

Submission received from Mr Peter Holmes

This is a personal submission. While I have little direct qualification on this issue, I feel that my professional and personal experience does offer me some perspective on this issue, and therefore I would like to add my voice to the debate.

My professional qualification and experience is in organisation design, change and strategy.

I currently work for a non-profit organisation.

I attend a church, have a son with a disability, and donate to various charities.

My wife is a social worker and has worked in public and private hospital systems.

Mature and progressive charities achieve their ultimate aims through social and political change. Do not inadvertently penalise them by judging them on their activity.

With regard to the current public debate about the possible impacts that the advocacy and lobbying activities of "charities" may have on their common law classification, I wish to make the following points:

* I appreciate and understand the argument that charities will not be disqualified by undertake advocacy and lobbying (i.e. "attempting to change the law or government policy"), because a charity is someone whose dominant purpose is to engage in helping the poor or the sick or engage in education.

* However, from an organisational view, charities define themselves by a mission, not an activity. For example, if a charity exists to help cancer sufferers, then ultimately the organisation would wish to see itself become

redundant - no more cancer. Initially, a charity might provide practical aid to alleviate the problems of cancer sufferers, but then it would seek to find a cure, and if that was found, then seek to prevent cancer occurring in the first place. To fulfil the goal of alleviating the impact of cancer, the charity may have to engage in significant public education and social change, which may largely be effected through changes in government policy. This is particularly the case where the problems are social, such as human rights or poverty.

* Therefore, a progressive charity may only achieve its ultimate goals when its primary activity is advocacy and political lobbying.

* Therefore, there is a risk that the law might penalise a charity if it progressively acts to eliminate or minimise the cause of the affliction it has been established to fight.

* The law needs to recognise this, and perhaps the best test is the specificity and nature of the goals of the organisation, not its activity (perhaps any donations provided to charities, or even "political" groups whose missions are limited to specific altruistic benevolent goals related to human and animal welfare, health, poverty, education, human rights, etc., should be deductible. This should then exclude groups whose missions include goals related to economic, commercial, etc.).

Regards

Peter Holmes