

Amnesty International was founded in 1961 as a non-profit-making organisation to secure observance of the standards embodied in the Universal Declaration of Human Rights.

Although it had never regarded itself as a charity, Amnesty International was advised that certain of its objects were charitable and a trust was set up to administer its charitable functions.

An application for the trust to be registered as a charity was also made to the Charity Commission.

But can an organisation that undertakes a political purpose be considered a charity?

The charity commissioners concluded the trust was not exclusively charitable and so could not be registered in the central register of charities.

When the case came before the courts, the High Court judge, Mr. Justice Slade held that although a trust set up for the relief of human suffering and distress could be charitable in nature, it would not be charitable if its principal or main purpose is supporting a political party, changing the law or changing government policy.

Since Amnesty International's objectives included reforming legislation, procuring changes to law and the reversal of governmental policy, the trust was not a charitable one and was, in fact, a trust for political purposes.

However, Mr. Justice Slade recognised one exception to his test.

If all the main objectives of the trust are exclusively charitable and the trustees of the trust incidentally engage in political activity, this will not deprive the trust of its charitable status.

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