

Press release: New charity investigation: Believe in Magic

The Charity Commission, the independent regulator of charities in England and Wales, has today (6 April 2017) confirmed that it opened a statutory inquiry into [Believe in Magic, registered charity number 1145557](#) on 7 February 2017, and has frozen its bank account.

The charity has objects to relieve the needs of children and young people up to the age of 18 in the UK suffering from serious or terminal illness and their family and carers as the trustees shall determine.

The Commission engaged with the charity's trustees in August 2016 about a number of regulatory concerns identified from multiple complaints about the charity and from the Commission's own scrutiny of the charity.

An investigation has now been opened as the Commission has been unable to adequately address any of its concerns with the trustees and because there are indications of misconduct or mismanagement. The investigation will:

1. Consider whether, and to what extent, the charity is operating in furtherance of its charitable objects and for the public benefit.
2. Examine the administration, governance and management of the charity by the trustees, in particular the extent to which the trustees have:
 - acted in the charity's best interests and acted in accordance with their legal duties
 - responsibly managed the charity's resources and financial affairs
 - ensured that conflicts of interest in the charity have been adequately avoided or managed
 - properly authorised benefits to trustees and connected persons
3. Examine the trustees' non-compliance with their reporting duties, specifically the non-submission of the charity's annual accounts and reports.

To protect the assets of the charity, the Commission has frozen the charity's bank account under section 76(3)(d) of the Charities Act 2011 which will prohibit the charity from making payments or withdrawing money from the account unless they have the Commission's prior authorisation. The Commission has also directed the charity under section 47 of the Charities Act to provide information and documentation that will assist the inquiry.

It is the Commission's policy, after it has concluded an inquiry, to publish a report detailing what issues the inquiry looked at, what actions were undertaken as part of the inquiry and what the outcomes were. [Reports of previous inquiries](#) by the Commission are available on GOV.UK.

The charity's details can be viewed on the Commission's [online charity search tool](#).

Ends

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Notes to editors

1. [The Charity Commission](#) is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
2. Search for charities on our [online register](#).
3. Details of how the Commission reports on its regulatory work can be found on [GOV.UK](#).
4. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.
5. The Commission's decision to announce the opening of a statutory inquiry is based on whether it is in the public interest to do so and with consideration of our objective to increase public trust and confidence in charities.
6. An order was made on 10 March 2017 to restrict the charity's bank account under section 76(3)(d) of the Charities Act 2011.
7. A direction was made under section 47 of the Charities Act on 10 March 2017.