
STATES OF JERSEY



CHARITY TRIBUNAL: RE- APPOINTMENT OF CHAIR AND MEMBERS

**Presented to the States on 10th March 2021
by the Minister for External Relations and Financial Services**

STATES GREFFE

REPORT

INTRODUCTION

The Minister for External Relations (to whom responsibility for the Charities (Jersey) Law 2014 (the “**Law**”) has been transferred pursuant to R&O 040-2019), is presenting this Report to the States Assembly, giving the requisite 2 weeks’ notice of his intention to reappoint the following individuals as Chair, Vice-Chair and members of the Charity Tribunal respectively for a further 3 year period:-

Sarah Bartram-Lora Reina as Chair;

Anna Przybyszewska as Vice-Chair;

Martin Elks, Deborah Thompson, Kevin Hart as Members

THE LAW

The Charity Tribunal is established under Article 32 and Schedule 2 of the Law.

Article 32 states –

32 Establishment of Charity Tribunal

- (1) There is established a tribunal to be known as the Charity Tribunal.
- (2) The function of the tribunal is to hear and determine appeals under this Part.
- (3) Schedule 2 makes further provision in respect of the tribunal.

Paragraph 1 of Schedule 2 of the Law states as follows: -

1 Appointment

- (1) The Minister must appoint as members of the tribunal at least 4, and no more than 8, persons appearing to the Minister to be suitable for the position and to have appropriate experience to safeguard the interests of the public and the charitable sector in Jersey.
- (2) Before appointing a person as a tribunal member, the Minister must seek the views of the Jersey Appointments Commission established by Article 17 of the Employment of States of Jersey Employees (Jersey) Law 2005^[38] on the appointment (without prejudice to the powers of the States or the Jersey Appointments Commission under Article 15 of that Law).
- (3) The Minister must, at least 2 weeks before appointing a person as a tribunal member, present to the States a notice of his or her intention to make the appointment.
- (4) A person appointed as a tribunal member holds and vacates that position in accordance with the terms of his or her appointment, subject to this Law.

- (5) When appointing a person as a tribunal member the Minister must determine the period of the appointment, being not more than 6 years.
- (6) The Minister may re-appoint a person serving as a tribunal member (and references in this paragraph to appointment include re-appointment).
- (7) The Minister must, among the members of the tribunal designate one as the chair and another as the vice-chair.
- (8) Service as a tribunal member is honorary, unless the Minister determines that the chair is, or all the members are, to be remunerated by the States as [the] Minister sees fit.

MATTERS RELATING TO APPOINTMENT

By Ministerial Decision (MD-C-2018-0025) Sarah Bartram-Lora Reina, Martin Elks, Anna Przybyszewska, Deborah Thompson, Kevin Hart and Dominic Hebert were appointed as Tribunal members with Ms Bartram-Lora Reina appointed as Chair. By Ministerial Decision (MD-C-2018-0160) Anna Przybyszewska was appointed as Vice-Chair.

No cases have as of yet been heard by the Charity Tribunal.

Confirmation has been received from the current Chair and Vice Chair, and the Members, Martin Elks, Deborah Thompson, and Kevin Hart, that they are willing to continue as Chair, Vice-Chair, and members of the Tribunal respectively.

In accordance with the requirements of the Law, the views of the Jersey Appointments Commission have been sought, and approval has been granted to proceed with the reappointments.

Brief biographical details for each appointee have been included at the end of this report.

FINANCIAL AND RESOURCE IMPLICATIONS

Service as a tribunal member is honorary. Administrative costs associated with the Charity Tribunal will be met from the Strategic Policy, Planning and Performance Departmental budget.

BIOGRAPHICAL DETAILS

Sarah Bartram-Lora Reina (Chair)

Mrs Bartram-Lora Reina is an Associate Client Director in a local Trust Company and is responsible for a client portfolio of trusts, companies and charitable trusts for families based predominantly in the UK and Europe. With significant experience in trust management and administration, Mrs Bartram-Lora Reina brings this experience of fiduciary duties, regulatory responsibility and corporate governance to the role. She is a committee representative at the Jersey Association of Trust Companies ("JATCO"); and the former local Institute of Financial Services ("IFS") committee.

Ms Anna Przybyszewska (Vice-Chair)

Ms Przybyszewska is a Human Resources Professional with local experience working with Employment Tribunal cases. She is currently working for the States of Jersey in administration for the Health & Social Services Department and also acts as an interpreter for the Law Officers, Police, Customs and Immigration Services. She has significant charitable experience in both Jersey and Poland working with children's charities and those involved in mental health and cancer relief.

Advocate Martin Elks

Advocate Elks has worked in the legal sector in Jersey since 2001. His work includes matters of family law, criminal law, negligence and personal injury claims, employment, trust law and work of a general commercial nature. He has conducted both Legal Aid and Private Client cases, is approved to act as duty lawyer in the Magistrate's Court and Youth Court as well as at Police Headquarters. He has over 20 years' experience in charitable work including being a resident volunteer with a respite care provider for disabled adults and being a Governor of a local children's charity.

Mr Kevin Hart

Mr Hart is a Transport Industry Professional with over 25 years' experience in the public transport sector, with over 4 years' experience at senior board level for a subsidiary of a FTSE 250 company, and more recently 5 years at Director level for a Social Enterprise and UK Registered Charity. He provides support to the company HR Manager across the full spectrum of an employee life cycle including matters which have reached the Jersey Employment Tribunal.

Mrs Deborah Thompson

Mrs Thompson is a Chartered Physiotherapist and Chartered Psychologist in teaching and currently delivering A-level Psychology at a local school. She has experience as a Lay Youth Court Panel member and as a member of the Law Society Disciplinary Panel and Children's Placement Panel. She has worked in both a professional and lay capacity with local charities in the areas of education and health care. She is currently completing her Professional Doctorate in Sport and Exercise psychology.