



**CHARITY COMMISSION**  
FOR ENGLAND AND WALES



Charity Commission  
PO Box 211  
Bootle  
L20 7YX  
T:  
**Your ref:**  
**Our ref C-097366**  
**Date: 07/09/2023**



### **Your Freedom of Information request**

Thank you for your email received 10<sup>th</sup> September 2023 in which you made the following ten requests for information under the provisions of the Freedom of Information Act 2000:-

“1. Since submitting my previous FOI request, has the Charity Commission received or engaged with any communications with the Church of Scientology? If so, please supply these (whether written correspondence, electronic messages, phone records or otherwise).

2. Has the Church of Scientology submitted an application since the last FOI, or sought to appeal the 1999 decision?

3a. In the event the Church of Scientology were to apply for charity status again, what is the process for this? Would they need to appeal the 1999 decision, or has enough time passed that they could simply make a fresh application?

3b. In the event the 1999 decision would need to be appealed, what is the process for this?

**On track to meet your deadline?**

Visit [www.gov.uk/charity-commission](http://www.gov.uk/charity-commission) for help on filing your annual return and accounts

t: 0300 066 9197 (General enquiries)

w: [www.gov.uk/charity-commission](http://www.gov.uk/charity-commission)

4. What is the average time from making an application to a decision being made on whether an organisation may be considered charitable?

5. In January 2023, the Church of Scientology won a legal case where its buildings were determined to be places of public worship. Would this be sufficient evidence, or would further proof be required that their work is for the public benefit in order to obtain charitable status?

6. Mormon (Church of Latter Day Saints) chapels in the UK are open to the public and thus considered tax exempt, however their Temples are not, as they are only open to followers in good standing. In the case of Scientology, it is policy to 'disconnect' from former members and employ 'fair game tactics' (harassment and intimidation) against critics. How would the Charity Commission determine the impact of these policies in any future attempt to gain charity status?

7a. What is the process for reviewing the public benefit of a controversial applicant, such as Scientology, and

7b. how would the Charity Commission gather evidence of it's practices?

7c. Would it look only at evidence supplied by the organisation, or would it seek to speak to former members, critics, journalists etc?"

We have dealt with your request in accordance with the Freedom of Information Act 2000 (FOIA).

I will deal with each of the above in turn.

### Requests 1 and 2

In relation to request 1, we have interpreted 'since submitting my previous FOI request' to mean since 17 March 2023, as this was the date of your last request for information regarding this organisation.

The Commission does not hold any communications to or from the Church of Scientology (England and Wales) and that includes any further application for registration.

### Request 3a and 3b

In 1999, any appeal to the Commission's decision to refuse to register the Church of Scientology would be to the High Court. The time frames for appeal would have been set out in the Civil Procedural Rules applicable at that time and is usually between two and ten years depending on the type of claim. The Commission does not hold this information.

Since the Charities Act 2006 came into force, an appeal against a registration decision can now be made to the First Tier Tribunal (Charity). A person wishing to appeal a decision of the Commission has a time limit of 42 days for appeals to the Commission regarding registration decisions.

Please find the below link to the information held on the Commissions website regarding appeals.

<https://www.gov.uk/guidance/appeal-against-a-charity-commission-decision-about-your-charity>

The Commission's decision in 1999 to refuse to register the Church of Scientology cannot now be appealed. A new application for registration would have to be made. The guidance for making an application available [online](#).

### Request 4

The average time to register a successful application in the first 4 months of this reporting year (April – July inclusive) is 46 working days. Where applications are initially assessed as charitable, they are registered in an average of 3 working days (again for April – July inclusive).

Requests 5, 6, 7a., 7b. and 7c.

The legal test for whether an organisation is a charity is whether it is established for exclusively charitable purposes for the benefit of the public. We have published guidance about the [public benefit requirement](#). We also have detailed guidance about the [Advancement of Religion for the Public Benefit](#). In our published [decision for the Church of Scientology](#), we explain how we gathered evidence for that decision.

The full decision contained in the above link explains the Commission's conclusion that The Church of Scientology is not established for the public benefit and the reasons for our conclusion.

For the other specific information requested, we do not hold relevant information. As explained by the ICO in its guide to Freedom of Information, "If a member of the public asks for information, you [referring to public authorities] only have to provide information you already have in recorded form. You do not have to create new information or find answers to a question from staff who may happen to know"

(<https://ico.org.uk/fororganisations/guide-to-freedom-of-information/what-is-the-foi-act/>).

In any registration application, we have experienced case officers following internal operational guidance when making decisions. The information we require as part of a registration application will depend on the individual circumstances of a case.

If you think our decision is wrong, you can ask for it to be reviewed. Such requests should be submitted within two months of the date of our response and should be addressed to the Charity Commission at PO Box 211, Bootle, L20 7YX (email: [DPIR@charitycommission.gov.uk](mailto:DPIR@charitycommission.gov.uk)). More information about our Freedom of Information Act review service can be found on the following link to our website: <https://www.gov.uk/government/organisations/charity-commission/about/complaints-procedure>.

If you are not satisfied with the internal review, you can appeal to the Information Commissioner. Generally, the ICO cannot make a decision unless you have exhausted our review procedure. The ICO can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF ( [Home | ICO](#) )

Yours sincerely

Ms Jan Provost (Senior Information Rights Officer)