

**CHARITY COMMISSION**  
**DECISION OF THE CHARITY COMMISSIONERS TO REGISTER SACRED**  
**HANDS SPIRITUAL CENTRE AS A CHARITY**

**1.     *The issue before the Commissioners***

Sacred Hands Spiritual Centre (Sacred Hands) is a Spiritualist church whose application for registration as a charity was rejected on 24 July 2001. Sacred Hands applied for a review of the rejection and indicated that it wished to change its current objects to the model objects used by the Spiritualists' National Union (SNU) which is a registered charity number 261898.

The Commissioners considered how best to deal with this review. In a Commissioners' Decision of 17 November 1999 regarding the Church of Scientology the Commissioners accepted that there were certain criteria which could be discerned from the legal authorities which charities for the advancement of religion had to meet. In the light of this decision the Commissioners decided it was appropriate to consider whether the form of Spiritualism promoted by Sacred Hands met these criteria.

In view of the possible implications of this for Spiritualist organisations already on the register of charities, the Commissioners invited the SNU to make representations as to how the Spiritualist religion met these criteria. The SNU has made such a submission.

**2.     *The Decision***

The Commissioners

- having considered the case which had been put to them by Sacred Hands and the submission from the SNU and full supporting evidence, and
- having considered and reviewed the relevant law and the governing document and activities of Sacred Hands

concluded that Sacred Hands would be established for exclusively charitable purposes and may be registered as a charity with the amended objects.

**3.     *The Objects of Sacred Hands***

The objects in its trust deed are:

“The Trustees shall hold the trust fund and its income upon trust to apply them for the following objects (“the objects”)

- For the advancement of religion as a Spiritualist Church;
- To hold services;
- To develop “Circles”

- To promote the education of spiritual healing, clairvoyance and awareness in their principles;
- To practice good citizenship and service to the Community;
- In furtherance of this primary object and an ancillary object thereto to encourage:-
  - ◆ Collaboration with similar groups towards the attainment of the above
  - ◆ A course of progressive training towards the attainment of the above
  - ◆ Fundraising events for the support of local ‘good’ causes.”

Sacred Hands wish to replace these objects with ones closely based on the model objects of the SNU i.e.:

- “a) The advancement of the religion and religious philosophy of spiritualism on the basis of the Seven Principles of Spiritualism.
- b) The teaching of all in the principles of the religion, religious philosophy and science of spiritualism.
- c) The relief of persons suffering from sickness, mental or physical, by the practice of spiritual healing.
- d) To support any charitable purpose as may be decided upon from time to time, by the centre’s trustees and members.
- e) The holding of religious services for public worship.”

#### **4. Consideration of Activities**

Sacred Hands submitted with its application a copy of its programme of activities and a newsletter it had produced. This stated: “Services every Thursday at 7:30 pm. All are welcome, including children.” It then gave details of visiting mediums on the Thursdays in May 2001. In addition it also had a list of “Weekly Events”. These consisted of the following:

- “Mon – 7:30 – 9pm    Healing (no charge) – Upstairs/ Healing Classes – Downstairs
- Wed – 7:30 – 9pm    Peace Dancing (fortnightly – please check)
- Thur – 7:30pm        Services/Clairvoyance Demonstrations
- Fri – 7:30pm        Discussion Group Meetings (all invited)
- Sat - 7:30pm        Open Circle (prompt start at 7:30pm!)”

## **5. Consideration of Sacred Hands' aims and activities**

### ***5.1 Does Spiritualism meet the criteria required for a charity for the advancement of religion***

The Commissioners considered whether the Spiritualist religion embodied in the Seven Principles of Spiritualism as set out in the proposed objects for Sacred Hands met the criteria discerned by the Commissioners in the Scientology decision as applicable to the charitable purpose of advancement of religion. These criteria are belief in a supreme being, worship of that being, advancement of religion, public benefit.

Their conclusions in respect of these criteria were as follows

#### **5.1.1 Belief in a Supreme Being**

The first of the Seven Principles is the Fatherhood of God. The Commissioners considered the submission of the SNU with regard to this criterion. The SNU state

“The Spiritualists do believe in a deity and see the role of this deity as being a divine parent in addition to being a supreme being.

Spiritualists regard God as the source of all love and light in creation. When Spiritualists talk of “light” they mean this symbolically: it denotes knowledge, enlightenment, tolerance, understanding, in fact generally, the triumph of reason and good behaviour over brute emotion and selfishness.

The sense in which Spiritualists regard God as their parent is very direct. Although they regard the material world as God’s creation, they do not regard it as something that God has created as separate from his own substance.”

The Commissioners also had regard to the earlier decision of the Commissioners that the Church of Scientology met this criterion:

“The Commissioners concluded that it could be accepted that Scientology claims to profess belief in a supreme being. The nature of this being is not fully developed but it is not similar to the god of the Judaeo Christian tradition, for example. The Commissioners noted that different religions have different understandings of what is meant by the term “supreme being”, further, the nature of that being, and the extent to which differing religions exhibit a developed theology also varies. However, since it is clear that English law does not enquire into the nature, worth or value of religious beliefs, nor concern itself with the truth of the religious beliefs in question, the Commissioners concluded it to be sufficient for the purposes of English charity law that Scientology professes a belief in a supreme being.”

The Commissioners noted the dicta of Romer LJ in *Berry v Marylebone Borough Council* [1958] Ch 406

“.....the teaching of the Fatherhood of God and the recognition of the corresponding Brotherhood of Humanity, without distinction of creed, appears

to us to be at best the teaching of a doctrine, which is of a philosophical or metaphysical conception, rather than the advancement of religion.”

However, they considered that this was in the context of an organisation which did not have objects for the advancement of religion and the objects of which indicated it was not about the advancement of religion.

The Commissioners also considered the issue of whether faith was a necessary element of religious belief and whether faith was an element in Spiritualism. In the case of *In re South Place Ethical Society* [1980] 1 WLR 1565 Dillon J stated:

“It seems to me that two of the essential attributes of religion are faith and worship; faith in a god and worship of that God.”

It was noted that in a leaflet produced by the SNU there was the following statement:

“Spiritualism explains Life here and Hereafter. It does not fall back on ancient tradition, it does not rest on Faith and all its Asserts can be proved and vouched for Here and Now.”

The Majority Report of the Committee on Spiritualism appointed by the Archbishop of Canterbury in 1938 drew a distinction between the Spiritualists’ assertion that they could “demonstrate the truth of survival and communication” and the Christian notion of faith.

While it was noted that Spiritualists believed mediumship “demonstrated” the existence of the spirit world, the Commissioners were satisfied that the beliefs of the Spiritualists with regard to the spirit world and the existence of a supreme being were a belief system rather than a body of knowledge or evidence and could be characterised as “faith”.

The Commissioners concluded that the Spiritualist principle of the Fatherhood of God satisfied the criterion of belief in a supreme being.

### **5.1.2 Worship of that Being**

The Commissioners accepted that the criterion to be applied here was that set out in the Church of Scientology decision:

“The Commissioners thus concluded that the English legal authorities indicated that the criterion of worship would be met where belief in a supreme being found its expression in conduct indicative of reverence or veneration for that supreme being.”

Paragraph (e) of the proposed objects for Sacred Hands is

“the holding of religious services for public worship”.

The Commissioners considered whether what occurred in Spiritualist services met the criterion of worship. The SNU states that

“services are based on hymns, prayers, readings and demonstrations of mediumship.”

The programme of Sacred Hands states that services are held every Thursday and it contains a list setting out the name of the medium who will be in attendance at each service. It would appear that all the services held by Sacred Hands involve a demonstration of mediumship.

The Commissioners considered the question as to whether the services included worship or were about something else such as the demonstration of mediumship. They noted the SNU’s submission which stated

“Almost invariably, these (*ie. the services*) all start with a prayer. The purpose of this prayer is to align those taking part with God’s will, to ask those in spirit to gather round and help, and to instil the right frame of mind for what is to come.”

The SNU submission went on to give an example of a prayer

“Oh Great White Spirit, throughout all ages, in visions, in trances and in dreams, seers have beheld glimpses of the supernal realms beyond earth and have come to realise something of Thy infinite majesty and Thy divine splendour.....etc.”

The Commissioners did note the importance of the demonstration of mediumship to Spiritualist services. They considered carefully whether those elements of the services involving worship of God were sufficiently central or whether they were incidental to beliefs and practices which were directed at something other than worship.

In this context the Commissioners noted the statement in the Report of the Archbishop’s Committee on Spiritualism :

“We cannot avoid the impression that a great deal of Spiritualism as organised has its centre in man rather than in God, and is, indeed, materialistic in character. To this extent it is a substitute for religion, and is not, in itself, religious at all.”

The Commissioners then went on to consider the importance given to the demonstration of mediumship. They considered the case of *In re Hummeltenberg* [1923] 1 Ch 237 in which the court decided that a gift for the training of Spiritualist mediums was not charitable. However, in that case it was contended that the gift was charitable either as being for the advancement of education or as being otherwise beneficial to the public. No evidence was produced to support the alleged beneficial nature of the gift and the court held that it was not charitable under either head.

The Commissioners did not consider that this case was of any assistance. It was not argued that the gift was for the advancement of religion and the court had not needed to consider whether Spiritualism was a religion in the charitable sense.

The Commissioners accepted that there was veneration of God shown in the services and that the belief in the spirit world was an important factor in the religious beliefs of

the Spiritualists. They considered the extent to which the demonstration of mediumship and communication with the spirit world formed a dominant part of the services and whether in any event these could be characterised as an appropriate part of the act of worship.

On balance, taking into account all the evidence before them, the Commissioners considered that there were sufficient elements of reverence and veneration in the Spiritualist services to meet the criterion of worship for the purposes of charity law.

### **5.1.3 Advancement of the religion**

The Commissioners considered that if an organisation satisfied the first two criteria and it held public services, it was likely to meet this criterion. There is evidence that Sacred Hands advertises its services and that they are open to the public.

The Commissioners considered the case of *United Grand Lodge of Ancient Free and Accepted Masons of England v Holborn Borough Council* [1957] 1 WLR 1080. In that case there was evidence that the Masons believed in a supreme being and that prayers were said at the beginning and end of meetings. However, it was not contended that Freemasonry was itself a religion, and there was also evidence that the objects and activities of the masons were not for the advancement of religion.

The court in that case did describe the characteristics of organisations which do advance religion:

“To advance religion means to promote it, to spread its message ever wider among mankind; to take some positive steps to sustain and increase religious belief; and these things are done in a variety of ways which may be comprehensively described as pastoral and missionary.”

The Commissioners were satisfied that Sacred Hands and the Spiritualist religion fell within this category of organisation and met the criterion of advancing religion.

### **5.1.4 Public Benefit**

As the organisation had met the first three criteria, the Commissioners considered that the necessary public benefit would be shown unless there was reason to consider that Spiritualism was not for the public benefit. The Commissioners did not consider that there was any evidence which established that Spiritualism was not for the public benefit.

## ***5.2 Is an organisation established for the promotion of Spiritualism established exclusively for the advancement of religion***

Having concluded that Sacred Hands met the Scientology criteria, the Commissioners then considered whether the organisation was exclusively established for the advancement of religion or whether there was a further non-charitable purpose.

5.2.1 The Commissioners recognised that the issue for them had been whether promoting mediumship and communication with the spirit world was an aspect of advancement of religion or constituted an additional non-charitable purpose.

5.2.2 In this case the Commissioners considered they had found that the promotion of mediumship and the communication with the spirit world (which was a central activity of the organisation) was on the evidence before them sufficiently incorporated within the religious practices which characterised the acts of worship of a supreme being.

## **6. Conclusion**

The Commissioners concluded that Sacred Hands will satisfy the criteria applicable to the charitable purpose of advancement of religion if it changes its objects as proposed.