6. For more details about the Charities Act 2006 and the policy behind the Charity Tribunal's creation contact Steve Coomber at the Cabinet Office Press Office on 020 7276 0317.