Te Rātā Atawhai
Charities Registration Board

Supplemental Decision of the Charities Registration Board: Officers of The Christian Church Community Trust CC25088

This supplemental decision should be read together with the Board's decision of 22 September 2026 to deregister the Christian Church Community Trust. This supplemental decision records the Board's decisions in relation to its intended decision to disqualify three former and two current Trustees of the Trust.

Status of decision: Final decision under the Charities Act 2005

Date: 22 September 2026

Members:
Jane Wrightson (Chair)
Vaiahu Tarita Hutchinson
Carolyn Risk

Executive Summary

1. In addition to deciding to deregister The Christian Church Community Trust (the Trust), the Charities Registration Board (the Board) has decided to proceed with its intended decision to disqualify Howard Temple from serving as an officer of a registered charity for a period of five years.

2. Having considered matters raised in their Objections, and whether it is in the public interest to proceed with its intended decision, the Board has decided not to proceed with its intended decision to disqualify two other former Trustees and two current Trustees.

3. The Trust supports the Gloriavale Christian Church Community (the Community) by way of governance and administration of the commonly owned assets such as land and buildings used by the Community. The Trust also owns and administers the Gloriavale Christian Community School that is attended by the children who live within the Community.

4. On 11 April 2025 the Board issued a Notice of Intended Decision (NOID) to Howard Temple, Fervent Stedfast, Joshua Disciple, Samuel Valor and Mark Christian, each current or former officers of the Trust, advising that it intended to make orders to disqualify them under section 36C of the Charities Act 2005 (the Act) on the grounds that they had engaged in serious wrongdoing in connection with the Trust.

5. The conduct which prompted the Board to consider disqualification rested on the findings of the Employment Court in *Courage v Attorney General* and *Pilgrim v Attorney General* and the decision of the Teachers Disciplinary Tribunal. These decisions relate to a number of unlawful employment practices, including the use of child labour in Trust owned businesses, and the failure of the Trust-owned school to report sexual offending against a child. The NOID set out that such conduct was a

breach of the duty of care owed to members of the Community and met the test for serious wrongdoing under the Act.

6. In June 2025 each of the Trustees filed an Objection to the Board's intended decision and exercised their statutory right to meet with the Board. The Objection Meeting was held on 1 and 2 September 2025 at which the Board received evidence from Trustees and legal submissions in support of their Objections. The Objection filed on behalf of Howard Temple was withdrawn.

7. The Trustees did not dispute that the events set out in the NOID occurred but submitted that the Trustees had not engaged in serious wrongdoing and it would not be in the public interest to disqualify any of the Trustees.

8. The Board has considered all the relevant information provided to it by the Department of Internal Affairs, the Trustees, and their representatives.

9. It is satisfied that the conduct set out in the NOID occurred and meets the test for serious wrongdoing in that it is conduct that constitutes gross negligence and gross mismanagement on the part of the Trustees.

10. The Board is satisfied that it is in the public interest to proceed with its intended decision to disqualify Howard Temple. It is not satisfied that it is in the public interest to proceed with its intended decision to disqualify Fervent Stedfast, Samuel Valor, Joshua Disciple and Mark Christian.

11. The Board has, therefore decided:

    a. to proceed with its intended decision to disqualify Howard Temple for a period of five years

    b. not to proceed with its intended decision to disqualify Fervent Stedfast

    c. not to proceed with its intended decision to disqualify Joshua Disciple

    d. not to proceed with its intended decision to disqualify Samuel Valor

    e. not to proceed with its intended decision to disqualify Mark Christian.

Timeline of events

12. In September 2024 the Department of Internal Affairs (the Department) reported to the Charities Registration Board (the Board) on its findings following an investigation it had completed into the management of the Trust.

13. The Trust was registered as a charity on 29 May 2008. It supports the Community by way of governance and administration of the commonly owned assets such as land and buildings used by the Community. The Trust also owns and administers the Gloriavale Christian Community School that is attended by the children who live within the Community.

14. In addition to recommending that the Board deregister the Trust, the Department made recommendation in relation to current and former Trustees of the Trust. The recommendation was on the grounds that as officers of the Trust they had engaged in acts or omissions that amounted to serious wrongdoing as defined by section 4 of the Act.

15. On 11 April 2025 after considering the recommendation of the Department, the Board decided to issue Notices of Intended Decision (NOID) to five former or current Trustees of the Trust. The

NOID advised that the Board intended to disqualify the following Trustees for a period of five years on the grounds that they had engaged in conduct in connection with the Trust that constituted serious wrongdoing as defined by the Act:

Officer	**Trustee period**
Howard Temple	17 March 1991 – 3 October 2019
Fervent Stedfast	21 March 1995 – 25 May 2021
Samuel Valor	6 November 2016 – 9 December 2022 18 March 2024 – onwards Current Chairperson at the time of the objections process
Mark Christian	6 November 2016 – 5 December 2019
Joshua Disciple	5 December 2019 - onwards

16. The respective NOIDs set out that the officers had each engaged in serious wrongdoing as defined by the Act by an act, omission, or course of conduct that is:

    a. oppressive and /or

    b. grossly negligent and/or

    c. constitutes gross mismanagement.

17. The NOIDs set out in some detail the findings of the Employment Court in *Courage v Attorney-General* and *Pilgrim v Attorney-General* (and the subsequent judgments identifying the employer), and of the Teachers Disciplinary Tribunal. These decisions related to a number of unlawful employment practices, including the use of child labour in Trust owned businesses, and the failure of the Trust owned school to report sexual offending against a child.

18. The NOIDs set out that these events demonstrated to the Board that the governance and management of the Trust fell well below the required standard of governance for a registered charity and established that the Trustees were in breach of their duty of care to members of the Community.

Objections to Intended Decisions

19. On 11 June 2025, solicitors for the officers lodged Objections to the NOIDs and advised they wished to be heard by the Board. Prudent Stedfast submitted an Objection to the proposed disqualification of his father, Fervent Stedfast, acting in a representative capacity on his behalf.

20. By letter dated 8 August 2025, representatives for the Trust and officers advised that Howard Temple wished to withdraw his Objection to the intended decision.

21. The Objection made on behalf of Joshua Disciple was that he had not engaged in serious wrongdoing in connection with the Trust because:

    a. The date/s at which the alleged facts said to evidence "serious wrongdoing" are historic. Comprehensive reform has been undertaken since the alleged events, led by Mr Valor and his co-Trustees.

    b. The Board had not taken into account relevant evidence including significant and material changes to the Trust and Community operations and a high degree of co-operation and compliance with all relevant regulators and government departments. Mr Disciple's role in this work is important, and he has achieved significant and material change to the wellbeing of those in the Community and in the governance of the Trust.

c. The evidence relied on by the Board is included in judgements to which Mr Disciple was not a party. The *Pilgrim* decision is not final and is awaiting a hearing in the Court of Appeal.

d. The Board has attributed the acts or omissions of individuals and entities to Mr Disciple without regard, or without sufficient regard, to whether those acts or omissions are 'in connection with" the Trust, and his role in the Trust.

e. Mr Disciple has not engaged in serious wrongdoing. He has worked hard, along with the other Trustees, to achieve change to the Community he grew up in.

22. The Objection also submitted that it was not in the public interest to disqualify Mr Disciple on the grounds:

a. Mr Disciple assumed his role in 2019. He undertook the role as part of the need identified by Charities Services for new Trustees and improved governance in its review of 2016.

b. The Decision would impact the governance of the Trust which provides facilities for over 560 individuals, including significant numbers of children, elderly and infirm individuals. Alternative governance arrangements will be required – in circumstances where the present Trustees have built skills and knowledge as well as a comprehensive understanding of their responsibilities and roles.

c. A fundamental principle of a free and democratic society is a tolerance of individuals and groups that are different from mainstream society. That includes groups of minorities including religious minorities. The decision (in so far as it links the religious beliefs of the Community with the Trust) does not permit the facilitation and support of such minorities.

d. The public interest is served by full and frank engagement with regulators and governmental agencies. Mr Disciple on behalf of the Trust, and in his personal capacity, has actively engaged with every agency, worked constructively between the Community, the Trust and regulators to make the changes requested and required. Disqualification will dissuade those with skills from assuming difficult and challenging roles, particularly where there is significant regulatory scrutiny within an organisation and the need for change.

23. The Objection made on behalf of Samuel Valor was that he had not engaged in serious wrongdoing in connection with the Trust because:

a. The date/s at which the alleged facts said to evidence "serious wrongdoing" are historic. Comprehensive reform has been undertaken since the alleged events, led by Mr Valor and his co-Trustees.

b. The Board had not taken into account relevant evidence including significant and material changes to the Trust and Community operations and a high degree of co-operation and compliance with all relevant regulators and government departments. Mr Valor's role in this work is important, and he has achieved significant and material change to the wellbeing of those in the Community and in the governance of the Trust.

c. The evidence relied on by the Board is included in judgements to which Mr Valor was not a party. The Pilgrim decision is not final and is awaiting a hearing in the Court of Appeal.

d. The Board has attributed the acts or omissions of individuals and entities to Mr Valor without regard, or without sufficient regard, to whether those acts or omissions are 'in connection with" the Trust, and his role in the Trust.

e. Mr Valor has not engaged in serious wrongdoing. He has worked tirelessly and relentlessly to achieve change to the Community he grew up in, which he has achieved at significant personal cost.

24. The Objection also submitted that it was not in the public interest to disqualify Mr Valor on the grounds:

a. That Mr Valor assumed his role as a result of the suggestions of Charities Services following an investigation in 2015-2016. He assumed the role of Trustee in November 2016, becoming Chair is October 2019 until December 2022 and then again from March 2024 to present.

b. The Decision would impact the governance of the Trust which provides facilities for over 560 individuals, including significant numbers of children, elderly and infirm individuals. Alternative governance arrangements will be required – in circumstances where the present Trustees have built skills and knowledge as well as a comprehensive understanding of their responsibilities and roles.

c. A fundamental principle of a free and democratic society is a tolerance of individuals and groups that are different from mainstream society. That includes groups of minorities including religious minorities. The decision (in so far as it links the religious beliefs of the Community with the Trust) does not permit the facilitation and support of such minorities.

d. The public interest is served by full and frank engagement with regulators and governmental agencies. Mr Valor on behalf of the Trust, and in his personal capacity, has actively engaged with every agency, worked constructively between the Community, the Trust, and regulators to make the changes requested and required. Disqualification will dissuade those with skills from assuming difficult and challenging roles, particularly where there is significant regulatory scrutiny within an organisation and the need for change.

25. The Objection made on behalf of Mark Christian submitted that he had not engaged in serious wrongdoing in connection with the Trust because:

a. The date/s at which the alleged facts said to evidence "serious wrongdoing" are historic.

b. Comprehensive reform has been undertaken since the alleged events, led by the Trustees, including Mr Christian during the time he was a Trustee.

c. The evidence relied on by the Board is included in judgements to which Mr Christian was not a party. The *Pilgrim* decision is not final and is awaiting a hearing in the Court of Appeal.

d. The Board has attributed the acts or omissions of individuals and entities to Mr Christian without regard, or without sufficient regard, to whether those acts or omissions are 'in connection with" the Trust, and his role in the Trust.

e. Mr Christian has not engaged in serious wrongdoing. He has worked as part of the Trust Board to take advice, make changes and he has worked tirelessly and relentlessly to achieve change in the Community he grew up in, which he has achieved at significant personal cost.

26. The Objection also submitted that it was not in the public interest to disqualify Mr Christian on the grounds that:

a. Mr Christian assumed his role as a result of the recommendations of Charities Services as a result of a review in 2016. He ceased his role in 2019. He has not been a Trustee since that time and has no intention of assuming that role. Individuals ought not be dissuaded from undertaking role in organisations that are facing difficulties, particularly when government agencies have asked individuals to step forward.

b. The public interest is served by full and frank engagement with regulators and governmental agencies. Disqualification will dissuade those with skills from assuming difficult and challenging roles, particularly where there is significant regulatory scrutiny within an organisation and the need for change.

27. The Objection made on behalf of Fervent Stedfast submitted that it was not in the public interest to disqualify Mr Stedfast as it would serve no purpose and:

a. Mr Stedfast is suffering from dementia. As such, he is not able to undertake any legal functions, and lacks capacity.

b. Mr Stedfast has not been a Trustee since 2021. Section 96 of the Trusts Act precludes his appointment as a Trustee given his lack of capacity. As such, disqualification would serve no purpose, other than a punitive one.

c. Disqualification of Mr Stedfast in not in the public interest. There is no public interest in seeking to disqualify a person from holder an office that they are already barred from by another statute.

d. For the avoidance of doubt, on behalf of Fervent Stedfast, any serious wrongdoing is also denied.

28. Over two days on 1 and 2 September 2025 (the Objection Meeting) the Board met with Samuel Valor, Mark Christian and Joshua Disciple and officers of the Trust to allow them to present information to support the Objections.

29. At the Objection Meeting the legal representative of the Trustees confirmed that the Objection filed on behalf of Howard Temple had been withdrawn and he would take no part on the Objection process. He also advised the Board of a factual error in the NOID. One issue referred to in the NOID attributed the behaviour to Fervent Stedfast when it should have referred to Just Standfast.

30. The Board has noted the correction and apologises to Fervent Stedfast for the error. The Trust did not otherwise dispute the factual matters set out in the NOID and its Counsel accepted serious wrongdoing had occurred in connection with the Trust.

31. On behalf of the officers, 65 additional documents were provided to the Board, including a statement from Samuel Valor in respect of his individual role, and a statement from Mark Christian. A written submission on behalf of Fervent Stedfast was provided by his son, Prudent Stedfast.

32. Samuel Valor and Mark Christian read their statements during the Objection Meeting and answered questions from the Board. Joshua Disciple made oral submissions by way of answering questions from his Counsel Richard Raymond KC.

33. Statements were also made by CEO Phil Jamieson and independent Trustee Colin Smith in support of the current Trustees. Mr Smith also provided his views on the capability of Trustees Samuel Valor, Mark Christian, and Joshua Disciple.

Legal framework

34. The Board is a statutory entity established by the Charities Act 2005 (the Act). It can only act in accordance with the powers given to it by the Act and consistent with the purpose of the Act, which is to:

    a. promote public trust and confidence in the administration of the Charities Act

    b. encourage and promote the effective use of charitable resources

    c. provide for the registration of societies, institutions, and Trustees of trusts as charitable entities

    d. require charitable and certain other persons to comply with certain obligations

    e. provide for the Board to make decisions about the registration and deregistration of charitable entities and to meet requirements imposed in relation to those functions and

    f. provide for the chief executive to carry out functions under this Act and to meet requirements imposed in relation to those functions.

35. The power to disqualify an officer is separate from a decision of the Board to deregister the Trust. Section 36C(1)(a) of the Act provides that the Board may disqualify an officer of a charitable entity for a period not exceeding five years if the Board is satisfied that the officer has engaged in serious wrongdoing in connection with the entity.

36. To decide to issue a Notice of Intended Decision to disqualify on the grounds of serious wrongdoing, the Board must be satisfied that:

    a. the person was an officer of the charitable entity and

    b. the person has engaged in serious wrongdoing and

    c. that serious wrongdoing was in connection with the entity.

37. The Act does not require that the course of conduct said to constitute serious wrongdoing must be current or continuous, only that it has occurred. The Board may properly consider historic acts when assessing whether there are grounds to disqualify a Trustee.

38. For the purpose of the Act serious wrongdoing is defined to include an act, omission, or course of conduct by a person that:

    a. is oppressive or

    b. is grossly negligent or

    c. constitutes gross mismanagement.

39. The Act does not define the legal test to be applied when the Board considers whether particular conduct amounts to serious wrongdoing under the Act. There are no precedents that consider the test required under the Act, but the Courts have considered provisions in similar legislation, such as the Trustees Act and the Protected (Protection of Whistleblowers) Disclosures Act.

40. The Trusts Act states that in considering whether conduct amounts to gross negligence the necessary question is whether the Trustee's conduct was so unreasonable that no reasonable Trustee in the same position would have considered the conduct to be in accordance with the role and duties of a Trustee.

41. There is no single threshold for gross mismanagement, but the Board considers it requires a marked departure from expected standards of due diligence, care and sound management expected from the officer holder. A course of conduct that breaches those standards and significantly impacts on beneficiaries would constitute gross mismanagement.

42. The threshold for a finding that conduct constitutes serious wrongdoing is high, but it does not require the criminal standard of proof to be met. Criminal conduct may constitute serious wrongdoing but behaviour that does not meet the criminal standard may constitute serious wrongdoing under the Act.

43. The Board considers that for conduct to constitute serious wrongdoing under the Act it need not amount to criminal behaviour, but must:

    a. be serious and be more than minor in scope or effect

    b. undermine trust and confidence in the charitable sector.

44. The Board must also consider whether it is in the public interest for it to proceed with its intended decision. To determine the public interest the Board is guided by the purpose of the Act, in particular promoting public trust and confidence in the administration of the Act.

Evidence available to the Board

45. The Board has been provided with evidence relevant to its decision from a range of sources. The Board has considered:

    a. the information provided by the Department when it recommended that the Board deregister the Trust

    b. the decisions of the Employment Court in *Pilgrim* and *Courage*

    c. the decision of the Teachers Disciplinary Tribunal

    d. interviews with current and former Community members

    e. information provided by the Trustees in their Objections and at the Objection Meeting

    f. information from officials leading cross-agency engagement with the Community

    g. evidence from the Royal Commission into faith-based institutions[1] and

    h. documents held by other agencies or already in the public domain.

Grounds to disqualify

46. To proceed with its intended decision the Board must be satisfied that the grounds set out in the NOID are established. The grounds set out in the NOID are events that occurred in the Community between 2006-2021 (*Courage)* and 1985-2021 (*Pilgrim).* The Board notes that although the most

[1] The events covered by the Royal Commission are historic and predate the Trust's registration, as noted in para 13 of the NOID. The Board did not rely on the findings of the Commission or any adverse comments contained in the Commission's report when making its decisions under the Charities Act.

egregious conduct referred to in the NOID relates to events that are historic, some, or all, of the events set out in the NOID occurred at a time when all the named officers were Trustees.

47. The Board also accepts that the earliest part of the conduct referred to occurred before independent Trustees were appointed, and that the Trust and Trustees have taken active steps since the appointment of independent Trustees to improve the governance of the Trust.

48. However, as noted above, the Act does not require that the course of conduct said to constitute serious wrongdoing must be current or continuous, only that it has occurred and that it meets the test for wrongdoing.

49. The Trustees did not dispute that the conduct referred to in the NOID had occurred, but submitted that Fervent Stedfast, Joshua Disciple, Samuel Valor and Mark Christian had not engaged in serious wrongdoing as defined by the Act.

50. The most fundamental obligation of a Trustee is to act in accordance with the purposes and objects of the Trust they govern. The Trustees had an obligation to act in the best interests of the members of the Community to who they owed a duty of care. The Trustees did not meet that obligation.

51. The Board is satisfied that at the time of the events set out in the NOID, the Trustees allowed funding provided by the Trust to support the Community to operate in ways that have been found to be unlawful. The Board is also satisfied that the conduct found to be unlawful by the Employment Court was inconsistent with the wellbeing and best interests of those to whom the Trustees owed a duty of care.

52. This is established by the findings set out in the *Courage* and *Pilgrim* decisions of the Employment Court and the findings of the Teachers Disciplinary Tribunal Complaints Assessment Committee.

53. The Board notes that three of the Trustees served with a NOID (Mr Temple, Mr Stedfast, Mr Christian) were identified in those Employment Court proceedings as active participants in decision making about the unlawful working conditions in businesses funded by the Trust.

54. The Objection filed by Mr Temple was withdrawn so there was no challenge on his behalf to the matters set out in the NOID. The Board records that Mr Temple engaged in conduct that amounted to serious wrongdoing as defined by the Act.

55. Having considered all relevant information provided to it in relation to the remaining Trustees, the Board is satisfied that the test for serious wrongdoing has been met. It is satisfied that the conduct of each of those Trustees set out in the NOID has been established and amounted to gross negligence and gross mismanagement. The Board is satisfied that no reasonable Trustee would have considered it reasonable that trust funds be applied to support conduct that was inconsistent with the wellbeing and legal rights of those to whom the Trustees owed a duty of care.

56. The Board has considered other matters raised by the Objections when determining the public interest in deciding to proceed with its intended decisions. Its conclusions are set out below.

Public interest

57. The Act requires the Board to be satisfied that it is in the public interest to proceed with its intended decision, but it does not set out criteria relevant to determining what is in the public interest. The

concept of public interest imports broader notions than strict compliance with the regulatory obligations imposed on charities.

58. In determining what is in the public interest it is appropriate to consider the purpose of the Act, which is to:

    a. promote public trust and confidence in administration of the Charities Act

    b. encourage and promote the effective use of charitable resources

    c. to provide for the registration of societies, institutions, and Trustees of trusts

    d. to require charitable entities and certain other persons to comply with certain obligations.

59. What is in the public interest in relation to a decision under the Charities Act must be considered in the context of that decision – the purpose the decision is intended to promote, the impact and consequences of that decision, and the implications of the decision for the wider, systemic consideration of promoting trust and confidence in the charitable sector.

60. Determining whether it is in the public interest to disqualify an officer requires the Board to balance competing interests, each of which represent important and valid factors to be considered. The Board has taken particular account of the need to promote public trust and confidence in the charitable sector.

61. Relevant considerations in relation to each officer include the seriousness of the officer's conduct, the need to maintain public trust and confidence in the charitable sector, the importance of upholding expected governance standards, the extent to which the concerns have been remedied, the impact on those affected by the decision, and whether alternative regulatory responses would adequately address the concerns.

62. At the Objection Meeting, on behalf of the officers, Counsel made specific submissions in relation to public interest as set out above. The Board has considered each of these matters.

63. The Board recognises the right of the Community to exist as religious minority within a free and democratic society. The Board does not have jurisdiction to regulate or monitor the operation of the Community, and this decision does not seek to do so. The Board does not accept that tolerance toward individuals and groups different from mainstream society requires it to excuse the Trustees from meeting the legal obligations they assumed as office holders in the Trust.

64. On behalf of the Trustees, it was also submitted that it was not in the public interest to disqualify them as it was in the public interest to maintain full and frank engagement with regulators and governmental agencies. The Board is only responsible for engaging with the Trust in respect of its eligibility as a charitable entity. It is in this limited role that the Decision is made.

65. The Board considers that it is in the public interest for it to ensure that all officers of a Trust discharge the obligations required of them with the diligence and rigour required to promote trust and confidence in the charitable sector.

66. The Board has determined that it is in the public interest to proceed with its intended decision to disqualify Howard Temple for a period of five years.

67. The Board has determined that it is not in the public interest for it to proceed with its intended decision to disqualify Fervent Stedfast, Joshua Disciple, Mark Christian or Samuel Valor.

68. The reasons for these decisions are set out below.

Howard Temple

69. The Objection on behalf of Howard Temple was withdrawn but the Board must still consider whether it is in the public interest to proceed with its decision to disqualify him. It was submitted on his behalf that a fundamental principle of a free and democratic society was to tolerate individuals and groups that are different from mainstream society. It was submitted that it was not in the public interest to disqualify him because such a decision would not permit the "facilitation and support" of religious minorities as required by this principle.

70. The Board is required to administer the Charities Act and promote its purpose. In particular, the Board is required to exercise its authority to ensure compliance with obligations imposed by that Act.

71. As noted above, the Board recognises the right of the Community to exist as religious minority within a free and democratic society. The Board does not have jurisdiction to regulate or monitor the operation of the Community, and this decision does not seek to do so.

72. Howard Temple was both the Chair of the Trust and the Overseeing Shepherd of the Community for key periods of time relevant to the events set out in the *Pilgrim* and *Courage* decision. He was a Trustee from 1991. His role in the Leadership Group of the Community meant he was fully informed of the operating model of the Community and how funding provided by the Trust was being applied. He was a defendant in both the *Courage* and *Pilgrim* Employment Court proceedings and was considered to be the employer of the claimants in those proceedings.

73. He has not disputed that the matters set out in the NOID occurred nor that they amount to serious wrongdoing as defined by the Charities Act. The Board is, therefore, satisfied that the grounds set out in the NOID are established and that Mr Temple engaged in conduct that was oppressive, grossly negligent and amounted to gross mismanagement.

74. The Board is satisfied that as Trustee, Mr Temple failed to maintain appropriate governance, health and safety, and safeguarding arrangements to protect those to whom he owed a duty of care and whose interests were intended to be advanced by the Trust, including young persons involved in Trust-owned businesses and the school. The Board considers that these failures contributed to the conditions and treatment described in the decisions cited in the NOID.

75. The Board does not accept that it is relevant to consider that Mr Temple has advised that he has no intention of being a Trustee of any charitable entity. The Board has no power to enforce such an undertaking. Accordingly, a Trustee's stated intention not to serve in future cannot be accepted by the Board as a reason not to impose a period of disqualification if the Board is satisfied that there are grounds for disqualification.

76. Nor does it accept that disqualification would serve no purpose. Disqualification is the primary means by which the Board is able to clearly identify behaviour that does not meet the standards required by the Act and discharge its responsibility to promote trust and confidence in the sector. To not sanction behaviour of the kind conceded by Mr Temple would be to fail to discharge that statutory responsibility.

77. The Board gives significant weight to the seriousness of the wrongdoing, the impact of the conduct on the beneficiaries, the scope of the leadership role exercised by Mr Temple both within the Community and the Trust, and the importance of maintaining public trust and confidence in charitable entities and their officers.

78. The Board is satisfied that as a Trustee Mr Temple did not operate at arm's length from the Community and did not exercise the judgement and independence required of him as a Trustee.

79. His failure as a Trustee to act in the best interests of the beneficiaries was of a scale that must attract the highest penalty the Board can impose. The Board considers that disqualification is an important tool available to it to enforce the standards required of officers of charitable entities and ensure that the wider community can have confidence that the relevant legal standards are maintained.

80. Having regard to the seriousness of the wrongdoing, the leadership positions held by Mr Temple within the Trust and the Community, and the need to maintain public trust and confidence in charitable entities and their officers, the Board considers that it is in the public interest to proceed with its intended decision to disqualify Mr Temple.

81. The Board has decided to proceed with its intended decision to disqualify Howard Temple under section 36C of the Charities Act 2005 for a period of five years.

Fervent Stedfast

82. Mr Stedfast was a Trustee from 21 March 1995 – 25 May 2021 and also held leadership positions within the Community during that period. The Board considered that Mr Stedfast's role in the Community for the period considered in the *Pilgrim* judgment demonstrates that he worked closely with the Overseeing Shepherd and was closely involved in the running of the Community. He was aware of how funding provided by the Trust was applied within the Community.

83. The Objection filed on behalf of Mr Stedfast was not withdrawn so the Board has considered matters raised in the Objection. It did not dispute the matters set out in the NOID but did deny that they amounted to serious wrongdoing as defined by the Act by Mr Stedfast. The Objection on behalf of Mr Stedfast submitted that it was not in the public interest to disqualify Mr Stedfast because:

    a. he is suffering from dementia and is not able to undertake any legal functions and lacks capacity

    b. he has not been a Trustee since 2021 and his health status would legally prevent him from serving as a Trustee for any entity

    c. disqualification would serve no purpose other than a punitive one.

84. The Board accepts that Mr Stedfast's current health and capacity mean that Mr Stedfast cannot again seek to exercise Trustee functions for any entity. It also accepts that his health and capacity will not improve from its current state. This ensures that the Board does not need to take action to prevent Mr Stedfast from assuming the role of a Trustee in the future.

85. The Board notes Mr Stedfast's significant involvement in the operation and oversight of the Trust's business activities, including his role as a director of Harvest Honey Limited and evidence that he was a key person involved in the business operations of the Community.

86. It also notes that Mr Stedfast, like Mr Temple, occupied positions of responsibility both within the Trust and the Community. His role as a member of the senior leadership team within the Community meant he was aware that funding provided by the Trust was being applied in support of conduct that was identified by the Courts as unlawful and inconsistent with the best interests and legal rights of beneficiaries.

87. Mr Stedfast was not a Trustee during the time in which the Trust made active steps to improve its governance. The Board finds that his failure as a Trustee to act in the best interests of the beneficiaries was of the same magnitude as that of Mr Temple.

88. The Board considers that disqualification is an important tool available to it to enforce the standards required of officers of charitable entities and ensure that the wider community can have confidence that the relevant legal standards are maintained. The Board does not accept that it is not consistent with the public interest for disqualification to be imposed for a punitive purpose. Non-compliance with obligations to vulnerable third parties should be met with consequences, even if punitive in nature.

89. The Board has been advised by representatives of Mr Stedfast that his mental state means he is unable to serve again as a Trustee. A period of disqualification would, therefore, be a legal nullity and it is not in the public interest to make an order that has no legal effect.

90. As noted above, the Board considers the conduct of Mr Stedfast to be of the same degree of seriousness as that of Mr Temple. The Board records that but for the mental state of Mr Stedfast it would have imposed a period of disqualification of five years to reflect his leadership role within the Trust and the Community and the seriousness of his conduct.

91. The Board has decided it is not in the public interest for it to proceed with its intended decision to impose a period of disqualification solely because his state of health means that such an order would have no legal effect and it is not in the public interest to make an order that is a legal nullity.

Joshua Disciple

92. Joshua Disciple (Mr Disciple) has served as a Trustee since 2019. Mr Disciple was a director of the Trust's business Apetiza Limited. He is a director of the Trust's business, Canaan Farming. The Board was advised that his contribution to the work of the Trust draws on his understanding of the businesses owned by the Trust and operated by the Community.

93. The Board has considered whether it is in the public interest to proceed with a disqualification order in relation to Mr Disciple.

94. The Board accepts that Mr Disciple has been a Trustee during the time the Trust has undertaken reform of its governance and has sought to lead reform within the Community. The Board recognises that he has supported these steps and that some of the matters set out in the NOID occurred before he became a Trustee. It also accepts that Mr Disciple was not a primary decision maker within the Trust or the Community for the time relating to the main events set out in the NOID.

95. The Board has considered the evidence provided by Mr Disciple during the Objection process and acknowledges the efforts he described in relation to employment practices, health and safety matters, and operational improvements.

96. The Board accepts that Mr Disciple is genuine in his commitment to contribute to effective governance of the Trust and to support the change processes within the Community. His role appeared to be more of a technical advisor in relation to the operation of businesses funded by the Trust.

97. The Board has considered the submissions made on behalf of Mr Disciple in relation to Mr Disciple. It acknowledges that Mr Disciple became a Trustee following a review undertaken by Charities Services at a time when the trust faced challenges and the need for change. It does not believe it would be in the public interest if decisions of the Board made it more likely that capable individuals are dissuaded from supporting Trusts address challenges that they faced, based on decisions made by earlier Trustees.

98. The Board has found that Mr Disciple did engage in conduct as a Trustee that amounted to serious wrongdoing as defined by the Act, which clearly signals that his behaviour is inconsistent with his obligations as a Trustee under the Act. To proceed to make its intended decision to impose a period of disqualification on Mr Disciple the Board must be satisfied that it is in the public interest to do so.

99. The Board has considered the matters raised in his Objection and decided that it is not in the public interest to proceed with its intended decision to make a disqualification order in relation to Mr Disciple.

100. The Board notes that the Act provides it with limited sanctions when considering conduct on the part of Trustees. The Board does not have the ability to impose any penalty or sanction other than disqualification. Had a lesser penalty been available to the Board, it would have given active consideration to imposing such a penalty.

Samuel Valor

101. Samuel Valor (Mr Valor) was appointed as a Trustee of the Trust on 6 November 2016 and became Chair in October 2019. He resigned from the Trust's Board on 9 December 2022 due to fatigue and health-related reasons. In 2024, he returned to the Board and resumed his role as Chair.

102. Mr Valor was a defendant in both the *Courage* and *Pilgrim* Employment Court proceedings. He was a director of two companies associated with the Trust that were named as defendants in those proceedings and was thus aware of how the businesses operated.

103. Mr Valor attended the Objections meeting on 1 and 2 September and answered questions from the Board. The Board has considered his Objection statements, both in support of the Trust and on his own behalf, and his responses to the additional enquiries report.

104. Mr Valor submitted that his disqualification was not in the public interest. He emphasised the reforms he had supported, his ongoing role in implementing governance change, and the potential impact that his disqualification would have on the Trust's current governance arrangements.

105. The Board has found that Mr Valor did engage in conduct as a Trustee that amounted to serious wrongdoing as defined by the Act, which clearly signals that his behaviour is inconsistent with his obligations as a Trustee under the Act.

106. It must now consider whether it is in the public interest to proceed with its decision to impose a period of disqualification on Mr Valor. The Board has also considered evidence provided by others during the Objection process about Mr Valor's role, conduct, and contribution to governance reform. Independent Trustee Colin Smith said that he had seen improvements in Mr Valor's governance capability during the time he served with him on the Trust. Mr Smith also stated that

Mr Valor has the requisite skill set and experience needed to fulfil the role of Chair and that he had “reservations as to who would be able to replace his role as not only Chair, but also as a Trustee”.

107. The Board has carefully considered Mr Valor's role within the Trust, including his positions as Trustee and Chair. It has considered the substantial governance reforms undertaken by the Trust and Mr Valor's role in supporting and implementing those reforms. The Board accepts that the information presented to it at the Objection Meeting establishes that Mr Valor has supported steps to improve the independent governance of the Trust. He has also supported the work of the independent Chief Executive to develop policies to promote the wellbeing of beneficiaries.

108. The Board notes the evidence of Mr Smith that Mr Valor has developed his governance capability and has worked to develop his understanding of the role. He demonstrated to the Board an understanding of the distinction between a leadership role within the Community and the obligations of a Trustee. The Board also heard evidence of the personal cost to Mr Valor of discharging his role as a Trustee.

109. The Board accepts that Mr Valor has led meaningful governance changes, including the appointment of independent Trustees, appointment of an independent Chief Executive, amendments to governance arrangements, strengthening of safeguarding and accountability arrangements, and increased engagement with external agencies.

110. The Board heard directly from Mr Valor during the Objection process and found his evidence genuine and persuasive. The Board accepted that he demonstrated a genuine commitment to improving the operation of the Trust and ensuring that it operates lawfully and independently.

111. The Board gives substantial weight to these matters. It takes particular account of the evidence that the Community has limited access to those with the requisite skills to exercise governance roles and recognises that Mr Valor is one who has such skills.

112. Taking all relevant circumstances into account, the Board is not satisfied that it is in the public interest to proceed with a disqualification order in relation to Mr Valor.

113. The Board has decided not to proceed with its intended decision to make a disqualification order in respect of Samuel Valor.

114. The Board notes that the Act provides it with limited sanctions when considering conduct on the part of Trustees. The Board does not have the ability to impose any penalty or sanction other than disqualification. Had a lesser penalty been available to the Board, it would have given active consideration to imposing such a penalty.

Mark Christian

115. Mark Christian (Mr Christian) assumed the role of Trustee of the Trust from 6 November 2016 and resigned in October 2019. He has not been a Trustee since that time and has stated that he has no intention of assuming that role.

116. Before his appointment as a Trustee, Mr Christian held roles within the Community and in relation to Trust-connected activities.

117. In his Objection Mr Christian submitted that it would not be in the public interest to disqualify him as he had not been a Trustee since 2019 and did not intend to assume the role again. He submitted that disqualifying him would also act to discourage others from assuming such roles.

118. As noted earlier the Board does not accept that it is relevant to consider that Mr Christian has advised that he has no intention of being a Trustee of any charitable entity. A Trustee's stated intention not to serve in future cannot determine whether a period of disqualification is imposed by the Board and the Board has no power to enforce such an undertaking.

119. The Board heard directly from Mr Christian during the Objection process. It found his evidence genuine and persuasive and accepted that he demonstrated a commitment to reform and improved governance arrangements.

120. The Board has found that Mr Christian did engage in conduct as a Trustee that amounted to serious wrongdoing as defined by the Act, which clearly signals that his behaviour is inconsistent with his obligations as a Trustee under the Act. It must now consider whether it is in the public interest to proceed with its decision to impose a period of disqualification on Mr Christian.

121. The Board accepts that meaningful changes have occurred since the events set out in its Notice of Intended Decision. It further accepts that Mr Christian has supported initiatives intended to improve governance, accountability, and the wellbeing of Community members.

122. The Board gives weight to the evidence that Mr Christian has supported and engaged with reform efforts rather than resisting them. It accepts that it should balance the need to sanction actions not consistent with the standard required of office holders under the Act with the need not to discourage those with the skills to contribute to effective governance of Trusts from doing so.

123. The Board has also taken into account the limited period during which Mr Christian served as a Trustee, the passage of time since that service, and his lack of current involvement in the governance of the Trust. It accepts his statement that he does not intend to act as a Trustee again and accordingly attributes limited weight to the need to impose a disqualification order as a protective measure.

124. The Board acknowledges that Mr Christian assumed the role of a Trustee at a time of crisis for the Trust and was willing to support the work to build capability and capacity within the Trust. The Board accepts it is important to ensure that individuals with governance capability remain willing to accept governance roles for Trusts even if a Trust is facing regulatory or operational challenges. It does not believe it would be in the public interest if decisions of the Board made it more likely that capable individuals are dissuaded from supporting Trusts address challenges that they faced, based on decisions made by earlier Trustees.

125. The Board must be satisfied that it is in the public interest to proceed to disqualify Mr Christian from being a Trustee for a defined period of time. Having considered all of the circumstances, for the reasons set out above, the Board is not satisfied that a disqualification order is in the public interest.

126. The Board has decided not to proceed with its intended decision to make a disqualification order in respect of Mark Christian.

127. The Board notes that the Act provides it with limited sanctions when considering conduct on the part of Trustees. The Board does not have the ability to impose any penalty or sanction other than disqualification. Had a lesser penalty been available to the Board, it would have given active consideration to imposing such a penalty.

Decision of the Board

128. The Board has therefore decided to proceed with its intended decision under section 36(c) of the Charities Act 2005 to order that Howard Temple be disqualified from being an officer of a charitable entity for a period of **five years**.

129. The disqualification will take effect from 23 September 2026.

130. A notice of disqualification, and the Board's decision in respect to trustees will be published in accordance with the Act and the Board's usual processes.

Right to Appeal

131. A person or entity may appeal a decision of the Board under section 58A of the Charities Act 2005.

132. To appeal, the appellant must lodge a formal notice of appeal with the Taxation and Charities Review Authority no later than two months after the date of this decision, in accordance with section 58B(1)(a) of the Charities Act.

133. More information is available on the Ministry of Justice website: Starting an Appeal | New Zealand Ministry of Justice.

134. This decision is made by the Charities Registration Board.

Jane Wrightson
Chair, Charities Registration Board