



JEWISH LEADERSHIP
C O U N C I L

Political and Constitutional Reform Committee
First Floor, Committee Office
7 Millbank
London, SW1P 3JA

04/09/2013

Written evidence regarding the Transparency of Lobbying, non-party campaigning, and Trade Union Administration Bill – Submitted by The Board of Deputies of British Jews and the Jewish Leadership Council

Dear Political and Constitutional Reform Committee,

We are writing to you regarding the Transparency of Lobbying, non-party Campaigning, and Trade Union Administration Bill.

The Board of Deputies is the representative organisation of the UK Jewish community and the Jewish Leadership Council (JLC) is an umbrella body which exists to strengthen the major institutions of British Jewry and promote cooperation between them. Together we are taking this opportunity to raise our deep concerns about the possible negative impacts of the Bill as it stands.

Before we express our concerns, we would like to articulate our support for transparency in the democratic process. However, we are concerned about the lack of clarity of definition and the levels of limitation that the new Bill will impose. Our fear is concentrated around the lack of clarity in the Bill that will doubtless, have a harmful effect on civic participation, particularly for smaller organisations.

Such organisations may be unprepared to risk inadvertently crossing the low financial bar which would bring them in to the scope of regulation, which it appears will require burdensome administration.

In our respective capacities as charities and organisations that help to support numerous other charities and voluntary organisations, we are keenly aware that the new proposed rules are likely to act as a considerable deterrent for people who have until now worked towards raising awareness of issues affecting the Jewish community.

Our main concerns are as follows:

1) Definition change for what constitutes campaigning

- Legitimate awareness-raising activities which are designed to be politically neutral could become a party political issue in an election.

- If a communal organisation campaigns for a policy change in a constituency and either as a by-product or coincidentally one of the local candidates expresses a sympathetic view on the issue, the community's campaigning activity could be deemed to be aiding the candidate's election campaign. In effect this means that campaigning against policies could become a criminal offence.
- For example, both the JLC and the Board of Deputies campaign and give consultation on issues regarding religious freedom and faith schools. If a Party were to take a position in favour or against one of our longstanding positions on these issues, we could find ourselves being accused of taking a party-political position.

2) Reducing spending limits for third party campaigners

- Restrictions on third parties will now be far more extensive than those on political parties. Campaigners will now be limited to just 2% of the expenditure available to political parties. The amount that third party campaign groups can spend the year before an election under the new rules will be reduced by more than half.
- Under the proposed changes, the new and very low limits will result in the inclusion of numerous organisations; for example, synagogues and churches who do not wish to be thought of, or indeed are not, as political campaigners or lobbyist groups. However due to the changes in the Bill, they may now be considered in such terms. A tangible example of the impact this might have could include a reticence to host 'hustings' at synagogues and other faith institutions in the lead up to an election. This fundamental element of civic participation and democracy could come under threat because spending on such an event (including staff costs, publicity and refreshments) could conceivably cross the proposed £2,000/£5,000 threshold. Individual synagogues may not have the capacity to handle the weekly reporting during an election, and other reporting during the rest of the year, and so make a choice not to hold such an event, damaging local and/or national democracy.

3) Costs included in the expenditure limits

- The Bill's proposal that staff time and other costs should now also be included in the limit further reduces the value of the £390,000 cap. In contrast, this cap is not applied to political parties, indicating that third parties - important for the checks and balances they provide for government and political parties - are being more heavily monitored and constrained than political parties.
- The cap in spending per constituency in the 12 months prior to an election would significantly impact the ability to participate in grassroots activity, especially given the inclusion of staff time in this figure. This is particularly significant for some minority groups whose preponderance in some areas may lead to more extensive campaigning in some constituencies over others. In practice this could result in us reaching our legal campaign limit very early on.

With regards to workability and efficiency we are deeply concerned that voluntary and charitable groups including Jewish communal organisations will just not be able to keep up with the sheer amount of bureaucracy that the new bill will create. The regulatory burdens will add considerable workload to bodies which do not have the capacity to handle additional administrative burden. We

will feel that the knock on effects of such things will act as a deterrent and ultimately restrict legitimate and democratic participation in the political process.

Our concerns are compounded by the very narrow time frame that has been given for the consultation and discussion of the Bill. We understand that Government have stated their intention to have the Bill passed by the end of the year. The Bill proposes to make various significant changes to the regulation of campaigning by non-party organisations, in particular in the twelve-month period before a general election. We are appealing to you and your colleagues in Government to consider the very difficult and somewhat precarious situation that the Bill will create for third party groups who engage with any aspect of the political process, and to allow further time for consultation to get this important measure right.

We are asking that our concerns regarding this Bill be taken into consideration especially with regard to the ambiguity surrounding definitions and procedure. Our feeling is that this Bill will actively dissuade and further disempower organisations who have until now helped positively influence and participate openly and legitimately in UK politics and the democratic process.

Yours sincerely,

Andrea Kelmanson
Interim Chief Executive
The Board of Deputies of British Jews

Jeremy Newmark
Chief Executive
The Jewish Leadership Council