

UK Charity Commission inquiry into the CWM Harry Land Trust

03 DECEMBER 2020

CATEGORY:
ARTICLE



In October the Charity Commission published its findings from an inquiry into CWM Harry Land Trust Limited. The charity was initially brought to the Commission's attention as it was included in the Double Defaulter class inquiry, which investigates charities that have defaulted on their filing obligations on two or more occasions in the past five years.

During the class inquiry the Commission made orders directing the charity to file outstanding financial information which it failed to comply with. The Commission also had concerns about related party transactions, including payments to a trustee, and so opened a statutory inquiry in September 2019.

In the course of the statutory inquiry, the Commission found that a trustee was receiving salary payments for his role as 'Project Director', in breach of the charity's governing document. The inquiry also found that the charity had dealings with a number of related non-charitable entities, and while conflicts were managed, the trustees had given insufficient consideration to the Commission's guidance for charities with a connection to non-charities.


The inquiry concluded that the trustees were responsible for misconduct and/or mismanagement in the administration of the charity and had breached their trustee duties. The trustees submitted their outstanding accounts, and as a result of the inquiry, became more aware of their legal duties and responsibilities.


Authors

Chloe Harris

ASSOCIATE | LONDON

Charities


 +44 20 7597 6205

 chloe.harris@withersworldwide.com

Chris Priestley

PARTNER | LONDON

Charities

 +44 20 7597 6135

 chris.priestley@withersworldwide.com