



The Royal British Legion – Written Evidence

For Commission on Civil Society and Democratic Engagement

October 2013

Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill: Part II - Non-Party Campaigning

I. Executive summary

The Royal British Legion (the Legion) is concerned that provisions in the *Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill* will:

- i. Significantly and, in our view, unacceptably widen the scope of activities which are likely to be caught by the new rules.
- ii. Dramatically reduce expenditure thresholds.
- iii. Significantly increase the regulatory burdens placed on charitable organisations

II. About The Royal British Legion – general

The Legion aims to be, 'The No. 1 provider of welfare, comradeship, representation and Remembrance for the Armed Forces community'. We are one of the UK's largest membership organisations and provide financial, social and emotional support to millions who have served and are currently serving in the Armed Forces, and their dependants. In 2011/12 the Legion awarded grants to 25,300 beneficiaries and spent on average £1.6m per week on its welfare work.

III. About The Royal British Legion - campaigning

The Legion promotes policies and commitments that will improve the welfare of members of the Armed Forces, former members of the Armed Forces, and their families. In the past, we have produced our own manifesto on Armed Forces welfare and we have asked candidates to sign a public pledge indicating their commitment to the welfare of Armed Forces personnel.

The Legion attempts to inform the debate on Armed Forces Welfare. We aim to raise the profile of Armed Forces welfare and raise it up the list of priorities amongst those with the potential to make decisions that could affect our beneficiaries.

The Royal British Legion was founded in 1921 to campaign for the employment conditions of service personnel returning from World War One. 92 years on, campaigning on behalf of our beneficiaries remains a key pillar of our activity and an important charitable objective.

IV. Regulatory burdens

The 'political' behaviour of charities is already strictly controlled by the Charity Commission, regardless of proximity to an election. The Legion appreciates the Government's aim to

remove 'big money' from politics. We do not believe that charities should be regulated out of fulfilling their charitable objectives.

The regulation of charities is separate and already covered by the Charity Commission. Ideally, charities would be regulated by just one regulator. Further regulation only adds to the administrative burden charities have to bear. Even the Legion, a relatively large charity, does not have a dedicated administrative function within its campaigns team.

V. Spending limits and definition

Spending limits, if required, should relate to a percentage of total annual expenditure of the organisation.

We would prefer a definition which regulated only activity which can reasonably be regarded as intended for the primary purpose of promoting or procuring electoral success.

VI. Example

In the build up to the 2010 general election, the Legion successfully persuaded almost three quarters of MPs, including the leaders of the three leading political parties, to sign up to our 'Time to do your bit' campaign.

The campaign was not policy-specific; rather it simply invited candidates to pledge to do their bit – whatever that might be – on behalf of the Armed Forces. MPs that made a pledge had their photo taken with a pledge card and this was then used as publicity in constituency media. A list of those candidates who had signed up to the campaign was also published on the Legion's website.

Had we conducted this campaign under the proposed new rules, it is highly likely that we would be considered to have influenced a candidate's election result, despite our campaign being entirely party politically neutral. In addition, the Electoral Commission has itself suggested in their latest briefing that Parliament should 'consider whether the new thresholds and spending limits in the Bill are appropriate when applied to activity such as... a 'pledge card' campaign on a policy issue that publicly highlights the support of a range of candidates from different parties'.

VII. Conclusion

Representing the needs of our beneficiaries is a vital part of our work. The proposed legislation has been put together in a hurry. The Legion welcomes this opportunity to discuss how best to govern the campaigning activity of civil society during election periods.

VIII. Contact

publicaffairs@britishlegion.org.uk for further information