

Jersey Charity Commissioner Annual Report for 2024

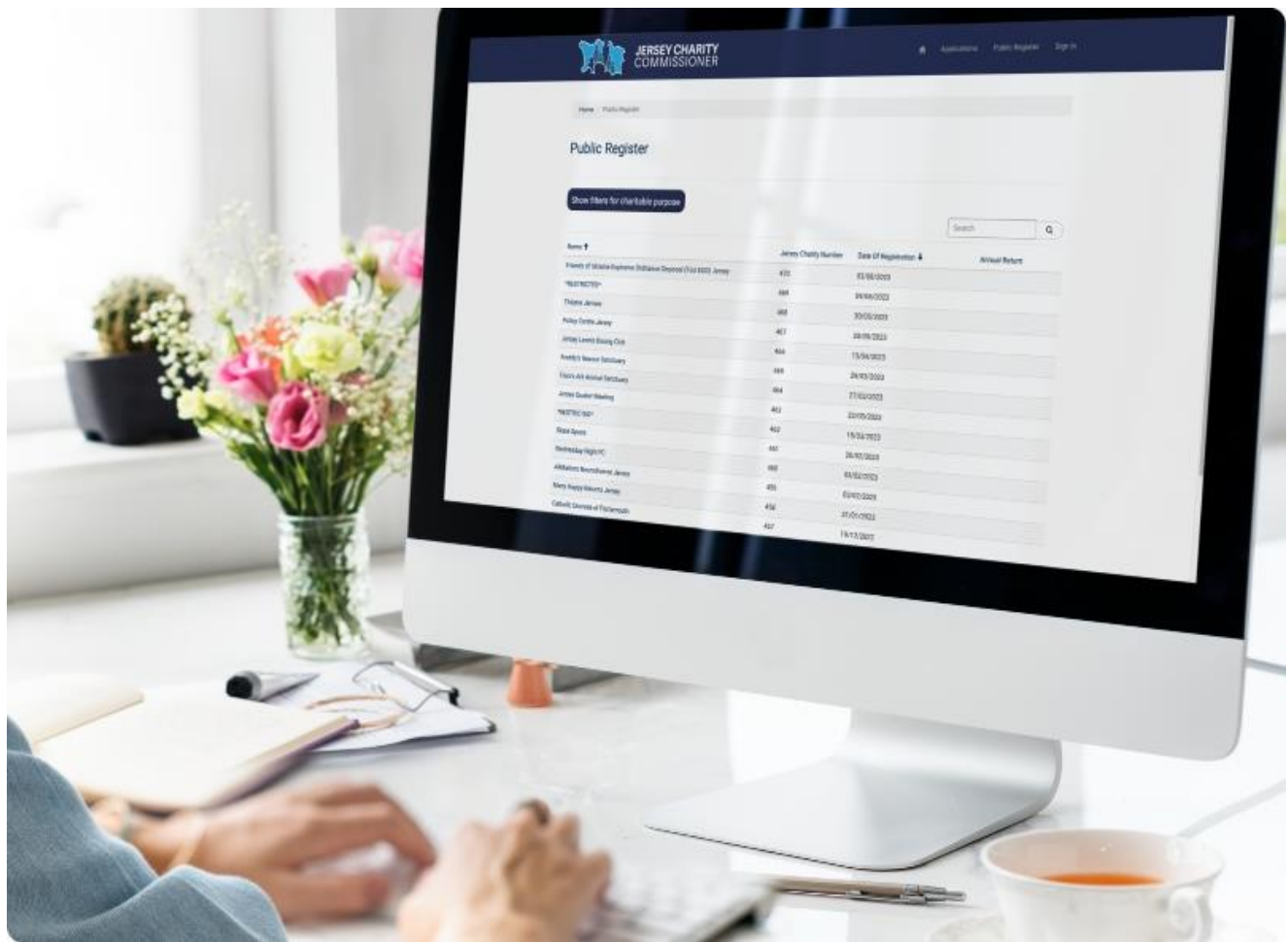
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The Jersey Charity Commissioner's Annual Report for 2024, published on 30 April 2025 and provided to the Minister for it to be laid by him before the States pursuant to Schedule 1 of the Charities (Jersey) Law 2014.

This report is available at www.charitycommissioner.je



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protecting public trust and confidence in registered charities

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Annexes for Reference:

(a) The Charity Test and the Commissioner's Main Duties

(b) The Statutory Charitable Purposes

1. 2024 Key Facts (information correct as of 31 December 2024)

- 487 charities on the register (2023: 474). 426 of those (87%) registered in the general section, 27 (6%) registered in the restricted section and 34 (7%) in the historic section of the register (2023: 27 restricted, 27 historic)
- 13 charities registered during the year (2023: 17)
- 412 annual returns filed and validated during the year (2023: 402)
- 31 applications for registration withdrawn without determination (2023: 4; since inception in 2018: 101)
- 7 deregistrations in 2024 (2023: 7)
- no negative determinations of applications for registration, and no appeals to the Charity Tribunal (2018-2023: 0)
- estimated total assets of Jersey registered charities around £2.3 billion (2023: £2.2 billion). (Excludes 'hard to value' immoveables such as public buildings, artworks or museum pieces.)
- median assets of Jersey registered charities (liquid funds, investments and valued assets) about £64,000; average assets around £4.6 million (2023: £59,000 and £4.6 million)
- estimated current spending of Jersey registered charities in 2024 of the order of £221 million (2023: £284 million)¹. This includes spending by charities which give to other charities so there is some double counting
- median current spending of registered charities in 2024 about £26,000 and average spending about £454,000 (2023: median £33,000, average £600,000)
- running costs of the Charity Commissioner's office £0.261 million (2023: £0.236 million), (financed from the Jersey Reclaim Fund established under the Dormant Bank Accounts Law 2017)

¹ The decrease in expenditure principally related to two restricted section charities which significantly decreased expenditure in 2024 compared with 2023

2. Overview by the Charity Commissioner



1. Under the Charities (Jersey) Law 2014 (“the Law”), I am required to publish an annual report on my work as Commissioner and provide the Minister with a copy of it within four months of the end of the year to which it relates. Having received it, it is then her or his duty to lay the report before the States as soon as practicable. The Minister may give me directions as to the content and form of my annual report, but none has done so. I have, however, sought to have regard to established guidelines for such reports from which there is not really much room to divert when the aim is chiefly to seek to be informative, and the actual format is much the same as for previous years. I hope anyway that the extensive data included in this report will aid good understanding of the size, nature and scope of the registered charity sector in Jersey. I have taken note, too, of current press criticism of ‘annual reports’, aiming therefore to ensure that this one at least should offer a candid insight or two, and be a bit self-denying on self-congratulation. We know that there are always things that we could do better, and we seek to strive accordingly.

2. It is now more than 10 years since the Law that regulates the registration and operation of charities in Jersey was passed, after a lengthy but not unconstructive gestation, and almost six years since the arrangements under it were put in place for applications for registration to begin to be submitted. This annual report is now my seventh. I think the arrangements have bedded down well, if I may be permitted a slim bit of self-congratulation. We have debates and disagreements with some of our applicants as well as those already registered – it could hardly be otherwise if we are to do our job on behalf of the public – but I do judge that there is good acceptance of the Commissioner’s role among very many of those at the ‘sharp end’ of running charities as well as they can despite headwinds and cross-currents from all directions. There is now a good amount of information about individual charities on the public register for all to see, and we also now have some reasonable runs of aggregate data that help to reveal the general scene. The data available to view is not perfect – for example, it does not include accounts but, rather, more limited financial information as mandated in orders made under the Law that reflected a degree of political compromise – but compared with a decade or so ago Jersey registered charities reliant on generous support from the public at large, grant givers and in some instances the taxpayer, are no longer quite the closed book they were. Their governance can be examined and they must seek to do that which is on the public register to which their governors have committed. Public trust and confidence in them depends heavily upon this kind of transparency, and even if yet imperfect it is one main reason in my view why charities have continued to top the list of trusted bodies in the annual ‘lifestyle’ survey published by Statistics Jersey. That is a verdict on the part of the public which it is very

important to recognise and actively seek to retain.

3. But what I have just said above cannot, and must not, be taken for granted. Trust and confidence in institutions is often ripe for evaporation. To date we've gone fairly well in a positive direction to help ensure this, helped I think by the modest regulatory regime we have put in place in accordance with the Law. In the coming year, however, the moment is opportune for us to seek fresh, better, understanding of how we are viewed as a regulator, by both the public and the regulated, and whether the way we aim to operate sufficiently meets needs, both of the public and our 450-strong family of registered charities. In a general sense understanding the needs or wants of the ministry also matters, and that must not be excluded from consideration. I do not want to be too ambitious about how we might best do this for we are a very small organisation and run a tight ship; but we cannot afford not to have that fresh understanding, and to get to know how we might improve our value proposition for the benefit of charities themselves as well as the public they serve. One key aspect of this, of course, is to try yet better to gauge how the public at large views the way in which charities operate and where it may be thought there is room for change or improvement. Another key object is to try to help 'government' understand charities better – their strengths and their weaknesses – as discussion, sometimes a bit polarised, rumbles on about the alleged failings or wants of the relationship between the two. I shall be seeking to advance this line of thinking in coming months. We must be sure to keep looking forwards in not easy times and it is better to undertake such analysis of our own volition before a moment comes when things going awry might cause it to be required.

4. Reverting to looking backwards, the year's work in 2024 was steady. There was naturally a considerable focus on ensuring that we carefully reviewed each of the 400 or more annual returns submitted to us during the year by registered charities before placing them on the public register for all to view; but we also had a number of new applications for registration as well as quite a few applications for deregistration (where the main regulatory task is to make sure that remaining charitable monies are passed on to other charities so that any non-charitable use is averted). We had to address a continuing – perhaps a somewhat growing – number of governance issues among charities, brought to our attention either by the entities themselves, their members, or by our own perusal of the press. Many of these, but not all, were frankly quite minor and readily resolved but the smallest of issues as well as the biggest can serve as a reminder that good governance is an integral part of the 'public trust and confidence' mix. The same of course goes for more substantive matters, where we were on occasion pressed to intervene in some charities' affairs but which to have sought to do so would have been quite inappropriate absent manifest misconduct. Good governance is also, invariably, a vital consideration on the part of donors and grant-givers who have plenty of choice in what they choose to do with their funds. We also found ourselves quite significantly involved in relevant aspects of the country's preparations for its Moneyval inspection regarding preparedness against money-laundering and the like, alongside close working with the Jersey Financial Services Commission in respect, principally, of its duties in relation to the registration of non-profit organisations, which category nowadays includes almost all registered charities.

5. Above all, we continued to seek to ensure that in our small office we were readily accessible to our many callers and correspondents, whether they were from charities themselves seeking advice or support on this or that, the public at large, the press or professional firms. There was, as ever, always a deal of interaction on all sorts of matters with the ministry and its officials (including our own resource allocation and expenditure, details of which can be found elsewhere in this report), and we continued to seek to build good relationships with other

statutory or ‘arm’s length’ bodies for general mutual benefit. We sought to keep in touch with fellow charity regulators at Guernsey, and they with us; we have differing regimes and priorities but the dialogue is fruitful. And we had our usual range of interactions with law firms at St Helier on a range of relevant things; this included my speaking at a newly-instituted charities conference organised by one of the leading firms in the town, an opportunity to reach a large audience from across a wide range of registered charities.

6. Being a small organisation – just two members of the team in the office most of the time (bolstered, though, for part of the year by one of the new cohort of Policy Apprentices) – creates a few pressures but it also allows for nimbleness in how we are able to respond in our interlocution with our callers, correspondents and, sometimes, complainants. If one may be allowed one more modest slice of self-congratulation, I think we have properly received not a little approbation for actively not being, or being seen as, remote from our market. Trying hard to be open and responsive is especially important given how few resources most registered charities themselves are able to deploy, and how hard it can be for many of them quickly to know answers to things - especially to do with the rules of charity and their own governance in respect of those - that for us may well be axiomatic. This matters, because we all know how hard it can often be to get through to officialdom and how little time there is to waste. Our telephones rarely ring more than three or four times before answer, and often less, and we have no switchboard. Our people lift the receiver.

7. The year’s data is educed in detail later in this report. In short, at the end of 2024 there were 487 Jersey registered charities, a net increase of six on a year prior reflecting 13 new registrations and seven new deregistrations. The aggregate financial data which is set out is, to a degree, in arrears since data is received from annual reports received day by day; but it gives a reasonable indication of the overall position, although individual charities will naturally have fared better or worse than the average. But the striking thing is that, despite often a lot of comment, or noise, to the contrary, the income of the Jersey charity sector as a whole continues to be, if not buoyant, then reasonably robust. The same goes, broadly, for the position on assets.

8. It is good to see the small but reasonably continuant flow of new applications for registration, which certainly reflects a deal of hard work and commitment to public benefit by and on behalf of many good people. Some new applications are less straightforward than others, perhaps reflecting a gradual increase in awareness in the business and legal communities of the role registration as a Jersey charity can potentially play in the structuring of arrangements for managing the giving of ‘wealth’, and its possible advantages in certain overseas charitable arrangements or enterprises. On the other hand I need to record that we receive a fair few applications, sometimes guided or led by law firms, which are not always well positioned to meet the charity test, whose requirements I suspect some lawyers in some firms (not all) may not wholly cognise before initiating correspondence with us about potential applications. A common problem, to be found not only across elements of the finance industry but also among some promoters and policymakers, is confusion between the notion of charity as a legal status with a public element at its heart and that of philanthropy, wherein giving can be entirely discretionary with no necessary public element even if intrinsically good. I addressed the distinction between the two in my statutory guidance on the charity test but the message seems to have stopped sinking in and so I intend to give it another go soon. The matter is not entirely unimportant for the private wealth element of St Helier’s finance industry and the way it is advertised to the world. Accuracy matters.

9. Reasons for deregistration vary. Sometimes they are simply about key individuals retiring or deciding for whatever reasons, usually prosaic, to stand away from their life's work. Some people have simply found it too much of a palaver to try to donate moneys to highly worthy projects in hard countries in distant continents. Sometimes the reasons seem to reflect passions cooled or circumstances changed, hardly an uncommon state for man – and so many charities in practice depend on the drive and diligence of a few people, or even just one. Sometimes the reasons are to do with adverse financial or market conditions, or simply less than optimal management and decision-making by charity governors in their capacities as company directors or trustees. (Some parts of the charity market in Jersey do look to be quite crowded, one remarks in passing.) And sometimes things just happen, like, for instance, a church's closure for want of worshippers – equally a market problem, if one chooses to view it that way. It is always salutary to remember that charities, big and small, are businesses just like all other (mainly) small businesses save that their duty is to look outwards to the public interest and not inwards to the interests of owners and shareholders. The pressures and things serendipitous that they all face are by and large the same; each year plenty of private companies' ceasing to trade goes mostly unremarked, any gaps in the market filled by the continual new or existing businesses or charities taking up the slack. Churches are quite interesting in this regard. *Advancement of religion* is one of the most widely deployed charitable purpose, cited by 87 (18%) of Jersey registered charities, and it seems to be observable that some churches have large or growing congregations and others small or falling. One supposes it was ever thus; charities have no special right to survive if they are not good at what they do (or even if they are) or are offering a benefit not in demand or attractive to donors and fundraisers. Notwithstanding, the attrition rate of charities as measured by our deregistrations data looks to be pretty modest. Most survive. But one owns it is likely deregistration will always be a dynamic feature of the charities market in Jersey to one extent or the other, and it would be wrong I believe to see that as a negative process. All markets benefit from refreshment by new or revived actors.

10. I find that it is useful when directing remarks at a general audience – in truth, at a 'specialist' one, too - to proffer a reminder about the charity test which is on the face of Jersey's statute but which has its roots in long-standing customary law. Applying it is at the heart of my role. It is the test which an applicant entity must meet in order for me lawfully to register it; if it is met then I must register the applicant, and if it is not, I may not so do. Like most exams, though, passing the test is not a black and white matter; there is judgement and discretion involved both in the way an applicant may choose to present its case, and on my part as decision-maker in reaching a considered view. Some applications are very straightforward; the charitable object is clear and simple and the planned public benefit tangible and easy to discern. Others are rather less so and can require some significant further inquiry. If I were to turn down an application for registration, the applicant could appeal to the Charity Tribunal, and eventually to the court. If I am thought to have approved a registration wrongly, a third party may also appeal my registration decision. The Attorney may appeal any decision I make. So the burthen is mine, with the support of my small, excellent, team, to get the assessment of the test right. It is a good and interesting challenge to have and I am well aware of how much can ride for some entities on the decisions I make and the way I do that.

11. So far we have managed to succeed in having had no appeals to the Tribunal against registration decisions and certain other matters within its jurisdiction. I think on balance I am pleased by that outcome. If an application is not all right – that is to say, I adjudge after weighing all the evidence that it is not meeting the charity test - we either invite its withdrawal,

always keeping open the option of a revised application another day, or, where we can, which is mostly the case, we set to work with an applicant to get it into satisfactory shape. That might involve a review of the public benefit plan, governance changes or even a shift in stated charitable purposes. It may also, in certain cases, require a change of approach to remove any element or prospect of private benefit – probably now a greater reason for not getting straight to the line than at the outset. My duty, though, is to help applicants to get over the line while, however, at the same time guarding it for the sake of protecting public trust and confidence in charities. I can say that in almost every such case the intended charity governors are wholly realistic about problems with applications that we may have adduced and are invariably keen to engage fully in seeking to rectify them, so that indeed the application can, and does, succeed.

12. As noted, there have been no appeals so far, and even if from one viewpoint – mine - that is not unpleasing, the eventuality will for sure arise one day. In any case, from the perspective of public policy if nothing else it would probably be no bad thing to be able to test, so to speak, the appeals process and indeed the Tribunal itself, and be equally not bad for myself as a regulator to be tested by due legal process on a decision taken. But whether appeals are made is a matter for others, not me. For my part, and for the benefit of the public, it is clearly the better course to work with applicants to make their plans compliant with the charity test. Otherwise, Tribunal or no Tribunal, their applications will not succeed. It is that compliance, and taking a reasonable and proportionate view about it, upon which we must chiefly focus.

13. Reverting to the details of the charity test, set out in Arts.5-7 of the Law, it has two parts. First, a charity's objects must be exclusively charitable, save for any purpose purely incidental or ancillary. That means the objects of an entity, whether, say, a company or a trust, need to be able to 'fit' within the fifteen statutory charitable objects in the Law (see Annex (b) below for the list, which can readily be seen to offer a lot of breadth). Secondly, the charity must provide, or intend to provide, public benefit to a reasonable degree in giving effect to those objects. To this end it must agree with me a public benefit statement, which is placed on the charity register for all to see. A registered charity's governors are then under a duty to act in a manner consistent with that statement in the way they run the charity in order to meet its objects. It is quite a neat arrangement.

14. Public benefit, that which a charity must deliver in order to meet its objects, is not a defined statutory term but is generally not hard to discern. There is a great deal of legal literature on the subject, and as much history, with even eighteenth century judgments often cited in the modern era. As ever, one starts with the ordinary meaning of the words. But it does come with some rules. In particular, the adjective *public* matters much. Public benefit must not be mixed up with its opposite, private benefit, save perhaps in a purely incidental way. Nor must it give benefit to some if at the same time it gives rise to disbenefit for others, or could do so. It must be available to the public at large or a sufficient section of it. And it must be made available without undue restriction such as high charges or, say, capricious membership or access rules. Public benefit is not public benefit if the beneficiaries are named persons or an identified group of natural persons. Nor is public benefit public benefit if the entity's object is overtly political. A political party may never be a charity. The charity test cannot be met if it is met but there is express ministerial control in the entity's constitution. And as decision-maker I may not presume that any particular charitable purpose is for the public benefit; it needs to be demonstrated. The large *corpus* of case law recorded in the books reinforces and aids interpretation of these notions, to which the court would have regard if a case on my watch were ever to get that far, and on which I draw as I need to (which is not infrequently). One simple illustration is the customary law rule that something cannot be charitable if contrary to

the law of the land, or manifestly contrary to public policy. There are important constraints, too, about political activism beyond reasonable action by a charity, such as the lobbying of ministers or the legislature, that is clearly pursuant to its stated objects.

15. Importantly, and this is sometimes overlooked, the charity test is not like the driving test: something to be passed just once, at the start. Charity governors' duty to meet the test is continuant, and a principal task of my office is to monitor that through examination of annual returns and other information that may come to attention. This is not, repeat not, a 'tick-box' exercise but, rather, involves careful judgement of often complex information and iteration with those who have submitted the returns. The purpose of this is simple. It is to protect public trust and confidence in registered charities, over time, by ensuring that information about them on the public register is fair, accurate and comprehensible for the public at large to see. In parlance, it is about ensuring that what charities say on the tin is what they actually do (and it is surprising how often this is not quite so, albeit as a sin of omission not commission). For us it is about ensuring that the public register is and remains in the best possible order as a resource for all to use with confidence. It is evident from several recent examples, mainly at England, that trust and confidence in charities is most capable of hanging by but a slender thread if not actively nurtured. One recent illustration of this truism is a noteworthy remark in the latest annual report of the Fundraising Regulator for England & Wales, *viz* that it had seen a notable rise in complaints in 2024 about things that brought charities into disrepute. (And it was exactly that, aggressive fundraising tactics that even had some tragic consequences, which led to the Regulator's being established in the first place.) We are spared this at Jersey, or at least have been so far, but it is not something about which any charity actor in our country should ever be complacent or nonchalant.

16. The regulatory model which the legislature chose to adopt in 2014 meant that all existing entities in Jersey that had previously of their own accord regarded or styled themselves as charities (and which had, mostly, been awarded that moniker by the Tax Department in order to be assured of certain tax benefits) were now *ab initio* required to apply for registration as registered charities if they desired to retain the title and the favourable arrangements on tax and public status associated with it. I own to have struggled to find evidence in support of the view that this was a conscious decision of policy rather than an happenstance, but, notwithstanding, it turned out to be a good thing.

17. It had not been the case at Scotland, the essence of whose statutory model for the charity test Jersey had adopted on the suggestion of Law Commission members. In that land, upon the creation of a public register of charities existing entities claiming charitable status were to be automatically *grandfathered*, as it is said, on to the new register. This meant that there were instantly thousands of 'registered' charities of which the regulator could, in the first instance, naturally know almost nothing. She was given a duty to review the list but getting through 25,000 or so is not a quick process in a dynamic environment. In Scotland, after 20 years that process rolls on, we are told. One can imagine the regulatory challenge. My small team and I, on the other hand, feel that we have been able to get to know many of our 450 charities fairly well precisely because of the initial scrutiny we have been obliged to undertake for first registration, quite apart from also being able to discern progress, or otherwise, through review of annual returns, as a part of which short narratives of activity must be submitted as well as certain financial information. The very considerable publicity afforded to many charities in the press also helps a lot. Some complaints about charities that we receive, whether or not well-founded, can help too. The interaction we have with charity governors by means of the telephone or correspondence is also of immense value in helping us to assess things, a process

however dependent upon our evincing our trustworthiness in maintaining confidences. Through all these means we can get into a reasonable position of knowing. The objective is to ensure that on the one hand the best possible information about charities is freely available on the public register for all to see; and that on the other our office, too, has all the information it needs, which will generally include annual accounts (although those are not placed on the register), in order to spot and address problems. In this way I can hope to be confident of aiming to discharge my function of seeking to protect public trust and confidence in registered charities. Good information and transparency are naturally principal tools for that.

18. There was obviously quite a flurry of applications for registration when we opened for business in 2018. There was a large fixed base of charities, as previously defined, sitting ready to seek registration, which for most was straightforward. As the data tables set out in this report shew, that had broadly run its course after a couple of years, so that we had about 420 Jersey registered charities by the end of 2020. Unsurprisingly, the flow of new applications has slowed since, but it has certainly not ceased. At the end of 2024 there were some 450 active Jersey registered charities, and the hike of 30 in four years hides, as already observed, a fair number of deregistrations. New applications for registration continue to be put forward by both private citizens and other persons, some big and some small, some ambitious and others modest, all interesting. In every case, all that matters is that the charity test is met.

19. What benefit to citizens does or should regulation of charities provide? Is it but something fairly tenuous, not much more, perhaps, than an example or result of a seeming general propensity on the part of legislators to want to regulate? Or is it something weightier, that can be justified as a public good? I suppose it would look a bit odd if the Charity Commissioner did not say it, but I do think that that the latter has it, although maybe the mass to make the scale tilt need not always be too great. In the common law tradition charities – and the notion of charity itself – have for centuries been regulated by the courts: the leading English law book on the subject runs to 1000 pages or so and cites 2000 cases (to all of which it is open to the Royal Court of Jersey to have regard and not unlikely, from pronouncements made from time to time, that it would do so as or if necessary). All this is to uphold the distinguishing feature of charity, and of charities as businesses, which is their public element, and to strike down any opposite, which would be a private element. Hence the regulation of charities becomes a matter of public policy. For years and years this was left to the courts but in more recent times, certainly in the common law jurisdictions and Scotland as well, much of the thinking underpinning often ancient case law has been put on the face of a statute, in Jersey's case that being the Charities Law 2014, and powers given to regulators like me to seek to make things work well for the public benefit, subject always to the role of the court.

20. The Law's principal clauses largely follow those of a similar Scottish Act of 2005, the which in turn largely reflected modern English statutes and case law with a Scotch twist or two reflecting a different legal heritage. Putting the rules on the face of the statute and supplementing them in readily available statutory guidance has helped to ensure greater cognisance of key notions such as the need for purposes to be exclusively charitable and for private benefit to be averted. The move to statute has also been the mechanism for bringing into play beyond peradventure a rather larger number of specific charitable purposes than might ever have generally been believed to have previously obtained (although they probably did if the cases were investigated thoroughly). Jersey has fifteen such purposes plus rules allowing to be admitted other purposes analogous to any of the 15. Thus the scope and reach of charity has, in practice, been significantly widened in modern times. This feels like a good win for the public and for civil society generally.

21. And one might own, beyond that to the public at large, some benefit to the polity. I am listed as one of the seven financial services industry regulators in the Government of Jersey's 2021 Financial Services Policy Framework whose role supports (or, at least, that is what is said) the 'private wealth' 'pillar' of the finance industry. It is interesting to be viewed like that by officialdom though I am not entirely sure how well the accreditation befits me or whether it was exactly what the legislature intended in 2014. I do not have an 'economic best interests' mandate in the Law, as for example does the Financial Services Commission, relatively unseen though its influence and import may sometimes have seemed to be. Notwithstanding, it can hardly be denied that there is merit in seeking to ensure that if it is policy to seek to get global charitable resources to be deployed in or managed from Jersey it should without doubt be within structures that meet the charity test and which are subject to oversight to protect the appellation and ensure that what is done is what is said is being done. That has obvious reputational value for the country. But the charity test remains sovereign and my decisions on that are properly not a matter for the ministry or its policy.

22. It can anyway be said that trends such as this, definitely discernible even if currently not large, promise to continue to present some interesting challenges for my office in the next period. For now I am pretty confident that the scheme of the Law can meet them, but who knows as the future becomes the present? Thus I want to be sure that we are truly on top of these sorts of issues, ready to trim sails or even get a new boat if that becomes what is one day needed.

23. I have previously raised the need to improve knowledge and understanding of the economic importance of charities to Jersey's economy. The position has been entirely opaque in official statistics, which are in essence drawn vertically by economic sector not horizontally by type or size of actor. The role of charities, and indeed of the whole voluntary sector, as economic drivers has thus generally been rather unsaid, sitting outside the set of issues in play about growth and diversification of the economy. Things in this sphere, however, took a turn for the better in 2024, with the publication in October of a report by PwC on *The Value of Jersey's Third Sector*, the which had been commissioned by the Jersey Community Foundation, itself now a leading registered charity. The essence of its findings was that, as widely presumed but not really able to be assumed for want of evidence, the value was really quite high whether measured by financial contribution to the economy, numbers employed or number of volunteers (upon whose big contribution an economic value can be put). This clearly tended to confirm with evidence of the kind one expects from an eminent organisation such as PwC what thinking persons had intuited. Beyond this the report had all sorts of facts and generally sage things to say and recommend. It is a good trove into which all interested parties might profitably delve. One notes, however, that in scope it looked beyond merely the charity sector to the whole 'third' sector, in Jersey which, it said, comprised not far short of 800 entities (there are some 425 active registered charities listed on the public part of the charity register). It could be observed that the analysis was perhaps slightly over-focussed, or perhaps over-reliant, on the relatively small group of charities which deliver 'government' services of one kind or another, particularly in the health sphere, but all in all, the report is a valuable contribution to the debate about economic value even though unlikely to be a last word.

24. A recent intervention in the press by the Association of Jersey Charities should also be remarked. It took, it could be said, a somewhat more polemical view of things, with emphasis on charities' financial challenges notably in respect of government contracts for 'service' delivery that they undertake. The report spoke indeed of a crisis in the charity sector for this

reason and it was not just a question of money itself but also the latter's seemingly skilful inability to know how to get its relationship with charities in such spheres aright. It drew particular attention, for instance, to one quite well-known charity's having to enter into administration for being unable to continue to trade, the implication being that this was the fault of 'government' rather than the business itself, and also referenced a certain retrenchment by another from continuing with a well-liked (but commercial) activity. And it asserted that it would be desirable for my office to take a lead on establishing rules or guidelines for charity financial reserves, want of which was a root cause of the so-called crisis. These themes were picked up strongly in the press, the headline asking: are charities in crisis?

25. While the need for good understanding and evidence of all the challenging issues facing Jersey registered charities is indubitably of the first importance, it seems to me to be of equal importance always to seek to ensure that a broader picture is painted, not least regarding the relationship with government. It is in fact a fairly small set of charities for which this matters a lot. As the PwC report noted, many charities do not have any particular relationship with either government or members of the legislature; and one might posit that they probably have no need to seek one. PwC estimated that, for 2023, long-term contracts with government for service delivery provided but about one eighth of the charity sector's income. Grants from taxpayers funds not tied to specific service delivery were also important, in fact more important sector-wide but it remained the case that most charities are quite a long way from public service delivery and reliance on the public sector and work to deliver public benefit in myriad ways in line with their own objects and strategies. To do so they derive funding from a wide mix of grants, donations, legacies, fundraising and trading. These are all tough arenas but it can be seen from the indicative aggregate income and expenditure data presented in this report that the position is more healthy across the whole cohort than some would wish or seek to own. The issue of relations with government and dependency on public funding is a very important one but for the sector in Jersey as a whole it is important to state that it is minority territory. One of the most represented charitable purpose among our 450 is the advancement of religion, wherein support from taxpayers is unsurprisingly nowhere to be seen.

(26. The point about establishing some ground rules for reserves is an interesting one but maybe rather more difficult to achieve than it may seem. I intend to address it in a balanced way in the upcoming survey to which I have already alluded but my starting-point will be that it perhaps ought not to be for me to tell charity governors how to run their businesses.)

27. All this said, evidence and experience does seem to suggest that 'government', especially in certain spheres of activity, is probably nothing like as good or consistent as it ought to be at contracting with charities. This is not just a Jersey phenomenon; there are strong debates on the same both in England and Scotland, debates which go beyond purely financial problems to include concern about want of understanding of the charity sector generally on the part of officials whose duty is to deal with and commission from it. The debate, it should be carefully observed, has also led to some thoughtful questioning of the level of dependency on taxpayers funds now exhibited by some charities and whether or how this can or could affect the necessary independence of charity trustees. Heed needs paying to this. At the very least, there is a warning shot here of which Jersey should not be unaware.

28. Looking just at our own country, any basic shortcomings in public procurement practice apart (which are clearly an issue for all and any local businesses), and generalising, one does seem to get to sense some lack of understanding on the part of officials as to the nature of charities not only as business entities of a certain type but also in respect of the particular need

they have for reasonable assurance of funding beyond the short term - certainly beyond, say, a single year. I suspect that this sense is all the greater when one observes grant-funded arrangements in, for instance, areas such as heritage, the arts and sport which seem to work quite well even if recipients would always like or hope for more. Perhaps the distinction to be drawn is between charities active in spheres in which 'government' itself has no involvement beyond that of policymaker, and those in areas of what could be termed mixed economy where 'services' are in fact delivered by both government and third parties, with no-one perhaps entirely sure where the boundary between the two models lies, or, importantly, ought to lie, but conscious only or mainly of shifting sands as people come and go. Has the ministry collectively grasped this? One sort of doubts it, though there seems to be plenty of recognition of the problem in general sense. Nothing will be resolved satisfactorily unless the ministry can be clear and decisive about exactly what it wants or doesn't want of its existing or prospective service delivery partners. For charities' part, they need to be clear and cohesive about their own 'bottom lines' as those are governed by their charitable status and their governors' judgement of where their entities' best interests lie (including, I would assert, the avoidance of excessive dependency on one source of funding if in practice it is always to be fickle). Maybe a kind of government/charity concordat is needed, to govern at a high level what looks from every side to be a bit of a muddle? I think I would be in favour of that from the perspective of my own duties and functions, and perhaps a process to develop the idea may be as worthwhile as any actual outcome. For now, though, I merely put the idea on the table.

29. I end by actively not wanting to portray a dismal position. In truth, it is not. The obtention is the contrary. The charity sector in Jersey is surprisingly big, and is full of strength, vigour and innovation even if growth falters here or there, or from time to time. As already observed, there are regular new shoots in the form of fresh applications for registration and to me it seems to be essentially unproblematic that some charities call a halt or are obliged for whatever reason to make an end of things. The public is well able to judge what is worthy of its support, or not, and the appetite and commitment of many people to do their bit on fundraising is, if truth be told, pretty remarkable. A day hardly goes by without another illustration of that well displayed in the press. It is a terrific strength. That strength is shewn equally by the enormous number of citizens who serve as charity governors or as volunteers – a number measured in several thousands. I also observe that while there are for sure a lot of financial challenges the data tell us that there is nonetheless a fair degree of financial buoyancy when the position is looked at in the round. Although one recognises that different organisations always face differing circumstances it is wrong, I think, to focus too much on the one issue of public sector contracts. While important, they are surely less at the heart of charity than the huge amount of voluntary endeavour seen at every turn across the whole charity scene in Jersey, whose strength is its diversity.

30. Last but very much not least, I must thank, once again, the range of officials and others, including from the Law Officers Department, who have provided me during the year with first-class advice and support to enable me and my team to discharge the Commissioner's mandate. Richard Jouault, who heads our small office, ably supported by Jayne Silver as our Compliance Officer, are the two people who above all make it all work, and I am especially grateful to them for their big contribution. I thank also Claire Dupoy who was with us for much of 2024 as a policy apprentice, an appellation which doesn't do justice to her contribution. I also thank the many charity governors and employees, volunteers and new applicants with whom we have interacted during the year, always positively even if sometimes there are difficult or tricky messages that it is our duty to convey. Their obvious passion for their various causes, come rain or shine, makes the task of protecting public trust and confidence in charities a whole lot

easier than it could readily otherwise be. I am very keen that the public at large should know that. It is done only for them.

John Mills CBE
29 April 2025

3. Performance Report by the Head of the Office of the Jersey Charity Commissioner

31. The economic headwinds evident in the previous year continued unabated in 2024 with some, but only some, charities reporting a perfect storm of increasing demand for services, rising costs and diminishing income. The Jersey Evening Post highlighted the issue on its frontpage on the 31 August 2024 with the headline “Island’s third sector in crisis?”.

32. 2024 also saw fewer applications to register new charities, with only 20 applications compared with 33 in the previous year. Similarly, the number of charities registered decreased to 13 from 17 in 2023. At the other end of the lifecycle, the challenging conditions were not reflected in deregistration with only 7 charities being deregistered in 2024, the same as the previous year. It is possible however that the difficulties cited may take some time to work through and will be revealed in subsequent reports.

33. At the end of 2024, the number of active registered charities was 453, a slight increase from 447 in 2023. Total cash and assets held by registered charities remained relatively stable at £2.25 billion in 2024, compared to £2.21 billion in 2023. However, total reported expenditure fell significantly from £284 million in 2023 to £221 million in 2024. The fall principally reflects two large restricted section charities that reported significant reductions in expenditure in 2024 compared with 2023. Excluding those two large charities, the expenditure for all other charities actually rose in 2024 from £153.8m in the previous year to £174.8 m in 2024. These figures are based on annual returns filed in 2024, reflecting the previous year’s (2023) financial accounts. Therefore, a more accurate reflection of 2024’s financial performance will be available once the 2025 annual returns are filed.

34. It is reasonable to conclude that things have continued to shift for the sector over the past 12 months and it was timely that the Jersey Community Foundation (JCF) in conjunction with PwC and a number of other sectoral stakeholders produced their report “[The value of Jersey’s third sector](#)” towards the end of the year. This report provided an overview of the value of Jersey’s third sector, responding to some of the questions posed by the Charity Commissioner in last year’s report. It should be noted that the report’s scope went beyond registered charities to include other non profit organisations (775 organisations in total). The report identified that the third sector contributed at least £230m in economic value to Jersey and employed around 3,400 individuals (2,300 FTEs). As alluded to in the Commissioner’s 2023 report, the wider economic contribution to Jersey’s economy is not insignificant. PwC’s report suggests that if counted as a sector in its own right, the third sector’s contribution would be equivalent to almost six times that of the agricultural, forestry and fishing sectors.

35. 2024 also saw an increase in complaints made to the Office by members of the public about registered charities and entities not registered. Although the numbers are small (17 complaints in 2024, 16 in 2023) such complaints can take significant resources to consider and investigate as appropriate. An increase in complaints were received in relation to entities that were not registered charities but were holding themselves out as such (6 in 2024 , 4 in 2023) The majority of cases were closed within the year with a small number remaining open in 2025 and one being referred on to the police for consideration of potential offences under the Charities (Jersey) Law 2014.

36. Such investigations would not be possible without the support of our Compliance Officer, Jayne Silver, who is also responsible for dealing with the vast majority of the 412 annual returns filed during 2024. It is these returns that provide the evidence that charities are continuing to meet the charity test that is vital to maintaining public trust and confidence in them. I am also grateful to Claire Dupoy, a policy apprentice who joined our small team in 2024 on placement from Government allowing the Office to take forward several workstreams which might otherwise have stayed on the back burner. These important pieces of work included advice to charities about how to work effectively with high street banks and certain minor (but important) changes to charities law that will be brought forward in 2025

Richard L Jouault
Head of the Office of the Jersey Charity Commissioner
30 April 2025

Performance Analysis

37. Most applications for registration were received during 2018 when the online registration system first went live. Since then, there has been a steady rate of applications for registration of between 2 and 5 applications per month. By the end of 2024, there had been 618 applications submitted for registration as a Jersey charity, and 487 of those had been determined positively by the Commissioner and the entity duly registered. At the end of 2024, there were 30 applications pending determination, most being 'on hold' at the applicant's request or awaiting further information or amendment by the applicant at the Commissioner's request.

38. The bulk of initial registration work had been completed by the end of 2020 with the focus then shifting to the filing and validation of annual returns for the 400 or so charities registered at that point. Only 8 annual returns were filed and approved in 2019 but by the end of 2020 that had increased to 139. In 2021, a further 426 annual returns were filed and approved with some of the earliest registered charities on their third round of filing. By the end of 2024, a total of 1,779 annual returns had been filed. This is how the public register is kept up to date.

39. The majority of charities (87%) are registered in the general section of the register with 426 general section charities being registered at the end of 2024. The restricted section, which contains charities that do not solicit donations from the general public (although they can be in the public register if they prefer), is much smaller, with but 27 registered charities at the end of 2024.

40. 2024 also saw a further 7 charities seeking deregistration bringing the total number of deregistrations since inception to 34. An entity having been approved by the Commissioner for deregistration, its details are removed to the historic section of the register, where they must be retained for ten years. The scheme in the Law for deregistration ensures that the assets of deregistered charities are maintained as charitable assets in perpetuity. Information is available in the public register as to how other charitable organisations have benefitted from the cessation of the 34 registered charities now recorded in the historic section of the register.

41. While no application has yet been refused by the Commissioner, by the end of 2024 101 applications had been withdrawn by the applicant. In the majority of these cases, this had come about as a result of dialogue, sometimes lengthy, between the applicant and the Commissioner by which it had been ascertained that either the charity test was unlikely to be met absent considerable change or that the entity might be better placed to operate effectually without registration, perhaps as a social enterprise or other kind of not-for-profit organisation. In some instances, such dialogue has preceded a formal application and then averted the need for the same. A number of Jersey charitable trusts are included among the 101 withdrawals, (that is to say, that despite their legal status under the Trusts Law the Commissioner took the view that they did not meet the charity test). But it should also be noted that a number of such trusts have also readily been approved for registration. The test for all applications is the same: they must, in an objective manner, meet the charity test.

	2024	2023	2022	2021	2020	2019	2018
<i>Number of applications received in year</i>	20	33	20	32	24	55	434
<i>Total number of applications received by year end</i>	618	598	565	545	513	489	434
<i>Number of charities registered in year</i>	13	17	14	22	121	264	36
<i>Total number of charities registered by year end</i>	487	474	457	443	421	300	36
<i>Number of applications awaiting determination</i>	30	54	42	42	44	177	398
<i>Total number of applications withdrawn</i>	101	70	66	60	48	12	0
<i>Total number of charities registered in General Section</i>	426	420	411	414	400	287	34
<i>Total number of charities registered in Restricted Section</i>	27	27	26	23	21	13	2
<i>Total number of charities registered in Historic Section</i>	34	27	20	6	0	0	0
<i>Total number of applications rejected</i>	0	0	0	0	0	0	0

	2024	2023	2022	2021	2020	2019	2018
<i>Returns filed and approved in year</i>	412	402	400	426	131	8	0
<i>Total number of Annual Returns filed and approved by year end</i>	1779	1367	965	565	139	8	0
<i>Number of Required Steps Notices Served on Registered Charities</i>	0	1	0	0	0	0	0

Financial performance

42. Resources for the Office of the Jersey Charity Commissioner were allocated from the Jersey Reclaim Fund, wherein proceeds due under the Dormant Bank Accounts (Jersey) Law 2017 are held. This is pursuant to Ministerial Decision [MD-ER-2024-996](#). Running costs for 2024 were £260,659 (2023: £236,216). The increase compared with 2023 resulted from increased staff costs mostly because of the secondment of a policy apprentice.

Website and Communications

43. During 2024 the charitycommissioner.je website was refreshed and advice was included, written in collaboration with local banks to help registered charities to open a bank account and maintain good banking practices. Advice was also provided in relation to email scams as a result of some Jersey charities having received emails in relation to potential donations which requested sensitive information about their charity and its governors.

44. As well as a number of items in the local media during the year, the Commissioner was the keynote speaker at law firm Viberts first charity conference held on 18 April 2024 and the Head of Office was a speaker for the Institute of Regulation's Webinar series held in December 2024 focussing on artificial intelligence in regulation.

Digitalisation

45. We have invested in technology to enable the entire end to end process of application, registration, certification, and the filing of annual returns to be paperless for the end user and completed entirely online. All our application and other processes are at no cost to the applicant. There is a back-up register together with other safeguards for security and privacy assurance. Our systems are working well (though we never take that for granted) and, we believe, help to ensure that any 'burden' on charities arising from the regulatory requirements imposed upon them by the legislature is kept as low or straightforward as can be. All this said we are always duteously alert to the need to keep technology requirements and arrangements under regular review, and because we are small we have the ability to be nimble if or when problems or new things come into play.

46. During 2024, the registry was further updated to incorporate an automated sanction checking function that has reduced the need for labour intensive checks open to human error and providing a full electronic audit trail for sanctions checked on a continuous and dynamic basis.

Other non-financial information

47. No new regulations or orders under the Charities Law came to pass in 2024. On 11 June 2024, the Minister for External Relations decided to approve law drafting instructions to amend the Charities (Jersey) Law 2014 (the "2014 Law") [MD-ER-2024-455](#). The proposed ministerial order would extend the meaning of reportable matters to provide the Charity Commissioner with greater powers to exclude governors of charities on safeguarding grounds. These changes are designed to enhance public safety for those who receive services from, or work with, charities. The revised arrangements are due to be in place from 1 June 2025

following a period of consultation whereby we shall have sought the views of charity governors about the proposed changes.

Key risks

48. The Office of the Jersey Charity Commissioner keeps main risks under regular review - that is to say, risks with the potential to have more than a marginal impact on the functioning of the Office including maintenance of the Public Register – together with prospective mitigations. The following are the key risk themes:

People

- the risk of interruption arising from all staff members' being indisposed or otherwise absent at the same time is mitigated by facilities for remote working. The Commissioner, whose appointment is part-time, is normally able to deal with all papers either remotely or at the office. The Cabinet Office provided ongoing support during the Policy Apprentice's placement.

Finance

- the risks of having insufficient resources for the discharge of statutory responsibilities and inadequate information to manage budgets are mitigated by our carefully staying within agreed budgets agreed with officials of the ministry. Things are possibly, or probably, helped by our financing from the Reclaim Fund not being counted as public spending. A ministerial decision was taken in 2023 to assure funding from the Fund until at least 2027. Ministerial Decision [MD-CM-2023-626](#) refers.

Technology

- It goes without saying that delivery of the public charity register function is reliant upon robust and secure technology. The risks associated with cyber attack or other aspects or evidence of failure are mitigated by independent technology support from a leading firm at St Helier, which includes regular testing and software updates. Further registry developments were implemented in 2024 to improve resilience from cyber attacks, and to improve the user experience and registry functionality. Technology arrangements and performance are kept under almost continual review.

Reputation

- the Commissioner's principal general duty is to seek to act in a way that protects public trust and confidence in registered charities. Any sense arising, from whatever quarter, that public trust and confidence in Jersey registered charities might be wanting or otherwise under pressure, has the potential to affect not only the standing of charities in the community of the Island generally but also the reputation of the oversight regime to which charities are bound and the standing of the law which lies behind it. It can certainly be argued that the reputation of the charity sector, globally and certainly not just at Jersey, is quite capable of hanging by a few fairly slender threads liable to break if pulled too hard by bad actions, even if those are confined, maybe, to but one or a few entities or actors. The

first and foremost mitigation for this is constant vigilance as to how charities are, in general performing in giving effect to their objects, and here our review of each and every annual return – around eight a week - is most important. We look not only at the requisite annual narratives touching on public benefit delivery in the year past but also accounts, and couple what we can learn from those with more general market intelligence. Things are greatly helped by charities themselves seeking advice and support on all sorts of issues perhaps vexing their governors, whether to do with money (both too little and, sometimes, too much) governance or people (members and trustees, as well as the public at large as customer). A second mitigation in 2024 was a substantive assessment of all registered charities to seek to identify those likely to be at a higher risk of being misused for such nefarious purposes such as fraud, money laundering or terrorist financing. The main test for this was to see whether public benefit was largely or wholly being delivered abroad, quite often in distant or ‘high risk’ lands. We continue to develop a risk-based approach to the validation of annual returns so that we give enhanced oversight to those registered charities prospectively at higher risk in or from such spheres. This work has also helpfully led to greater contact with a variety of professional trustees at St Helier, who have been without exception alert to the need for such enhanced assurance whose securing is as much part of their own duties as it is ours. This is a set of relationships for us as regulator to value, and we hope and believe that that sentiment is reciprocated. Because, moreover, we are a small organisation, all the plates being juggled by just three people, we can respond to contact requests quickly and easily. We are equally becoming able through this work better to get to know the scope and scale of the charitable trusts sector, which, registered charity or no, is cabined, but hopefully not cribbed by the NPO regime now firmly in place under the main auspice of the Jersey Financial Services Commission.

Priorities for 2025

49. Looking ahead to the next period, our priorities are a mix of continuing to ensure delivery of the Commissioner’s statutory functions – our core business – alongside needing to understand and act upon a range of new or enhanced pressures, sometimes if not always requiring or at least warranting a degree of new thinking:

- timely validation of all annual returns, subject to the risk considerations noted above. This is essential for the continuing integrity of the charity register as a free and valued source of up to date, accurate and useful information. But the volume is not small, and is quite resource intensive
- determination of applications for registration, both the small number of new ones to be expected and those still under consideration from previous years. In general, as noted elsewhere in this report, applications these days have, albeit as a generalisation, become somewhat harder or more time-consuming to determine. We picked the low-hanging fruit, so to speak, some years ago and now we have to part often quite dense, harder to cut down, foliage, in order to get to the next layer
- taking forward plans for a revision of the Commissioner’s guidance on the charity test to reflect experience since it was first issued in 2018 and the possible impact or effect of a few not insignificant cases decided by the Royal Court over the last five or six years, together with other English legal decisions to which we might expect the court in Jersey to have regard if need arose. Revision would be likely to begin with Guidance Note 1, which

provides an oversight and scene-setting for the rest of the guidance. Any substantive revision of statutory guidance on the charity test would be subject to public consultation

- refreshed guidance on the duties of charity governors and on certain other aspects of the Law, again to reflect experience and changes such as those regarding NPOs already mentioned. There is quite a bit to seek to capture in the guidance, for the benefit both of new applicants and entities already well registered (but which must keep on showing, year by year, how they continue meeting the charity test)
- monitoring the constraints, if any, on the availability of banking arrangements in Jersey for registered charities, having agreed with the main banks suitable but authoritative guidance on the subject on which charities may draw in seeking to secure their needs
- considering the implications of a planned introduction of a revised SORP for charity accounts; and
- continuing to seek to utilise our good offices to help make change happen, including supporting registered charities in reviewing their own objects, business arrangements and performance. Also included in this is the task of advising the Minister on charities in Jersey generally.

There are other things, too, but those noted above stand out when viewed at the date of this report.

John Mills CBE

Jersey Charity Commissioner

30 April 2025

4. Accountability Report

This part of the Annual Report is divided into three parts:

- Corporate Governance Report,
- Remuneration and Staff Report, and
- Annual Accounts

Corporate Governance Report

50. I was appointed as Commissioner in July 2017. My appointment was extended by the Minister for External Relations on 12 June 2020 for a second three-year term, and on 26 June 2023 for a third three-year term with the support of the Assistant Chief Minister with responsibility for Financial Services following approval by the Jersey Appointments Commission. That term ends on 11 June 2026.

51. The Office maintains a register of interests for the Commissioner and staff and the Head of Office has responsibility for data protection. There were no personal data-related incidents during the year that would have needed to be reported to the Office of the Information Commissioner. No conflicts of interest were recorded.

Remuneration and Staff Report

Schedule 1 of the 2014 Law provides that the Minister must make available to the Commissioner such number and descriptions of staff as the Minister considers are required for the proper and effective discharge of the Commissioner's functions.

52. During 2024, two full time and one part time person were in post in support of the Commissioner. They were:

The Head of Office, Richard Jouault Esq; and
Compliance Officer, Ms. Jayne Silver
Policy Apprentice, Mrs Claire Dupoy

53. Total staff costs including Commissioner's fees, on-costs and training for 2024 were £223,297 (2023: £176,877) Staff numbers are too low to permit the publication of more detail.

54. The Office of the Charity Commissioner comprises a small team and outsources the provision of specialist technology support to external contractors where this is much more cost effective and effectual for the business than were we to have a dedicated in-house resource. In 2024, the cost of this outsourcing was £13,663 (2023: £31,874), the which delivered good functioning high-grade technology to ensure all systems, but especially the public register, ran well.

2024 Expenditure

55. The Law provides that no charge shall be levied on any person applying for registration or wishing to consult the public part of the register. The Minister is required to provide such accommodation, equipment and monies as he or she thinks is necessary for the proper and effective discharge of the Commissioner's functions; and the cost of this, and staff, is to be met from the public purse (which, for this purpose, includes the Reclaim Fund).

56. Expenditure for 2024 was £260,659 (2023: £236,216), all coming from the Jersey Reclaim Fund, where proceeds due under the Dormant Bank Accounts (Jersey) Law 2017 are held. This arrangement was mandated by the legislature as part of that law. The following table summarises the position in 2024:

Cost	Actual 2024	Actual 2023	Actual 2022	Actual 2021	Actual 2020	Comments
Staff costs including: 1 fte Executive Officer 0.7 fte Compliance Officer 1 fte Policy Apprentice (secondee) Charity Commissioner fees Staff training	£223,297	£176,877	£159,845	£161,005	£149,522	Policy Apprentice seconded to Office from September 2023 to September 2024. Staff received 8% pay award in 2024
Office Premises including rates, stationery, cleaning, utilities etc.	£22,680	£27,355	£10,740	£13,624	£15,443	Serviced premises includes cleaning, electricity, photocopying and telephone costs.
Miscellaneous Overheads	£1,019	£109	£232	£3,288	£4,766	
Register and Website costs including annual charges, licences and support	£13,663	£31,874	£7,247	£32,348	£23,443	
Total	£260,659	£236,216	£178,064	£207,820	£201,661	

5. Data about registered charities

[current aggregate position in 2024 column]

	2024	2023	2022	2021	2020	2019	2018
Cost of the Commissioner's Office	£0.261 m	£0.236m	£0.178m	£0.2m	£0.2m	£0.136m	£0.148m
Indicative total value of assets held (all registered charities)	£2,257 m	£2,214m	£2,035m	£660m	£607m	£228m	£76m
Indicative total value of assets held (Restricted Section)	£1,784 m	£1,845m	£1,704m	£337m	£313m	£36m	£0.5m
Indicative total value of assets held (General Section)	£473.3² m	£368m	£331m	£322m	£294m	£192m	£75m
Indicative average value of assets held per charity (all charities)	£4.6m	£4.6m	£4.4m	£1.5m	£1.5m	£0.76m	£2.1m
Indicative average value of assets held per charity (Restricted Section)	£66.1m	£68.3m	£65.5m	£14.6m	£15m	£2.75m	£0.27m
Indicative average value of assets held (General Section)	£1.1m	£0.87m	£0.8m	£0.78m	£0.75m	£0.67m	£2.6m
Indicative median value of assets held (all registered charities)	£64k	£59k	£54k	£61k	£54k	N/R	N/R
Indicative median expenditure (all registered charities)	£26k	£33k	£31k	£35k	£37k	N/R	N/R
Indicative total expenditure (all registered charities)	£221m	£284m	£179m	£204m	£125m	£82m	£32m

² The increase in total assets held predominantly relate to the property assets of one newly registered charity (assets at start of year: £0 and £77.9m at year end)

Indicative total expenditure (Restricted Section)	£60m	£146m	£55m	£83m	£11m	£46m	£62K
Indicative total expenditure (General Section)	£161m	£136m	£123m	£120m	£115m	£36m	£32m
Indicative average expenditure (all charities)	£0.5m	£0.6m	£0.4m	£0.5m	£0.3m	£0.3m	£0.9m
Indicative average expenditure (Restricted Section)	£2.2m	£5.4m	£2.1m	£3.6m	£2.7m	£3.5m	£31k
Indicative average expenditure (General Section)	£0.4m	£0.3m	£0.3m	£0.3m	£0.3m	£0.1m	£0.1m
Number of registered charities operating only in Jersey	297	294	298	337	278	201	23
Number of registered charities operating overseas (including UK)	51	48	30	47	28	20	4
Number of charities operating both in Jersey and overseas (including UK)	105	105	129	59	115	79	9
Indicative total expenditure of registered charities operating only in Jersey	£124m	£107m	£99m	£96m	£90m	£57m	£19m
Indicative total expenditure of charities operating only overseas	£62m	£145m	£53m	£96m	£10m	£3m	£0.4m
Indicative total expenditure of charities operating both	£36m	£32m	£27m	£12m	£25m	£22m	£12m

in Jersey and overseas							
Number of charities registered by statutory charitable purpose ³	2024	2023	2022	2021	2020	2019	2018
(a) prevention or relief of poverty	49	48	51	46	44	33	4
(b) advancement of education	94	95	93	90	87	57	10
(c) advancement of religion	87	86	83	81	80	62	4
(d) advancement of health	67	67	68	67	64	45	11
(e) saving of lives	18	17	16	15	15	14	2
(f) advancement of citizenship or community development	99	96	94	90	83	62	7
(g) advancement of the arts, heritage, culture or science	47	46	45	44	41	32	5
(h) advancement of public participation in sport	35	29	26	25	21	12	2
(i) provision of recreational facilities for improving the conditions of life for those for whom the facilities are	42	40	39	36	35	24	4

³ It is common for charities to be registered with more than one charitable purpose

primarily intended							
(j) advancement of human rights, conflict resolution or reconciliation	16	16	15	15	13	11	2
(k) promotion of religious or racial harmony	7	6	6	6	6	4	0
(l) promotion of equality and diversity	29	27	25	24	23	17	4
(m) advancement of environmental protection or improvement	26	25	23	22	22	17	7
(n) relief of those in need by reason of disadvantage	118	115	117	111	110	89	12
(o) advancement of animal welfare	18	16	14	14	14	11	4
(p) any purpose that may reasonably be regarded as analogous to any of the above (mostly those which give grants to other charities)	58	59	54	52	50	24	0
Total number of registered charities by legal entity	2024	2023	2022	2021	2020	2019	2018
Jersey body corporate	11	12	10	8	7	6	1
Court-approved fideicomis	19	16	16	17	16	9	0

Incorporated '1862' association	98	98	98	97	93	75	12
Jersey company	69	67	65	59	55	38	3
Jersey foundation	7	6	6	7	6	2	0
Jersey trust	85	83	79	77	73	42	4
Other (mostly unincorporated associations)	198	192	183	178	171	128	16
Total	487	474	457	443	421	300	36
Complaints received about registered charities	11	12	8	7	6	4	0
Complaints received about charitable organisations not registered	6	4	1	0	4	8	1
Total complaints received	17	16	9	7	10	12	1

Income band (£)	% Jersey charities (2024)	% Jersey charities (2023)	% Jersey charity (2022)	% Eng & Wales Charities (2024)	% Eng & Wales Charities (2023)	% Eng & Wales Charities (2022)
0-to-5k	18.3	19	24	32.2	34.1	37
5k-to-10k	8.8	9	9	9.6	9.9	9
10k-to-25k	12.8	14	11	15.7	15.4	15
25k-to-50k	10.3	11	13	9.4	9.2	9
50k-to-100k	13.0	13	13	8.9	8.7	9
100k-to-250k	15.8	14	13	10.3	9.8	9
250k-to-500k	7.9	5	6	4.9	4.7	5
500k-to-1m	4.4	5	5	3.1	2.9	3
1m-to-5m	6.1	6	4	3.4	3.3	3
5m-to-10m	1.3	1	1	0.7	0.7	0.6
Over 10m	0.8	0.9	0.5	0.9	0.8	0.8

Annex (a)

A Summary of the Charity Test and the Charity Commissioner's Main Functions

1. The Commissioner is established as a corporation sole, independent of both the ministry and the legislature. The general functions of the office are spelt out in the Charities (Jersey) Law 2014 (the Law) together with certain regulations and orders made under it. In summary, her or his main functions are to:

- determine the charity test for the purposes of registration and to ensure that meeting the charity test by registered entities is continuant
- maintain the charity register, which has three sections: the general, the restricted and the historic
- publish and maintain guidance on the operation of the Law
- supervise the compliance of charity governors with their duties. (The heart of those is that governors are to seek, in good faith, to ensure that their charities act in a manner consistent with their registered charitable purposes and registered public benefit statements. Charity governors are also bound by statutory duties applicable to trustees of trusts or directors of companies, or similar.)
- seek to ensure that the moniker 'charity' is only used in respect of registered charities or UK charities operating at Jersey
- assist other persons (including the Attorney General, the court, the Bailiff, the Comptroller and the Financial Services Commission, and equivalent bodies in other lands) to discharge, in relation to registered charities and entities with charitable purposes, any function of such a person under any enactment or law
- generally encourage, facilitate and monitor compliance of registered charities with the Charities Law; and
- do anything (other than acting as a governor of a charity or of an entity with charitable purposes) that is calculated to facilitate, or is conducive or incidental to, the performance of any of her or his functions.

2. The Commissioner may:

- provide information to the public about the system of registration of charities, including information about the difference between charities and bodies with charitable purposes, information about the advantages of donating to entities that are registered as charities, and information by way of model constitutions
- advise the Minister as to the nature of charities in Jersey and as to the merits of any proposal for further regulation of charities

3. In performing her or his functions, so far as appears to her or him to be reasonably practicable the Commissioner must seek to act in a way that protects public trust and confidence in registered charities, and which is compatible with the encouragement of all forms of charitable giving and voluntary participation in the work of registered charities. He or she, however, should act in a manner that is proportionate as to the burdens imposed on registered charities and which supports their development.

4. The charity test is met by an entity if

- i. all its purposes are charitable purposes, save for any purpose purely ancillary or incidental; and
- ii. in giving effect to those purposes (including any that are ancillary or incidental), it provides or intends to provide public benefit in Jersey or elsewhere to a reasonable degree.

5. Public benefit is not defined in the Law but the concept is embedded in the common and customary law of charity. In essence:

- it is what charities do, and must do, in order to give effect to their objects; and they must do it to a reasonable degree (a notion illumined in the Commissioner's statutory guidance on the charity test)
- it must be available to the public at large, or a sufficient section of the same. A benefit is not charitable if its availability is, in effect, confined to a closed, restricted or self-selecting group or a group artificially constructed, so to speak, to exclude the wider public or wider membership of a given cohort
- it is to be contrasted with private benefit that (as an example) may accrue to the members of an entity themselves (or persons connected with or to them, whether or not by contract) and with any public disbenefit which may arise, in consequence of the entity's exercise of its functions. Weighing the balance of private *versus* public benefit is one key element of the charity test
- where public benefit is, or is likely to be, provided to only a section of the public, there must be no undue restriction on the obtaining of the benefit, such as, for example, through excessive fees, restrictive, opaque or capricious membership rules, or its being confined to but a certain element of a given cohort (say, 'young people' or 'school leavers') without virtuous reason
- a section of the public may not be one particular natural person or a group of identified such persons, or a nexus of persons such as, say, the members of one family or the employees of a single firm
- and it is not to be presumed by the decision-maker that any particular charitable purpose is for the public benefit. For the charity test to be met, and for it to continue to be met, delivery of public benefit to a reasonable degree has to be demonstrated in a manner sufficiently discernible to the public at large, the intent being described in public benefit statements approved by the Commissioner, that are placed on the public register for all to see. It is then the duty of charity governors to seek to act in a manner consistent with their charity's public benefit statement

6. Any private benefit should be but incidental to the delivery of public benefit or no more than a side consequence, so to speak, of that delivery. These possibly competing considerations are to be weighed by the decision-maker, which for registration purposes is the Commissioner. (On the other hand, information about the public benefit to be delivered under the objects of a charitable trust formed under the Trusts (Jersey) Law 1984, where the Commissioner is not the decision-maker, and ditto about any public disbenefit arising from the exercise of the functions of such a trust, would not normally (or perhaps ever save were revelation to arise from a case before the court) be in the public domain or subject to regulatory avouchment. Thus there is no straightforward method in Jersey of surety of public trust and confidence in charitable trusts and their compliance or otherwise, through their trustees, with statutory and legal rules concerning charitable purposes and public benefit according to law.

7. The Charities Law protects the noun *charity*, to the effect that, in essence, it may be utilised in Jersey to refer only to Jersey registered charities or charities registered in the UK that operate in Jersey. There is a power in the Law, not to date exercised, to extend such or similar protection by Regulations to the terms *charitable* and *public benefit*, and any related term, in relation to the soliciting of donations from the general public or any prescribed class of persons. The power includes scope for the object of its policy to be attained by means of the Commissioner's exercising her or his discretion.

8. Although it is not something referenced in the Law itself, the Commissioner's statutory guidance on the operation of the Charity Test seeks to educe the difference between charity and philanthropy. The latter term oft seems to be used somewhat loosely, as if to be wholly interchangeable with the former, but which it is not, or not necessarily. The key difference is that charity flows from, and depends upon, exclusively charitable purposes (see Annex (ii) below for the delineation of those). On the other hand, for instance, a philanthropic foundation may have mixed purposes, both charitable and non-charitable, or a rather greater, perhaps a significant, element of private benefit in favour of a founder or member or those connected to them, or maybe a relatively closed group of beneficiaries. An example of a non-charitable purpose might be support for commercial businesses or housing provision generally, or support that focussed on an insufficient or ill-chosen section of the public at large or on but a nexus of persons. In short, philanthropy can flourish outwith the confines of the charity test. It is important for the good governance of Jersey's scheme for the regulation of charities and for its accurate portrayal, especially where the 'financial services industry' is being promoted (or is promoting it, the scheme of charity regulation, itself), that this distinction is not only overtly cognised by promoters but also wholly acknowledged in their communications. But perhaps, in this Commissioner's view, that seems not always to be the case; and there is no obvious way of knowing.

9. The Charity Test and the approach to determining it are described in Guidance Note 2, available on the Commissioner's website.

Annex (b)

The Statutory Charitable Purposes [Charities (Jersey) Law 2014, Art.6]

1. There are 15 statutory charitable purposes, together with a sixteenth which enables other purposes reasonably able to be regarded as analogous with the 15 to be brought into the list.

2. The list as given in Art.6(1) of the Law is as follows:

- (a) the prevention or relief of poverty
- (b) the advancement of education
- (c) the advancement of religion
- (d) the advancement of health
- (e) the saving of lives
- (f) the advancement of citizenship or community development
- (g) the advancement of the arts, heritage, culture or science
- (h) the advancement of public participation in sport
- (i) the provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended
- (j) the advancement of human rights, conflict resolution or reconciliation
- (k) the promotion of religious or racial harmony
- (l) the promotion of equality and diversity
- (m) the advancement of environmental protection or improvement
- (n) the relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage
- (o) the advancement of animal welfare
- (p) any other purpose that may reasonably be regarded as analogous to any of the purposes listed [above]

3. Art.6(2) qualifies the statutory purposes as follows:

- (d) includes the prevention or relief of sickness, disease or human suffering
- (f) includes rural or urban regeneration, and the promotion of civic responsibility, volunteering, the voluntary sector or the effectiveness or efficiency of registered charities
- (h) sport means sport that involves physical skill and exertion
- (i) applies only in relation to recreational facilities or activities that are primarily intended for persons who have need of them by reason of their age, ill-health, disability, financial hardship or other disadvantage, or which are available to members of the public at large, or to male or female members of the public at large
- (n) includes relief given by the provision of accommodation or care; and
- (p) for the purposes of this purpose, the advancement of any philosophical belief (whether or not involving belief in a god) is analogous to purpose (c)

4. The Commissioner has set out in statutory guidance two further purposes under (p) that in his view may reasonably be regarded as analogous with the statutory purposes:

- analogous with (f): providing financial or other kinds of support in advancement of any of

the statutory charitable purposes, including, but not confined to, providing such support to other registered charities; and

- also analogous with (f): promoting the effectiveness, welfare and standing in the community of Jersey of the Armed Forces of the Crown, including the Army Reserve, cadet forces and veterans

(Guidance Note 2 on the Charity Test, at paragraphs 54-58, refers.)

5. The most usual analogous purpose among Jersey registered charities is supporting other registered charities or charitable purposes. This readily covers a range of ‘grant-givers’. The Commissioner has not to date been faced with having to decide whether any adscititious purpose under purpose (p) may reasonably be regarded as analogous to any of the statutory purposes.

6. The list of statutory purposes and qualifications in Art.6 of the Law is drawn word for word from s.7(2)-(3) of the Charities and Trustee Investment (Scotland) Act 2005, save for the addition of the word *registered* in the first analogon at paragraph 4 above.

7. For comparison, there are a few differences between the Jersey (and Scottish) statutory purposes on the one hand and, on the other, those applicable in England and Wales, for which they are set out in s.3(1)-(2) of the Charities Act 2011. These differences are:

- apropos Jersey’s purpose (h), the 2011 Act says advancement of amateur sport and that the word sport means sports or games which promote health by involving physical or mental skill or exertion. This is a somewhat broader definition of sport for charity purposes than obtains in Jersey (or Scotland)
- re Jersey’s purpose (n), the 2011 Act adds *youth* to the given list
- in relation to Jersey’s purpose analogous with purpose (f) concerning the Armed Forces, the 2011 Act provides for this sphere of charity a somewhat broader statutory purpose in its own right: *the promotion of the efficiency of the armed forces of the Crown or of the efficiency of the police, fire and rescue services or ambulance services*. The analogous purpose at Jersey, as it currently stands by virtue of the Commissioner’s guidance (but only by that), does not include promoting the efficiency of the Police Force, Fire Brigade or Ambulance Service. To date, no issue about this has arisen for consideration
- re Jersey’s purpose (p), the 2011 Act references a number of *any other purposes*:
 - first, those purposes that are not within the list on the face of the statute but which are recognised as charitable purposes by virtue of s.5 of the Act (recreational and similar trusts, etc.) or under the law in force immediately before 1 April 2008. s.5 In essence, s.5 says that it is charitable in England and Wales to provide, or assist in the provision of, facilities for recreation or other leisure-time occupation if the facilities are provided in the interests of social welfare. This is stated in case-law and in the books to apply in particular, subject to the social welfare condition, to entities such as village halls, community centres and women’s institutes, and to the provision and maintenance of

grounds and buildings to be used for the purposes of recreation or leisure-time occupation; and it is extended to the provision of facilities for those purposes by the organising of any activity. (In principle, many of these kinds of considerations would in the Commissioner's view normally be able to be accommodated at Jersey under statutory purposes (f), (h) [as qualified] or (i)

- secondly, those purposes that may either be *analogous* to the main list in the statute or *within the spirit of* either any of those same purposes or the other recognised purposes; or
- thirdly, purposes that may reasonably be regarded as analogous to, or within the spirit of, any purposes which have been recognised under the law relating to charities.

8. The qualifications above perhaps lead to some definitions of broader scope in England & Wales than the present obtention in Jersey. The Commissioner, however, has an appropriately reasonable degree of latitude under purpose (p) should the exercise of such be warranted. And in principle he or she has scope to go further, should a valid need arise, subject to consultation [paragraph 58 of Guidance Note 2 refers].