



Favourite Cases: *Re Grove-Grady*

07.08.2020



Francesca Quint

Call: 1970

Barrister

Francesca Quint is best known as a specialist in charity law, an area in which she has been working for the whole of her career to date. Charity law naturally overlaps with distinct areas of law in which Francesca also practises which impinge on the activities of charities.

Reported at [1929] 1 Ch 557

A testator left Brownsea Island, in Poole Harbour, Dorset, to her trustees on trust to be used as a wildlife sanctuary where birds and animals could live unmolested by human beings. The court held it was not a charitable trust. Trusts for the benefit of animals were only charitable because of the moral lesson they provided for human beings, teaching compassion and kindness: see for example *Re Wedgwood* [1915] 1 Ch 113, where a trust for the rescue of cats and kittens in need of care and attention was held to pass the test 'with honours'. The court held that if all the animals and birds were living together without human management the big animals would eat the little animals and there would be no moral lessons for human beings.

Charity law later developed so that it is now charitable to provide a nature sanctuary, not because it promotes animal welfare but because it preserves the environment, rare species etc.

Brownsea Island is now a well known nature reserve belonging to the National Trust and managed in part by the Dorset Wildlife Trust. It is known for its red squirrels and kingfishers but apart from providing a natural home for birds and animals it is also open to the public in part and there is overnight accommodation for a few human beings.

Reading the case of *Grove-Grady* convinced me as a law student that charity law was my favourite subject.

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