

FAMILIES FIGHTING FOR JUSTICE CONSTITUTION

Date implemented 11th January 2010

Families Fighting for Justice and the O.L.L.Y Project objectives are to carry out activities which benefit the community and in particular (without Limitation) address the needs of parents, husbands, wives, partners, sisters, brothers, relatives and friends who have lost loved ones through the act of murder and violence.

1. Objects

1. To protect the health of and to relieve poverty, distress and suffering of persons who are or are likely to become victims of crime and the families of such persons.
2. To promote for the benefit of the public the provision of services for mediation and conciliation between victims of crime and offenders, with a view to the preservation of public order, and for the preservation and protection of the well-being of such victims and the rehabilitation of such offenders.
3. To advance education in the problems of criminal activity and its implications on society and the victims of crime and their families.

2. Powers

In furtherance of the objects but not otherwise, the society shall have the:

1. power to raise funds and to invite and receive contributions provided that in raising funds the Management Committee shall conform to any relevant requirements of the law;
2. power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use;
3. power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity;
4. power subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed;
5. power to employ such staff as are necessary for the proper pursuit of the object and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependents; Section 185 of the Charity Act 2011 a Trustee or a Management Committee member can be paid where they provide services to the charity that are distinct from their role as Trustee or Management member.
6. power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;
7. power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
8. power to appoint and constitute such committees as the Management Committee may think fit;
9. power to engage in political activity provided that the Management Committee are satisfied

that the proposed activities will further the purposes of the charity to an extent justified by the resources committed and the activity is not the dominant means by which the charity carried out its objects.

10. Power to do all such other lawful things as is necessary for the achievement of the objects.

3. Membership

1. Membership of the charity shall be open to any person over 18 interested in and committed to furthering the works of the charity and who have their application approved by the Management Committee.
2. The first members shall be accepted to full membership at the first meeting of the Management Committee, where this constitution shall be first adopted.
3. Any subsequent individuals gaining entry to membership shall be granted associate member status.
4. Associate members shall become eligible for full membership status after a six-month period, subject to approval by the Management Committee.
5. The Management Committee may from time to time define additional categories of membership, as well as the rights and obligations associated with such membership, subject to clause 3. 6.
6. Every full member shall have one vote. Associate members or any other category of member defined by the Management Committee shall have no voting rights within the organization.
7. The Management Committee may unanimously and for good reason terminate the membership of any individual, provided that the individual concerned or the appointed representative of the member organization concerned (as the case may be) shall have the right to be heard by the Management Committee, accompanied by a friend, before a final decision is made.
8. The Management Committee must maintain a membership list, including the dates that individuals enter and leave each category of membership.

4. General Meetings.

1. Members are entitled to attend general meetings either personally or by proxy. Notice of intention to appoint a proxy must be delivered to the **Secretary** at least 24 hours before the meeting. Such notice should be in writing where possible. Any notice submitted in a manner other than in writing shall only be accepted upon its confirmation by at least 2 full members other than the nominating individual, the nominated proxy and members of the management committee.
2. General meetings are called on at least 14 days' notice specifying the business to be discussed, unless otherwise specified in the constitution. Notice may be in writing, in person, telephone, email or other suitable electronic means. Meetings other than the Annual General Meeting (AGM) may be called at shorter notice if all full members agree.
3. The first Annual General Meeting (AGM) shall be held no later than the last day of the 12th month following the date this constitution is first adopted. All subsequent AGMs shall be held no later than the last day of the 12th month following the date of the previous AGM. The membership shall receive at least 14 days notice of the date of the AGM.
4. The business of the AGM shall be to:
 - a) Receive the report of the Committee for the year just completed;
 - b) Approve the accounts of the organization for the year just completed;
 - c) Elect the Committee for the current year;
 - d) Approve any changes in level of subscriptions;
 - e) Discuss any other relevant business.
3. The quorum for general meetings shall be 12 or one tenth of the full, voting members, unless otherwise stated in the constitution. Only full members shall count towards the quorum.
4. The method of voting shall be decided by the Management Committee and shall be by simple majority of those present and voting, unless otherwise stated in the constitution. In the event of an equality of votes, the Chairperson shall casting vote.
5. A written resolution signed by those entitled to vote at a general meeting is as valid as a resolution actually passed at a general meeting. For this purpose the written resolution may be set out in more than one document and will be treated as passed on the date of the last signature required to pass the resolution in question.
6. The Management Committee may call a special general meeting of the Charity at any time. If at least four full members request such a meeting in writing stating the business to be considered the secretary shall call such a meeting. At least 14 days' notice must be given. The notice must state the business to be discussed.

5. Management Committee

1. The Management Committee will be elected at the first adoption of the constitution and at every AGM thereafter. All the members of the Management Committee shall retire from office together at the end of the AGM next after the date on which they came into office but they may be re-elected or re-appointed.
2. The Management Committee will consist of a minimum of 6 and maximum of 8 full members.
3. The proceedings of the Management Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
4. Nobody shall be appointed as a member of the Management Committee who is aged under 18.

5. The Management Committee shall choose from their own number the Chair, Secretary and Treasurer and any other honorary officers.
6. The Management Committee may in addition appoint co-opted members but so that no-one may be appointed as a co-opted member, if as a result, more than one third of the members of the Management Committee would be co-opted members. Each appointment of a co-opted member shall be made at a meeting of the Management Committee and shall take effect from the end of that meeting, unless the appointment is to fill a place which has not been vacated in which case the appointment shall run from the date when the post becomes vacant.
7. The Management Committee shall be entitled to delegate any or all of its powers, as it sees fit, to any committee set up by the Management Committee of its own members, or to any individual member of the Management Committee, or to any person employed by the project.
8. The Management Committee shall cause full and accurate financial accounts, minutes of proceedings, and reports of voting at meetings to be kept, and shall ensure that all these are available for inspection by project members at any reasonable time.
9. The Management Committee may have sufficient cause after having heard the views of the person concerned, dismiss an honorary officer by a majority vote at a correctly called quadrate meeting.

6. Meetings and Proceedings of the Management Committee

1. The Management Committee shall hold at least two meetings each year. A special meeting may be called at any time by the Chair or by any two members of the Management Committee upon not less than 7 days' notice being given to the other members of the Management Committee of the matters to be discussed.
2. The Chair shall act as Chair at meetings of the Management Committee. If the Chair is absent from any meeting, the members of the Management Committee present shall choose one of their number to be Chair of the meeting before any other business is transacted.
3. There shall be a quorum when at least four members of the Management Committee are present at a meeting.
4. Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question but in the case of equality of votes the Chair of the meeting shall have a second or casting vote.
5. The Management Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Management Committee and any sub-committee and shall ensure that all these are available for inspection by members at any reasonable time.
6. The Management Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and custody of documents. No rule may be made which is inconsistent with this constitution.
7. The Management Committee may appoint one or more sub-committees consisting of two or more members of the Management Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a sub-committee, provided that all acts and proceeding of any such sub- committees shall be fully and promptly reported to the Management Committee.

7. Determination of membership of Management Committee

1. A member of the Management Committee shall cease to hold office if he/she:
 - a) Is disqualified from acting as a member of the Committee by virtue of section 72 of the Charities Acts 1993 (or any statutory re-enactment or modification of that provision);
 - b) Becomes incapable by reason of mental health issues, illness or injury of managing and administering her own affairs;
 - c) Is absent without the permission of the Committee from three consecutive Management Committee meetings and the Committee resolve that her office be vacated; or
 - d) Notifies the Committee in writing, via the Secretary, in writing, of their wish to resign (but only if at least 3 members of the Committee will remain in office when the notice of resignation is to take effect).

2. The Management Committee may after having heard the views of the person concerned, remove an honorary officer by a majority vote at a correctly called quadrate meeting.

8. Finance

1. Families Fighting for Justice Financial year shall run from 1st April to the 31st March.
2. The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Charity at such bank as the Management Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Management Committee.
3. The funds belonging to the Charity shall be applied only in furthering the objects.

9. Property

1. Subject to the provisions of sub-clause (2) of this clause, the Management Committee shall cause the title to;
 - a) all land held by or in trust for the charity which is not vested in the Official Custodian for Charities; and
 - b) All investments held by or on behalf of the charity;

To be vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Management Committee at their pleasure and shall act in accordance with the lawful directions of the Management Committee. Provided they act only in accordance with the lawful directions of the Management Committee, the holding trustees shall not be liable for the acts and defaults of its members.

2. If a corporation entitled to act as custodian trustee has not been appointed to hold the property of the charity, the Management Committee may permit any investments held by or in trust for the charity to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any such stock broking company) as nominee for the Management Committee, and may pay such a nominee reasonable and proper remuneration for acting as such.

10. Accounts

The Management Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to:

1. the keeping of accounting records for the Charity
2. the preparation of annual statements of accounts for the charity;
3. the auditing or independent examination of the statements of account of the Charity; and
4. The transmission of the statements of account of the Charity to the Charity Commission.

11. Annual Report

The Management Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Charity Commissioners.

12. Annual Returns

The Management Committee shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Charity Commissioners.

13. Benefits to Members and Trustees

1. The property and funds of the charity must be used only for promoting the Objects and do not belong to the **members** but:
 - a) Members may enter into contracts with the charity and receive reasonable payment for goods or services supplied;
 - b) Members (including Trustees) may be paid interest at a reasonable rate on money lent to the charity;
 - c) Members (including Trustees) may be paid a reasonable rent or hiring fee for property or equipment let or hired to the charity; and
 - d) Members (including Trustees) who are also beneficiaries may receive charitable benefits, but **only** in that capacity.
2. A Trustee must not receive any payment of money or other **material benefit** (whether directly or indirectly) from the charity except:

as mentioned in clauses 13.1 b) (interest), 13.1 c) (rent), 13.1 d) (charitable benefits) or 13.3 (salaries and contractual payments); reimbursement of reasonable out-of-pocket expenses (including hotel and travel costs) actually incurred in the administration of the Group; an indemnity in respect of any liabilities properly incurred in running the Group (including the costs of a successful defence to criminal proceedings);

3. A Trustee may be an employee of the charity and may enter into a contract with the Group to supply goods or services in return for a payment or other material benefit, but only if:

- a) the goods or services are actually required by the charity;
- b) the nature and level of the benefit is no more than reasonable in relation to the value of the goods or services and is set at a meeting of the Management Committee in accordance with the procedure in clause 14; and
- c) No more than one third of the Trustees are contracted by the group at any one time.

14. Disclosure on Interests

1. Any trustee, member, or any person serving upon any of the Committees having or expectation to have any personal financial interest in any matter for consideration, shall declare that interest, shall take no part in any debate upon that matter unless providing information upon request and not vote or count towards the quorum for that part of the meeting. The declaration of that interest and of the member's abstention shall be recorded.

15. Alteration of the Constitution

1. Alterations to the constitution shall be proposed by decision of the Management Committee but shall require the approval of one third of the full, voting members. A resolution for the alteration of the Constitution shall be received by the Secretary at least twenty-one days before the meeting at which the resolution is to be brought forward. The Secretary shall give members at least fourteen days notice of such a meeting and shall include notice of the alterations being proposed.
2. No amendment may be made to the name of charity, clause 1 (objects), clause 13 (Benefits to Members and Trustees), clause 14 (Disclosure on Interests), clause 16 (Dissolution) or this clause without the prior consent in writing of the Charity Commission.
3. No amendment may be made which would have the effect of making the Charity cease to be a charity at law.
4. The Management Committee should promptly send to the Charity Commission a copy of any amendment made under this clause.

16. Dissolution

1. Dissolution of the charity shall be proposed by decision of the Management Committee but shall require the approval of one third of the full, voting members.
2. At least twenty-one days notice shall have been given to all full members of any proposed resolution.
3. Such resolution may give instructions for the disposal of any assets held or in the name of Families Fighting for Justice provided that if any property remains after the satisfaction of all debts and liabilities such property shall not be paid to or distributed among the members of Families Fighting for Justice, but shall be given or transferred to such other charitable institution or institutions (having objects similar to some or all of the objectives of the group.) as Families Fighting for Justice may with the approval of the Charity Commissioners or other authority having charitable jurisdiction, determine.
4. If the proposal is confirmed the Management Committee shall then have the power to realize any assets held by or on behalf of the Charity. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Charity as the members of the

Charity may determine or failing that shall be applied for some other charitable purpose. A copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Charity Commissioners.

17. Arrangements until First AGM

1. Until the first AGM takes place this constitution shall take effect as if references in it to the Management Committee were references to the persons whose signatures appear at the bottom of this document.
2. This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

Signed

G. Taylor

13.01.10

Chair

Secretary

Treasurer

A. Jones ANDREW JONES

J. Lyell JOAN LYELL

J. Hopley JUNE HOPLEY

R. Tyson REBECCA TYSON

M. Burns MARIE BURNS

Amended 11th November 2022

J. Langford

Jacqueline Langford

Jane C Williams

Jane Williams