

Atheist Ireland

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25 April 2018



To the Charities Regulator
3 George's Dock
IFSC, Dublin 1

Questions regarding Iona Institute / Lolek Ltd.

Dear Charities Regulator,

We note that you have instructed the Projects Arts Centre to remove a political advertisement in support of repealing the eighth amendment, on the grounds that the charity was engaging in political activity that was not directly related to the advancement of the charity's charitable purpose, which is the advancement of education.

In this context, we are writing to ask if the Iona Institute is compliant with the Charities Act. Iona is a private company limited by guarantee. Its company number is 424940, and the name of the company is Lolek Ltd. Iona/Lolek is also registered as a charity, under the charity category of 'advancement of religion'. Its charity number is 17347.

Iona is currently campaigning actively against repeal of the eighth amendment, including through print, broadcast and online media promotion, as well as billboard campaigns. It also campaigns regularly on other political issues. Its 2017 accounts showed that it had donations of €275,000 in the previous year, and accumulated cash reserves of €300,000.

However, Iona enjoys these financial benefits of having charitable status under the religion category, while enjoying the political benefits of making mostly secular arguments in this and other political campaigns, and indeed explicitly denying that it is advancing religion.

We are asking you to investigate two questions:

1. Is all of Iona's political activity directly related only to advancing religion, as required by the charity category under which it is registered?
2. Is all of Iona's political activity directly related only to advancing the Christian religion, as required by the main object in its memorandum of association?

1. Is all of Iona's political activity advancing religion?

Our first question is whether the Iona Institute is engaging in political activity that is not directly related to the advancement of its charitable purpose, which is the advancement of religion.

The Charities Regulator recently published new guidance on charities and the promotion of political causes. This guidance states that a charity must promote its charitable purpose **only**. The emphasis on the word **only** is in the Charity Regulator's guidance.

Under the category of 'the advancement of religion', the Charities Regulator states:

“The Charities Act 2009 does not contain a definition of religion. However, existing case law has established that a religion has two core elements: Belief in a ‘Supreme Being’ and Faith and worship of that ‘Supreme Being’.

In addition to examining whether your organisation meets the criteria of a religion, we also examine how your organisation advances this religion (for example, through the provision of places of worship, raising awareness of religious beliefs or conducting missionary work).”

But the Iona Institute does not meet the criteria of a religion. It often publicly positions itself as a secular think-tank, it makes mostly secular arguments for its political positions, and at times it explicitly denies that it is advancing religion, despite enjoying the financial benefits of being registered as a charity with the specific object of advancing religion.

- Iona Patron Patricia Casey has said: ‘We have to base all our views on science, and that’s the purpose of a think-tank like the Iona Institute.’ Asked if Iona was a Christian institution, she said: ‘No. We’re not. We support the role of religion in society but we’re not a religiously based organisation.’ <http://www.broadsheet.ie/2013/01/21/is-the-iona-catholic/>
- Patricia Casey has also said of changing the law on abortion that: ‘The issue is about human rights, not religious faith’. <http://www.bbc.com/news/world-europe-21298542>
- Iona Director David Quinn has said of marriage equality: ‘If this is framed as Catholic Ireland versus modern Ireland, it’s the wrong way to frame it. The arguments for and against are ultimately secular, not religious.’ <https://www.buzzfeed.com/lesterfeder/priests-defy-bishops-to-support-marriage-equality-in-ireland>
- David Quinn has also said: ‘None of our arguments in respect of marriage are even specifically Christian.’ <https://twitter.com/DavQuinn/status/438351002945998848>
- Iona spokesperson Maria Steen has said that the Iona campaign on the eighth amendment will be based on the nature of democracy and fundamental human rights under the law, without making any reference to advancing religious arguments. <https://ionainstitute.ie/maria-steen-discusses-the-citizens-assembly-on-rtes-drivetime/>
- Iona’s submission to the Citizens’ Assembly on the eighth amendment does not even mention the words religion or God, but refers to rights 26 times. <https://www.ionainstitute.ie/wp-content/uploads/2017/02/Iona-Citizens-Assembly-submission.pdf>
- When the Citizens’ Assembly questioned groups who had made submissions on the eighth amendment, the Assembly divided its witnesses into categories of groups who were questioned together. Atheist Ireland was questioned as part of the religious category, along with the Roman Catholic Church and the Church of Ireland. But Iona was questioned in the secular advocacy category, along with other secular advocacy groups.
- The same thing happened when the Oireachtas Joint Health Committee questioned groups who had made submissions on abortion law. Atheist Ireland was questioned as part of the religious category, along with representatives of various churches. But Iona was questioned in the secular advocacy category, along with other secular advocacy groups.
- A search for the phrase ‘eighth amendment’ on Iona’s website shows that, of 182 articles, only 10 are related to religion. A search for the word ‘abortion’ shows that, of the most recent 200 articles, only 12 are related to religion.

2. Is all of Iona's political activity advancing the Christian religion?

Our second question relates to Iona's self-stated objects as listed in its Memorandum of Association. The main object for which the Company is established is:

"The advancement and promotion of the Christian religion, its social and moral values, and the doing of all such other things as are incidental or conducive to the attainment of that object."

But 'the Christian religion' does not have a single position on the question of the eighth amendment. Some Christian denominations support repeal, and other Christian denominations oppose repeal. The same is true of marriage equality, and of other issues on which Iona campaigns politically while taking a partisan position.

We are therefore asking if the Iona Institute (regardless of the nature of its arguments) is thus engaging in political activity that goes beyond its own stated objective of the advancement and promotion of 'the Christian religion' as phrased in the singular.

3. Conclusion

To conclude, the Charities Regulator recently published new guidance on charities and the promotion of political causes. This guidance states that a charity must promote its charitable purpose **only**. The emphasis on the word **only** is in the Charity Regulator's guidance.

We are asking the Charities Regulator to investigate whether the Iona Institute is compliant with the Charities Act, given that it enjoys the financial benefits of being registered as a charity with the object of advancing religion, while enjoying the political benefits of presenting itself as an objective think-tank making secular arguments, and indeed explicitly denying that it is advancing religion.

Our question is both a general one about Iona's ongoing political activity, and also an immediate one about Iona's political campaigning on the eighth amendment. The latter aspect has an urgency given the closeness of the referendum, and the impact of the Charities Regulator's intervention with regard to the Project Arts Centre mural.

Yours sincerely,

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Atheist Ireland

Jane Donnelly
Human Rights Officer
Atheist Ireland