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Charity Law Matters, Ronan Cormacain, Kerry O'Halloran, Arthur Williamson (of the Centre for Voluntary Action Studies, University of Ulster), The Stationery Office, Belfast 2001.

Charity Law Matters is an uncommon sort of publication dealing with the law affecting charities or public benefit organizations. It combines theoretical analysis with a practical look at the effects of charity law in Northern Ireland. This combination of the results of surveys taken – to gain insights into how the law works in practice – with the legal/theoretical/historical discussion of the law is much more effective than a purely legal examination of the law as written. The fact that it looks at one jurisdiction closely (Northern Ireland) does not really limit its application – many of the insights gained from the surveys are probably equally applicable in other jurisdictions.

The book is described as a “Report of a research project published to mark the Four Hundredth Anniversary of the Statute of Charitable Uses, 1601.” This historical theme carries through into the Introduction and the book itself. As Richard Fries notes in the Introduction, it is “strange” that the statutory framework in Northern Ireland remains the same as it was in the 1960s. He goes on:

Of all the jurisdictions in these islands none has undergone more social disruption. None is now in greater need of charitable activity. Yet, this jurisdiction has the most dated, least relevant legislation relating to charities in the United Kingdom. (*Charity Law Matters* 1)

And the authors pick up the theme in the discussion of the Sources and Forms of Charity Law in Northern Ireland(Chapter 2).

Most significantly, however, in the findings discussed in Chapter 12 (Strengths and Weaknesses in Existing Charity Law), the authors discuss findings derived from the empirical data of the research project. The very first finding is that the legislative framework needs to be updated to reflect changes that have occurred since the laws were enacted. In addition, the findings note that the legislation should address issues of social inclusion particular to Northern Ireland. More specific findings suggest that there need to be changes in the treatment of trading, of advocacy, and of representation, to bring the law into better accord with current practice in Northern Ireland. In addition, the book cites the lack of a “one-stop shop” for charities to register as being an impediment to their work. These findings, based on empirical data as they are, strongly support the legal theoreticians’ desire to see law keep pace with the times.

The book makes several recommendations in Chapter 13:

1. that there is a need for further research be conducted;
2. that there be an overall review of charity law in Northern Ireland;*
3. that there is a need for systems to register and regulate charities;
4. that the law governing fund raising needs to be updated;
5. that the law governing cy pres be revised; and
6. that a government body be specifically charged with the responsibility of providing pro-active support to charities.

It remains to be seen whether the recommendations will be followed, but a good groundwork has been laid by the book. In addition, it is likely that the voluntary sector will take this up with the government, because as part of the recommendations, *Charity Law Matters* strongly suggest that there be extensive consultation with the voluntary sector on any changes that are developed.

Charity Law Matters is a thoughtful book and one that will be useful to lawyers and practitioners not only in common law jurisdictions, which share the legal tradition with Northern Ireland, but in civil law jurisdictions as well. The tensions in the law and practice between over-regulation and under-regulation are real and apparent everywhere. This book helps to clarify issues by taking into account the reactions of those affected by a legal regime to the need to reform it. That adds considerable weight to the recommendations, and gives them force – *Charity Law Matters* should be read by all thoughtful persons considering reform of the laws affecting charities and other public benefit organizations. KS

* The book notes that reviews of “charity” law have been or are being undertaken not only in Northern Ireland, but also in the Republic of Ireland, Canada, England and Wales, Scotland, and Australia. There are discussions of all of these but Canada in this issue of IJNL, and the Canadian developments, which are still ongoing, have been covered extensively in previous issues. The Editor wishes to note, however, that other Commonwealth countries are looking into these and related issues (e.g., in the Caribbean, in Ghana, in Tanzania, in South Africa, in the South Pacific, and in Nigeria). It is likely that some comparative discussions, perhaps following up on the International Charity Law Conference held at LSE and the Pacific Rim conference held in Brisbane (both of which are discussed in this issue), will help to sort out issues that can benefit from international insight and perspective.