

**Ministerial response to petition submitted by Robert Glennie: Remove charitable status
from Destiny Church**

Presented to the House of Representatives

In accordance with Standing Order 380 and 381

Minister for the Community and Voluntary Sector's response to referral of petition of Robert Glennie:

Remove charitable status from Destiny Church

Introduction

Thank you for the opportunity to respond to the Petitions Committee about the petition presented by Robert Glennie to remove Destiny Church's charitable status.

I want to first acknowledge the context of this petition. It follows protests at Te Atatū Peninsula Library on 15 February 2025 which became violent and affected the safety of staff and members of the public. This was a serious situation, and I recognise the concerns of Robert Glennie and others who signed this petition.

In the evidence text, Robert Glennie advised that Destiny Church does not have charitable status and that the original change sought through the petition was therefore not necessary. This is accurate – Destiny Church itself is not a legal entity so it is not, and cannot be, registered as a charity under the Charities Act 2005 (the Act).

While there is no direct issue for the Government to respond to regarding Destiny Church's charitable status, there are a range of issues that the petition and evidence text raise that I will comment on in my role as the Minister for the Community and Voluntary Sector.

Ministerial response

Charitable purpose

Robert Glennie raised that Destiny Church should not be considered a charity due to the way it operates. I will not comment on this view specifically but will provide some more general comments on what constitutes charitable purpose.

Section 5 of the Act sets out the meaning of charitable purpose to establish whether an entity could be considered eligible to be registered as a charity. This definition is broad, noting that it includes *the relief of poverty, the advancement of education or religion, or any other matter beneficial to the community*. While this definition points to entities that are dedicated to pursuing social good, the breadth of what may be considered a charitable purpose aligns with a long-standing norm of institutional separation between the state and the charitable sector. This limits the degree to which Government should direct the charitable sector on how it should operate.

Grounds and process to deregister a charity

The Act provides important measures that support the sector's integrity. Section 32 of the Act provides the grounds for deregistering a charity. This includes whether the entity has engaged in serious wrong-doing or any person has engaged in serious wrongdoing in connection with the entity. What constitutes 'serious wrongdoing' is defined at section 4 of the Act. It includes the corrupt use of charitable funds, conduct that amounts to an offence, oppressive or improperly discriminatory conduct, gross negligence, and gross mismanagement.

In the evidence text, Robert Glennie notes that most of the organisations that are operating under the Destiny Church ‘umbrella’ are not registered under the Act.

My officials advise me that there are several entities associated with Destiny Church and some are registered charities. Some have also been previously registered as charities but have been deregistered. The registered charities associated with Destiny Church are subject to the same requirements as all other charities and can be deregistered for serious wrongdoing if they meet that threshold, or for the other reasons prescribed in section 32 of the Act.

Officials at the Department of Internal Affairs are responsible for investigating charities and providing advice to the independent Charities Registration Board about whether a charity should be deregistered. As provided by sections 31 and 32 of the Act, the Board makes the decision on whether a charity will be deregistered. As Minister, I am not involved in any decision to deregister a charity.

If a member of the public has a concern about the operations of a charity and wishes to raise a complaint with the investigations team, they can contact Charities Services at compliance@dia.govt.nz. There is also a webpage that provides further information on making a complaint, including the grounds on which Charities Services will investigate a charity – see www.charities.govt.nz/charities-in-new-zealand/making-a-complaint.

Other matters raised in the evidence text

In the evidence text, Robert Glennie suggested that the ‘form and function’ of the Act could be reviewed and the outcomes from the 2018 review of the Act could be assessed and potentially enacted.

I note that a wide range of amendments were made to the Act in 2023. At this stage, it is not a government priority to further review the Act or revisit the work undertaken in 2018. This Government values the charitable sector and recognises that public trust is an important part of ensuring it can do the most amount of good possible. I am always open to feedback on issues that may be affecting public trust in the charitable sector.

In the evidence text, Robert Glennie also suggested that penalties under the Crimes Act 1961 could be assessed. I will not comment on this suggestion, as it sits outside of my portfolio responsibilities.