

**THE CHARITIES ACTS (NORTHERN IRELAND) 2008-2022  
THE CHARITY TRIBUNAL RULES (NORTHERN IRELAND) 2010**

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**IN THE CHARITY TRIBUNAL FOR NORTHERN IRELAND**

Between

**PAULINE FITZPATRICK  
and  
TINA BARRETT**

Appellants

-and-

**THE CHARITY COMMISSION FOR NORTHERN IRELAND**

Respondent

**DIRECTIONS**

**WHEREAS** an appeal dated 28/04/2026 was filed with the Charity Tribunal for Northern Ireland ('the Tribunal') by the Appellants against a purported Decision of the Respondent dated 01/04/2026 described by the Appellants as a 'Response to Findings from the Victims Comm /Vic of Crime Commissioner', seeking an outcome from the Tribunal that the 'Findings confirm there was harm caused to beneficiaries and employees' and that such findings be recorded on the 'CC system';

**AND WHEREAS**, in correspondence dated 05/05/2026 from the Respondent to the purported Appellants, the Respondent described its 'decision' as a 'decision to issue self-regulatory guidance on foot of three concerns raised in respect of Relatives for Justice Limited' (a charity);

**AND WHEREAS**, pursuant to section 12(30(a) and paragraph 5 to Schedule 3 ('the Schedule') to the Charities Act (Northern Ireland) 2008 ('the Act'), only certain decisions, specified in the Schedule, in Column 1 of that paragraph, made by the Respondent, may be appealed to the Tribunal;

**AND WHEREAS** the stated impugned decision of the Respondent does not appear to be a decision that is capable, by statute, of being appealed to the Tribunal;

**AND WHEREAS**, in the alternative, a person with requisite legal standing may make application to the Tribunal to have a decision made by the Respondent reviewed, subject to such decision being a reviewable matter, pursuant to the provisions also set out in paragraph 3 to the Schedule, but no such application for a review of a reviewable matter had been made to the Tribunal by the Appellants and, on the basis of the case made to date to the Tribunal by the Appellants, there is no basis to make an application for such review.

**AND WHEREAS** the Respondent, in correspondence to the Tribunal dated 05/05/2026, copied to the Appellants, made application to the Tribunal for a Direction, pursuant to Rule 3 of the Charity Tribunal (Northern Ireland) Rules 2010 ('the Rules'), as to whether the Tribunal has jurisdiction to hear this appeal, on the grounds that the said decision by the Respondent to issue self-regulatory guidance in respect of a charity, was not a decision capable of being appealed to the Tribunal, as it was not a decision set out in Column 1 to Schedule 3 of the Act;

**AND WHEREAS** on 13/05/2026, the Respondent's Legal Adviser, in writing, copied to the Appellants, informed the Tribunal that she, together with two colleagues, met with the Appellants on 13/05/2026 to discuss the matter, when the Appellants were advised that the subject of their appeal was not appealable to the Tribunal under the Act but that she understood the Appellants still wish to proceed with their appeal to the Tribunal;

**AND WHEREAS** the Appellants wrote to the Tribunal on 14/05/2026 confirming that they had met with the Respondent on 13/05/2026, accompanied by another person, Áine McCabe, who is not an Appellant, and advised that they had provided the Tribunal with '3 extra statements, namely, Pauline Fitzpatrick [one of the Appellants] / Jim McCabe / Áine McCabe', all three of whom, the Appellants maintained, had provided oral evidence 'by way of [their] concerns' to the [Respondent's] 'enquiries team', but that 'to date [the Appellants] [had] not been provided with copies of [those] statements / concerns', the meaning and purpose of which is not clear. The Appellants then stated 'the 3 statements submitted with the appeal to the Tribunal were **not** lodged with the [Respondent] but were simply submitted [presumably, the Appellants will say], to the Tribunal as a brief account of events'. The Appellants went on to state that 'If it is a case that the 3 statements referred to and submitted with [their] Appeal application are to be disregarded [that] copies of the original concerns / statements made by [one of the Appellants], Pauline Fitzpatrick, together with that of Jim McCabe / Áine McCabe as recorded by [the Respondent's] enquiries team in 2024 for the purposes of submitting to the Appeal Tribunal'. The Appellants confirmed that at their meeting with the Respondent on 13/05/2026, the Respondent's Legal Adviser 'reminded [them] that there was no right of appeal to the Tribunal' and 'kindly provided [them] with literature in terms of the Act / law this alludes to'.

**AND WHEREAS** no 'statements' were enclosed by the Appellant with their Notice of Appeal dated 28/04/2026 and the Tribunal merely received a bundle of various documents from the Appellants with their Notice of Appeal.

**IT IS DIRECTED THAT**

1. Within the period of 14 days from the date of these Directions, the Appellants shall state to the Tribunal (copying any reply to the Respondent at the same time):
  - (1) the basis upon which they purport to be able to bring this appeal by reference to the provisions contained in Column 1 to paragraph 5 to Schedule 3 to the Act;
  - (2) the category of Column 2 of the Table to Schedule 3 of the Act into which they consider they fall, that is, whether either, or both of them, is, or claims to be, a charity trustee of Relatives for Justice Limited or, in the alternative, whether either, or both of them, is a person who is, or may be, affected by the alleged impugned decision of the Respondent (whether in their own right, or otherwise) and the reasons why that may be the case;
  - (3) the section of the Act under which the impugned decision of the Respondent is allegedly made;
  - (4) the precise decision of the Respondent that is impugned by the Appellants;
  - (5) details of the final decision of the Respondent including the name of the person, corporate or unincorporated, that decision concerns; any reference number of the Respondent and the date the final decision of the Respondent was notified to the Appellants and each of them;
  - (6) whether each of them accepts that the only purported Appellants are each of them, on the basis that, to date, no purported appeal has been received from any other person;
  - (7) whether either or both of them accept that they seek to appeal the alleged impugned decision of the Respondent, having identified, precisely, that decision, as directed above, and do not seek, in the alternative, to apply to have the impugned decision challenged before the Tribunal by way of an application to review, a step that can only arise if the impugned decision can be said to be a decision that falls within paragraph 3(2) to the Schedule.
2. The Appellants are strongly urged to obtain the advice and services of a representative experienced in Northern Ireland charity law to assist them in pursuing their alleged appeal and, in particular, in addressing the question of whether the Tribunal has any statutory jurisdiction to adjudicate upon the impugned decision: the Tribunal, as an independent judicial authority, cannot advocate for, or advise, either of the parties – the Appellants or the Respondent.
3. The Appellants are advised that the Tribunal may, pursuant to Rules 5 and 6 of the Rules, strike out, or dismiss, the purported appeal on various grounds, including if the Tribunal is satisfied that the purported appeal discloses no reasonable grounds for bringing an appeal, subject to the Appellants having a

opportunity to make representations against the making of such an Order, or if the Appellants, without reasonable excuse, fail to comply with these Directions.

4. The Respondent shall, thereafter, but no later than 21 days from the date of these Directions, provide a written submission, copied at the same time to the Appellants, addressing any response from the Appellants to these Tribunal Directions.
5. Either party shall be at liberty to apply in writing (copied to the other party, seeking its / her consent, if appropriate), to vary, add to or substitute any of these Directions, so long as they do so before the time for compliance has expired and stating their reasons for such application.
6. Upon hearing from the parties in response to these Directions, the Tribunal shall, inter alia, consider whether it may be appropriate to hold a pre-hearing review of this purported appeal, pursuant to Rule 13 of the Rules, giving further directions appearing necessary or desirable to securing the just, expeditious and economical conduct of this appeal, or to hold a preliminary hearing, pursuant to Rule 14 of the Rules if it appears to the Tribunal that any preliminary question of fact or law appears to be at issue in relation to the appeal or to determine any such preliminary question on the papers only without a hearing.

Signed: **D. McMahon**  
**President,**  
**Charity Tribunal for Northern Ireland**

Date: **15 May 2026**