

Charitable status of thousands of religious groups could be challenged

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The Charity Commission is seeking to clarify the law on what constitutes a public benefit for charitable purposes and whether some religious groups still fall into that category.

Changes in charity law introduced by Labour in 2006 meant that more than 3,500 religious groups that did not previously have to register for charitable status must now do so if they have an income of more than £100,000.

They also have to prove that their activities have a public benefit.

The case revolves around the Preston Down Trust, which runs meeting halls for the non-conformist Exclusive Brethren in Torquay, Paignton and Newton Abbot. This group, together with Horsforth Gospel Hall Trust in Leeds, has lodged an appeal with the charity tribunal against the Charity Commission.

The Charity Commission said that "We were unable to conclude that the organisation is established for the advancement of religion for public benefit. The central issue in the appeal will be whether the public benefit requirement is satisfied in relation the exclusive Brethren organisations under the law as it now is. [We] took into account the nature of Christian religion embraced by the trust and the means through which this was promoted, including the public access to its services and the potential for its beneficial impact on the wider community."

The Exclusive Brethren shun contact with non-members and their services are not open to people from outside their sect. The group was formed in Dublin in the 1820s. The 16,000 members in Britain do not use a specific church name and take their inspiration solely from the Bible.

Their case was taken up by Tory MPs including Robert Halfon, MP for Harlow, who called the commission "anti-Christian" in the House of Commons.

"Christian groups serving the community have a right to charitable status. They should not be subject to politically correct bias," he said. (Although it is difficult to know how an organisation that shuns contact with the outside world can be serving a public benefit).

Despite the usual panic-mongering about supposed religious liberty infringements from the Christian Institute, the Charity Commission welcomed the tribunal as an "opportunity for the law to be clarified in this area as it affects the Exclusive Brethren".

A commission spokeswoman said the Horsforth Gospel Hall could be affected by the outcome of the case. "It, along with a small number of Exclusive Brethren organisations, was registered prior to the implementation of the Charities Act 2006 on the basis of the law as it was then understood," she said. "The 2006 act removed the presumption of public benefit from certain classes of charity including religious charities. The central issue in the appeal will be whether the public benefit requirement is satisfied in relation the exclusive Brethren organisations under the law as it now is."

Rod Buckley, a member of Preston Down Trust, told *Third Sector* magazine that it does allow non-members to attend services.

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