

London Evidence Session: Monday 25th November

Attendance:

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| Richard Harries - | Chair of the Commission on Civil Society |
| Nick Davies - | Children England / Commissioner for the Commission on Civil Society |
| Clare - | Secretariat for the Commission on Civil Society |
| Liz Hutchins - | Friends of the Earth |
| Alexandra Runswick- | Unlock Democracy |
| Richard Benwell - | RSPB |
| Gabrielle Bourke - | NFWI |
| Jessica Metherington - | Quakers |
| Ian Pendlington - | League Against Cruel Sports |
| Nick Pickles - | Big Brother Watch |
| James Cathcart - | British Youth Council / UKYP |
| Dot Gibson - | National Pensioners Convention |
| Joanne Mountford - | Bond |
| Cara Bevington - | Bond |
| Julianne Marriott - | Bond |
| Sophie Dunoff - | The Board of Deputies of British Jews |
| Elizabeth Chamberlain -NCVO | |
| Rory Broomfield - | Freedom Association |

Richard: Let me just first of all begin by thanking all NGOs who contributed to the writing of the first report. It made an extremely major impact in the House of Lords (.....muffled...) so congratulations to the writing team in particular but also to anybody who contributed evidence to that report. And the situation now is that we are consulting as widely as possible in order that we might have something positive to offer to the government. That report we produced so far showed the major defects of Part Two of the lobbying bill as we have it at the moment. Our responsibility now is to move on and that is the purpose of this meeting in order to gain your view as to how we should go on. The rough timetable is that we hope to launch the report on Wednesday December 4th.

Clare: No, sorry we are signing off the report on Wednesday, we want to launch it on the 10th.

Richard: So sorry we are launching on, correct...

Clare: Sorry Richard

Richard: No, no, that is absolutely correct, we are hoping to sign off the report on Wednesday December 4th and to launch it on the morning of December 10th and then a small delegation representing ourselves, NCVO, ACEVO, a small charity and a larger charity will be meeting with the government to explore the amendments we want to put forward and the amendments the government want to put forward and around that time we will be firming up the actual amendments we want to put down. We will be hoping

for a cross party alliance for all the amendments that are put down, that is support from the Conservatives, the Labour Party and the Liberal Democrats as that is the way to get things through in the House of Lords. The consultations that are taking place are...do come and join us, do you want to come and introduce yourself?

Nick Pickles: No that's fine (laughter). My name's Nick Pickles and I'm from Big Brother Watch

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Richard: I think the questions were sent in advance.

Clare: I've sent questions for the written submissions and I think those are essentially the same.

Richard: There are 9 questions. There's a 10th that we don't have to answer which is for the regions. We've got until 2 o'clock so there's a reasonable time for each question. The first is: "Do you agree with the Government that there is a perception of 'undue influence' by third parties during election periods? Can you name examples of when you have seen this happen in previous elections?". The government are keen on regulation because they worry about third party campaigns. Anybody got any views on this?

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Jessica: [There may be] the perception about these large and overarching groups. As I was reading that question, something I thought was if the government are perhaps conflating these two ideas; the smaller individual NGOs have an influence and the larger sector have an influence because as we find on many issues there are actually many groups within those sectors who may have very different views.

Richard: Any other views?

Alexandra: I think for me the key is undue influence because do I think the voluntary sector has an influence? YES. Do I think it is undue, particularly in the context of influencing a result of an election? NO. And I think that is possibly where there is some confusion. Do I think that there are examples of third party campaigning that has broken the rules? YES. But do I think that the sector as a whole has undue influence over an election? No I don't think it does. And I think the only real way in terms of influencing the outcome of an election, as opposed to just raising your policy issues and concerns more generally is if you can actually get volunteers on the ground campaigning in a constituency. For most organisations that is simply not possible - and it probably wouldn't be something that they would seek to do anyway - and that is not the type of activity that the government is seeking to change or to regulate so no, I don't think there is undue...

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Alexandra: ...leaflets campaigning against a coalition government so it wasn't specifically saying vote Conservative, but in the context of a Lib Dem Conservative marginal seat, campaigning actively against the coalition I think actually is trying to influence how people vote, and it certainly is third party

campaigning because it was a leaflet and it was being handed out in a public place. It didn't have an imprint on it and at the time they certainly weren't registered as a third party. I think they may have registered later...

Richard: So they broke the rules by not registering?

Alexandra: Yes, I believe the Electoral Commission towards the end of the campaign made them register but at the time of them handing out the leaflets they weren't.

Richard: Can I just draft one other point that you say which was very relevant to the question we raise later on which is of course a constituency campaign and the point you made was that most campaigning groups don't campaign in a particular constituency but there are some that do quite specifically don't they? I mean it might be in relation to a hospital or the development of a bypass or whatever so it is quite possible for a particular candidate or a group of candidates to be worried about that kind of local campaign.

Alexandra: The specific thing I was referring to was where a national organisation, and some organisations, you are right, do it, where national organisation seeks to move its activists to campaign in a particular constituency. For example if it was Save Lewisham Hospital and it is a Lewisham organisation campaigning, that wasn't really what I was referring to. But where a national organisation arranges for its supporters to go to one particular area, for example it might be to support MPs who are for or against fox hunting, or for or against the EU, or any number of other different issues, I don't think many organisations do that. But from a campaigning point of view, if I was trying to actually influence the outcome of an election, I think getting people on the streets and campaigning in the ways political parties do, actually if you want to influence an election, is the most effective way you can do it, and I'm not saying it should be regulated but it is something that is not being regulated by these proposals. I think people power is actually far more effective than an organisation publishing manifestos.

Richard: Yes I think there are various issues there which we will return to and explore further. Now would you like to introduce yourselves...?

James: I'm James Cathcart, the chief exec of the British Youth Council and UK Youth Parliament.

Richard: Thank you, any other views?

Richard - RSPB: I think there is the perception of the possibility of undue influence in the future as much as there has been the perception of undue influence in the past. So this is the question of rich individuals or 'the Russian oil oligarchs' who have entered the fray on a number of occasions as possible villains of the piece who could, in the future, be able to influence the elections more than they ought to be able to. And the reason that they would be able to is that the regulations at the moment only cover those election materials so there are all sorts of different kinds of activities that can be undertaken without even thinking about registering with the Electoral Commission. And that is where I think the RSPB really have some sympathy with what the government is trying to do because certainly there are all sorts of activities where third party campaign groups could, at the moment, spend a lot of money and not even have to begin to account for their spending. So there is a sensible point to be made there which was

raised by the Electoral Commission itself last year. But of course the question is how the government goes about it and at the moment it appears that the perception of a possible future threat is risking throwing out all sorts of good things while being something which hasn't actually manifested itself yet.

Richard: So unless there are any other views, the feeling of the meeting so far is that the perception of undue influence is a perception, it is not a reality in your experience but we know that the government is concerned about big money coming in in the future. Any other aspect of that particular question one?

Julianne: I think that it would be useful to note that the influence of the media as well in this, and parties, is that whatever the third sector will do is never going to be as much...to me it is a sort of triangle.

Richard: So would you like us to tease that out a bit? Are you suggesting that the media is hostile to charities and third party campaigners?

Julianne: Um, I am just suggesting that when you look at influencing an election, you've got the parties and what they are doing, you've got the media and what they are doing, you've got what the third sector organisations are doing, so it is not just us versus the parties, you have got the media, and I think when you add the media in, then our influence is nowhere near as big. You can spend as much as you like but if the newspapers aren't covering it,

Nick Pickles: Can I just ask a quick question? I'm curious to hear the answers on the scenarios we have heard when campaign groups are campaigning in isolation. I am curious to hear if any of you have had any experience of situations where a campaign of a political party has crossed over with a campaign of a third party so for example a member of staff who is still being paid has been given voluntary leave to go and work full time on a little campaign.

Julianne: A member of a political party?

Nick Pickles: Yes, so someone in your office or someone associated with the group is allowed to be essentially seconded to a political party, without being paid by that political party but essentially works there full time, maybe for a short period of time.

Julianne: What about councillors? Most councillors have ordinary jobs....just put that on the line...

Nick Pickles: Yes I guess it would be more ordinarily people who would be employed by third sector groups, sort of robin organisations but the government tends to cover by this.

Julianne: That's what I meant. Lots of councillors do work for those organisations.

Nick Pickles: In which case, yes.

Alexandra: I think, in that case, certainly Unlock Democracy...we are an organisation that promotes political participation. We have, in the past, had members of staff who are councillors.

Julianne: On both sides? Not just belonging to one party?

Alexandra: Yes, I mean we have had people stand for election for lots of different parties and we have supported them in that but they haven't been seconded to a political party to campaign during a general election. We have had staff take days off, for example on polling day, but that has not been a formal arrangement with the political party, that is just us as an organisation that promotes participation so if people want to take election day off to go to the polling station...

Julianne: So what you're suggesting is that the third sector is PAYING for your staff to then work for a political party?

Nick Pickles: Not 'work' for, it's not paying for it. I think it is more that cosy arrangement to have a few weeks off...

Alexandra: ...where they go and work for the party. Yep, I have never come across that personally.

Jessica: No but there can be a perception of that. My predecessor ran for Parliament for a political party and though I gather that that was very carefully worked out, the perception was something that was seriously...(clicking, tape muffled)...

Richard:Yes, ok thank you very much, let's move on to Question Two which is 'Where do you think the line between issue-focussed campaigning and campaigning for electoral success for parties or candidates should fall? Can you name examples? For example, should a document setting out what parties or candidates think about a policy issue but not calling for the electorate to vote for a party candidate be caught by regulation?' And this is, of course, why we have regulations at all. Charities are allowed to campaign on policies but if there are implications for particular candidates or parties in election year, I think it comes under the PPERA Act. So we are wanting your views about how we draw that line and where we draw that line which is a tricky one to say the least.

Dot: This is a question we've got. This is the National Pensioners Convention. So the last several elections we for support of a pensions manifesto and then we published the results so we've asked, not just parties, but candidates and published the results to say if they are supporting or not supporting...(cough)..and that obviously, we presume, would be something that would be taken as supporting a particular candidate if we said 'they support this policy'. So I think we are at a disadvantage...

Richard:Well I think there is no doubt about it, it would be taken by regulations supporting in particular, so then it is a question of how much money you are going to spend on doing that..

Dot: ...very little!

Richard:Well, providing you don't go above a particular sum of money and it depends on what you count towards it, that's the key point as to how much money you spend doing that.

Ian: It does worry us because we are doing exactly the same thing. We are having a pledge card for politicians to either support or not.

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Male Three: Had a meeting actually with Tom Brake two months ago and he is very clear we wouldn't get caught and that charities, in particular wouldn't get caught within these restrictions if they had a list of policies that were then picked up by candidates, provided obviously the --- you don't then ---support one candidate over the other, you can publish results that Candidate A supports this policy, Candidate B hasn't. As long as you don't directly...

Richard: Clare would you like to comment on that because that is apparently the view of Tom Brake but it is not the view necessarily the view of other ministers in the government.

Clare: I think there is some confusion there.

Richard: I'm not sure that Tom Brake is judging the law correctly.

Elizabeth: Could I also add apologies, Elizabeth from NCVO. If you look at the Electoral Commission's latest parliamentary briefing, the pledge card example is the first example of a scenario that they would consider coming within the scope of the rules. And if I can follow up on if it is possible to draw the line and where to draw the line would be, in a way a silver bullet for all of us. There are difficulties as to any attempt that has been made so far in defining the definition a little bit in a clearer way have met the resistance of the regulators in terms of opening up loopholes and opportunities for abuse. If we could find a clearer definition that would be fantastic but I guess we would have to not only look at it from a legal point of view but then also deal with the regulators' interpretation of the definition and application in practice.

Richard: I should perhaps say in response to that, we, together with the NCVO are going to see the Charity Commission and the Electoral Commission and talk about the definition to see whether there is a better one or not. My own view is that there is bound to be difficulties interpreting this issue, whatever definition we come up with because if you allow people to campaign on policy issues, you only campaign on a policy issue if you want somebody to put it into practice. Now would you like to sit tight, find a comfortable seat and introduce yourselves?

Rory: Yes apologies for my lateness, my name is Rory Broomfield, I am Deputy Director of the Freedom Association and Director of The Better Off Out Campaign, a campaign to leave the European Union.

Ian: Hi I'm Ian Pendlington, I work for the League Against Cruel Sports

Liz: I'm Liz Hutchins from Friends of the Earth.

Richard: And Liz has been working very closely with Clare on this and helping. So we are still on this very difficult question. Are there any more points of view that people would like to offer?

Liz: So I think that it would be good if there was a definition that could make explicit that this sort of activity that Richard read out, a scorecard saying what politicians think of things is not included. I think if we could have that as what we are trying to achieve and then work out some clever wording to

get it into law, that is what Friends of the Earth thinks. Is that generally what people think? So perhaps we won't solve the exact wording issue, but if we solve the meaning, we can perhaps take that along a bit.

James: On the pledge and aligning of what candidates think about policies, we have done that over the last election and have certainly had candidates sign up against various policies. A more general approach to the Lobbying Bill is, we're not technical legal experts, we have laid out what we want to do which includes this device as well as others and to say we want to show us it would be stopped, prohibited. I'm not quite sure who Tom Brake is, is he the civil servant?

Richard: No he is an MP, Liberal Democrat.

James: Sure, I should have known that. And but we had a meeting, before she resigned, with Chloe Smith and the Bill writing team and outlined this particular scenario and they said it definitely wouldn't be covered by... (whispering then paper ripping sound). What is so concerning is that the Electoral Commission.

Elizabeth: From the start the Electoral Commission and the Bill team have had very different views as to what would and would not be caught. Since the Electoral Commission is ultimately the regulator that will interpret the laws, issue guidance and apply them, I...

James: But it now says that the pledge would be...

(People talking over each other)

James: The reason behind why they said it wouldn't be covered is that politicians views on the issues are in the public domain, then all you are doing is collecting them on your website, because it actually could help somebody vote against something; it doesn't necessarily mean that just because a candidate supports your policy they will get your vote, someone might look up and say 'I don't agree with that policy, I am going to vote against that candidate', so that was the logic for that. Certainly for us that would be a deal-breaker issue because of the whole Cabinet office is very much into getting young people to take part in democracy and this will completely undermine what we are trying to do. So the body we were more worried about, if you like keeping on the right side, was the Charity Commission and the Electoral Commission and it was saying the level of government decides then you need to make it clear with your colleagues in the Electoral Commission what your intentions are and if they are disagreeing with you to make it clear enough that they allow something like the pledge.

Richard: You made a number of very important points there which I am sure we have noted. First of all, you have emphasised the difference of view between the bill team and the Electoral Commission and we must clearly bring that to the attention of the Charity Commission and the Electoral Commission when we have the meeting. Secondly, you made that very valuable point that people standing for election, their views are on the public record anyway and what you were doing was collecting, and that bring a whole new dimension to it.

James: Its not even us going out to collect them.

Richard: Yep, yep they are collecting.

Cara: Just to pick up on that, we would say that we have a responsibility towards our members to do that research and find out and put on record what our charitable agendas are to educate and inform our members. We are not doing our jobs unless we are precisely --- our responsibilities and should you work back from that --- that's our charitable objective --- from the start (Richard agreeing throughout).

James: And they approved of it at the last election so I would be concerned if there are changes.

Richard: Well there is no doubt about it that on the current guidelines from the Electoral Commission that would be clearly covered by the Act, they put it out in their recent guidelines.

Female Five: I'm just thinking about how our organisation works as we are very led by the community so leading up to an election it's perfectly plausible that a community in Liverpool or Manchester, or wherever it is, could approach us and say 'please can you provide us with briefings on candidates in our area, that is what you do, you have a political agent person, thanks very much, we will wait to hear from you.' I mean were we to provide that, which would be considered one of our core jobs, we would be getting into some very grey area which is very problematic.

Cara: Bond is the network for international development NGOs who-- we're generally talking about international issues which are happening 'over there' rather than some of the really meaty British issues. But most of our members, the very issues they talk about in an election year are the issues they work on for 365 days of any year. So to be changing what they might be doing around issue focus rather than what candidates think to fit within election guidelines would be very challenging. And their working around access to water and sanitation.

Richard: Absolutely, absolutely. Just as you come from Bond, I think I should just feed in that Lord Wallace reported to us that Oxfam had told him that they now regard campaigning against poverty in this country as a key objective which he seemed very very surprised about.

Cara: As did Christian Aid. A number of our members are looking at the interrelationship between (MUFFLES) in this country.

Jessica: I wonder if I could pick up on what our friend there said about sending out materials to the community. There was an interesting conversation I had with the Electoral Commission which was about 'who that material belongs to'. Because we are registered as a charity, one charity, Quakers in Britain but there are actually 71 other charities which are in big regional meetings and so we send the information out and then what happens to it then, does it get distributed to the various public churches? Who owns the material? And actually the Electoral Commission was saying that was a real grey area so I am really glad you brought up what happens to the material when it goes out, you know all those leaflets, I mean when do they stop becoming our responsibility and start becoming the responsibility of others?

Richard(Agreeing)

Sophie: We have had this same conversation.

Richard(Agreeing) Did you want to say something else?

Rory: Just to bring a parliamentary aspect into this, if members of parliament wish to use certain material then what we do is effectively with our supporters, they wish to tell to tell their constituents or prospective constituents about a particular issue about a particular way, if there is a grey area about who owns it or if they can't sign up to a campaign in the first place then there may be a barrier to that information being distributed across the country and people being made aware of the information so it is a parliamentary aspect whereby this element here if they don't know who owns it they may not be able to distribute it and promote it in their own literature and so it undermines the whole point of a representative democracy because you won't know what the members of parliament think about a particular issue.

Alexandra: From an Unlock Democracy point of view, most of what we do during a general election campaign is about promoting interaction between people and political parties and the candidates that are standing. So we don't do pledge cards, but we do do a kind of manifesto and show where the political parties, based on their manifestos and their voting records, stand on various issues but from my point of view, that is quite clearly, as other people have said, just providing information that is already there, just putting it in a slightly different format. Where I think you get into areas of 'Is this covered, is this not covered?' under the new regulation, are things like what we also do is we suggest questions that they can ask their candidates, which again I think is absolutely what voluntary sector organisations should be doing because it is about encouraging people to engage with the candidates. I have no idea if the answer the person gets to the question that is suggested actually influences their vote, it might, it might not do. Simply the act of one candidate replying and all the others not replying might influence their vote, I don't know, but that is not my intention in doing that. But I think this whole area of what is and isn't covered is a crucial one for voluntary sector organisations. One thing that has really concerned me when I have had meetings with government ministers and with the Bill team, has been a kind of attitude of 'We recognise that there are concerns but we can leave it all to the guidance, you know you don't have to worry about what exactly the legal words say, what you need to worry about is what the guidance says and I don't think that we can accept that as a position moving forwards because we all know that actually it is not what the guidance says as the guidance is based on what the law says so we actually have to get **that** right because otherwise there is a danger that this really will have a chilling effect...

Richard:With due respect, guidance will continue to play a crucial role. I think one of the problems in the past has been the guidance has not been forthcoming to people who have looked for the guidance, they have not been able to find it or it has been given to them in very ambiguous ways and I think the Electoral Commission are beginning to wake up to this. Not contrary to your argument, we want the law as clear as possible but I don't think they are going to be able to do away with the guidance.

Alexandra: No no I'm not suggesting we do away with the guidance, just that we can't leave it to the

guidance.

Richard - RSPB: This highlights one of the areas is where we need to think about what is unsatisfactory about the present law, as well as what is unsatisfactory about the campaigns on the lobbying bill. I would be interested to hear what advice other groups have about pledge cards in advance to the last election. Certainly, at RSPB our version of the pledge card was a 'letter to the future' where we asked MPs to sign up to climate change commitments and our advice at that point was similar to this advice which was to then publicise which MPs had signed up to our 'letter to the future'. At that last election we would also have needed to account for that spending and register. Just to be clear, this is one of the areas where we are asking for a proactive change to a problem that was already there.

Richard: Yes I think the government has woken up to the fact, as you and your colleagues have made clear, that there was already a problem and it simply didn't immerse before because most people's spending was below the registration threshold and now it has emerged as a problem. I mean taking up Liz's point, bearing in mind that people are concerned about democracy for young people and others, the best way forward would be to take this out of regulation altogether so that people could do pledge cards, get people's opinions on issues, get candidates' views on issues and publicize it without it falling under the law. Is that right Liz, as you were suggesting?

Liz: Yes

Richard: That would be the kind of optimum result so that people do this without feeling inhibited, that they were overstepping a line into something...

James: I know some of us are on one side who are quite clearly trying to influence the vote, and we quite clearly are. We want people to make an informed decision and they can as they want to. So if we had to register we would. The problem for us is in the bureaucracy of registering an amount of money, and it may come up under one of the other questions, but our inability to cope with a false accusation of going beyond the limits, in defending that it may put you off spending, so again that is, as you say, perhaps going further to allow ---- written off to the point where it stifles some....

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Nick Pickles: This is similar to my last question. I think one of the things that interests me is that this is not a uniform problem. At the last election there were, what, 100 seats that decided the whole election so the idea of producing a manifesto uniformly across the whole country I think is slightly naïve. I think there are seats where the people were elected with 3 or 400 majorities where just the manifesto production of this is how a certain person voted on a certain issue was very heavily advertised to that one specific constituency, depending on the voting record. I just wonder if any of you had any thoughts on how you may do two things that, in principle, are the same, but the way they are promoted in different seats is designed to intend... I mean, the two that spring to mind are pro-life and the EU because I think they were the two that I saw most heavily at the last election. If that is a fair question, of if there a difference?

Julianne: But the alternative almost seems to be not letting constituents know what their

potential MP thinks about something which, to me, seems far more dangerous. These organisations are in place to make sure they do.

Nick Pickles: So this is where the question comes in about materials, is how you tell people, and the uniforms and I think that is where the question of undue influence comes in. If one organisation takes one constituency in the whole country and spends its entire resource notifying the public about one MP's or one candidate's views in that seat, is that becoming undue influence as opposed to informing the public? So that is the pendulum.

Richard: That is a good point and that is coming up so we're not going to lose that, but we are moving on to Question Three: Which campaigning activities do you think should be regulated, which do you think should not be regulated, and do you think staffing costs or opinion polls should be subject to regulation? What goes into the package that you have to add up expenses for? Before, as we know it would simply be leaflets and other immediate material for a particular campaign. Now it has been widened out in Part 2... Liz or Clare could you just remind us what under the new bill would be including, any costs if organising a meeting including the transport costs, any rallies of any kind, it has been made quite clear that voluntary time won't count towards this but paid staff time will if it is being used for these purposes. What other areas are included in this?

Liz: I think they are the main ones but also it's things like opinion polls and any paid for media work. I think it is also explicitly about activity that goes beyond engaging with your own supporter base so it is to the public, bearing in mind a difficulty about how you define the support of your own organisation and I think that is very problematic. Can I just draw out a couple of points we have looked at? I think there are a couple of ways of looking at this. I think it would be useful to unpack our main points of principle here that we can feel that you could make a judgement based upon so for example is there a point of principle about the level of transparency that there should be which might let you include more things in the range of activities, or is that not very important? But then my answer to this might depend on the overall cap because I think there are so many of these issues that are intertwined and interrelated. So for Friends of the Earth, I think that we're not in principle against more different types of activity becoming subject to regulations so long as a., the definition of the type of campaigning excludes these things like the pledge cards and all that sort of thing and b., that there is a sufficiently high cap that means it is not unduly limiting so I think Friends of the Earth's answer might be a bit -- **(33:51 unclear section)** rather than saying definitely one thing or definitely the other, but I would be really interested to hear if other people have an in-principle case for why certain parties should or shouldn't be involved...

Richard - RSPB: I think in principle, and the RSPB thinks in principle, the more activities that you can cover where an election could be influenced by spending, the better, both in terms of public transparency and transparency to our own members on what we are doing. We try to make this sort of spending clear to our members anyway. They are giving us money and they want to know what we are doing with it. The key is, of course, as Liz says, getting the thresholds and caps right because being caught within the regulation on its own is an accounting burden but it does not stop you from doing anything. All it is saying is, 'this is what we are up to, we think it is legitimate', and as long as it doesn't go above a reasonable threshold for the amount of spending, you agree it is legitimate just by telling people what you are up to.

So, in principle, the more that you can account for, the better because it helps us, also in terms of seeing what other groups are up to. So even as far as the pledge cards perhaps, I think that it is a good thing to show up what you are spending your money on if it could influence an election and a pledge card is a serious flossing, it is about why an issue is important and it might have a very serious effect on an election so the principle would be: maximum transparency above a certain threshold where you can begin to influence elections with your spending, in combination with an objectively chosen overall threshold for where that sort of spending becomes unacceptable.

Dot: We are not a charity. It is an umbrella organisation that has affiliates. So we have 18 regions for instance that are affiliates and local groups are affiliated to them. We then have retired members associated with unions that are affiliated. They are all represented on National Council and at the biennial delegate conference. If this started before the next election, then within that period we would not only have a biennial delegate conference but we would also have a pensioners parliament which takes place every year in about June where about 1000 pensioners turn up, and their local organisations pay their fare. We don't know whether we're going to have... Where would that come in the whole course of things? Because both of those - the one decides policy and the other one advises on policy and they are dealing with all the things that are coming through from the elections so I am very unclear where that comes in to the grand scheme of things.

Richard: Right, there is time for everybody but I will start by going down the line.

Cara: I don't want to repeat what everyone has said already but one of the challenges that our members have brought up with us and have been thinking about, especially smaller members where staff generally work in a dual role, for example they work as a fundraiser and a campaigner on a whole range of activities, some of them that may be around election campaigning, others that are just about talking.

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So definitely in support of transparency and one of our members has just published a lot of their spending to an international body around the transparency reporting to get different funding but from a very practical perspective around staffing costs, they are quite nervous about that.

Richard: And it is very, very difficult to start drawing lines, particularly over a whole year. It might be easier if it were just 4 or 5 weeks.

Julianne: So just three quick ones...so now I think campaigning, fundraising, and awareness raising are so intrinsically linked I think we often use campaigning to raise awareness or raise money whereas a few years ago they were quite separate. Secondly, and it is mentioned in your report, I used to work at RNIB and when we organised a lobby it cost us a lot of money. We had to have marshals, we had to pay for transport, we had to have guide dogs taken outside so any organisation for vulnerable people are going to spend more than perhaps an organisation like RSPB and this is perhaps a very small point, for example an opinion poll; organisations sometimes commission an opinion poll and then don't use them

because the results are not what they wanted, so are we paying for ones that we use or?

(Laughter)

Rory: But they can be published?

Julianne: Yes, but if they are not published anywhere then no one will see them...

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Nick Pickles: I think on the revised drafting that has been cleared up now. Opinion polling is more cleared out. The issue is more canvassing of voting intention so there is a very small line between opinion polling and a call centre doing a survey 'Are you going to vote?' one party, one party, and that is the line they are trying to draw. I think on the revised wording I have seen, that is being dealt with.

Julianne: But is that separate from the opinion poll because obviously most opinion polling will do that as an introductory demographic check but not because you are going to use that data but that is a standard part of opinion polling, it's not that you have asked them to do that for you.

Nick Pickles: Again, this is one of the classic conversations which often gets confused, but the conversations I have had and the revised drafting that got published by the government is, I think, quite clear in terms of, it has to use more data for you to contact an individual based on their voter ID. So an opinion poll being a national picture. So that is basically political parties using commercial call centers... that's basically what it will cover.

Julianne: I've never come across--- limited resources.

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Richard: Just a point of information, we've talked about the revised wording and it's not in the Act and I have not seen it on the guidance from the Electoral Commission so where is that?

Nick Pickles: Was it a Government amendment... New Schedule 3?

Richard: But in that much detail? Perhaps I should look at it again.

Nick Pickles: It was one of the points where I think I lost people.

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such a normal part of everyone's work, but knowing that 70% of the country think something, doesn't give you 70% of the Country's names and addresses, whereas

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Julianne: Just to follow up on what Richard was saying; certainly, widening the range of activities is difficult to argue against that in terms of, we do want to be seen as in favour of transparency but just to add on what you said earlier I guess the other principal issue from our point of view and exactly what our

members have been telling us is that red tape and bureaucracy and that is where staff costs come into play. So yes, widening the range of activities but the issue of staff costs does seem very problematic. In addition to that there is also an argument of unfairness, given that political parties are excused from accounting for their staff costs so there are kind of three principles at play there for us.

Rory: I completely agree with the point made just there. In terms of the small organisations, like the Freedom Association, we have a number of branches with volunteers in. The concern in terms of staffing costs here regards if it includes transport to events or even media time. The question really is, are these accounted for within the Freedom Association's or any other organisation's costs in terms of staffing because they will still be contributing towards the campaign, maybe even hosting events. And that brings in Civil Society in general because they aren't generally part of the association as such but they do maybe run a branch or have an ex-officio role, and that is a concern especially if the costings, as they do in parliament, include in kind costings. So if for example someone puts up a member of staff in a hotel room for a night, does that come into the cost of the budget, because of course it is a resource that the association would be using.

Richard - RSPB: The burden of accounting staff time does seem to be disproportionate in most cases. The comeback that we have heard on occasion is that some types of activity such as telephone campaigning are labour intensive where the main spend is on people time and if you want to account for it then you could miss out some serious influence in an election by excluding staff costs. If that is the case, a route forward might be for the Commission to suggest that the government looks at which areas it has particular concerns about labour intensive campaigning industries, like call centres and suggest that staff costs are included in that case and excluded in other cases rather than this way round where staff costs are automatically in.

Nick Davies: Just to pick up on the transparency point from earlier. I suppose on the basis that you would want these rules applied equally to an organisation that had views that were diametrically opposed to your own, I don't think we have a great problem in principle with staff costs being involved. As other people have said the biggest problem is it applies to small organisations, particularly if they don't for example have the accountancy mechanisms in place that they could easily account for that so tightly. The other point I wanted to bring up was in terms of who is paying for the staff time, so we are an infrastructure organisation and it may well be that we will produce campaign material, as another example, which will be distributed to our members. Now they might then use that campaigning material for local lobbying without us knowing about it. So although our staff time hasn't been used directly campaigning, other organisations may make use of the work that we have already done, and how is that accounted for?

Richard: Yes, I think I will just go for one more then try to sum up where we are.

Sophie: We completely support the fact that it should be transparent and everyone knowing what we are doing. Our concern is about staff costs being taken into consideration. We help other organisations do certain things, we often link up with these organisations so then if our team is working on something and another team is working on something, from what I understand the joint costs would be taken into account and then you have doubled the amount of spending.

Richard: Yes, we are coming on to that one. I think the feeling of the meeting is that it is important to have transparency, there is no objection in principle to other activities being included but there are certain fundamental difficulties and ambiguities and there is an overall worry of the burden of regulation, particularly on small organisations. I should just say in relation to the point about disabled, the commission has been very, very aware of that and Baroness Campbell, one of the disabled peers in the House of Lords, I know has alerted a lot of disabled charities who I hope will be making representations to Lord Wallace about the extra financial burden for disabled organisations. Now can I just ask if there is a break for a glass of water, or perhaps something more than water?

Clare: We certainly have got time for a glass of water. No, we were going to have lunch as I thought it was a better use of Finn's time taking notes so I am sorry I will not be providing lunch unless anyone is desperately hungry and I will dash out and buy them a sandwich. We just had such a small amount of time I made the executive decision that your brain power is more important than your stomachs, sorry. There is tea and coffee behind!

Richard: I think it is assuming that brainpower works just as well on an empty stomach. Anyway, I think we will take a three minute break just to stretch as we've been at it for an hour and ten minutes.

Claire: If you need.

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Richard: So we come to question four. How do you think appropriate thresholds for registration should be judged? What threshold do you think is appropriate? As you know, the government is currently proposing changing the threshold from £10,000 to £5,000 in England and from £5,000 to £2,000 in Scotland, Wales and Northern Ireland. I think we can all take it for granted that we want the thresholds raised and it is likely that even if we haven't had the commission and there hadn't been other campaigning, the government would raise the threshold - they've realised that that is a weakness so you needn't make that point. We are interested in what kind of figure it should be and have you any kind of basis for suggesting one figure rather than another? Of course, as we already know, things are very much integrated one into another and a lot of it depends on what you take into account when you are taking staff costs or not. But if anybody could offer a figure that is not just plucked from the air, it would be good to have one.

Elizabeth: A first idea that we have certainly been discussing is looking at the PPERA levels, so not just the reduced ones, already obviously those are higher, but taking into account inflation of course.

Julianne: How long has the £10,000 been in place?

Elizabeth: Since 2000.

Richard: Yes, so you've taken £10,000 and inflation from 2000.

Elizabeth: Yes, and that would just be for your action material and then we would have to assess how that would work on the broader range of activities but already that 10,000 is insufficient just for

materials.

Richard:Yup, yup, quite right.

Elizabeth: So inflation is the first perfectly reasonable, not pulled out of a hat...

Alexandra: I think that is a very good suggestion. I think, as you suggested in your question, it is a bit of a chicken and egg scenario as it partly depends what you are trying to cover because obviously the more activities you want to cover then you want to change the threshold so we need to bear that in mind. I think one of the important things for me is the difference between the threshold for registering and the spending limit because I am not, in principle, opposed to lowering the spending limit, what concerns me is changing the thresholds because if we are trying to take the big money out of politics then that is obviously people spending large amounts of money, it is not £5,000. I don't think anyone is actually suggesting you can buy an election with £5,000. So I think the suggestion of the threshold being linked to inflation is a good one and then we can look at the spending limits because what we don't want to do is have lots of very small organisations who, for whom this is a very tiny part of what they do...

Richard:Yup, yup...we are coming on to spending limits in a minute. That is, as you say, an important issue.

Nick Davies: I'd just like to say I think the threshold should probably at least be proportionate to population size. So, I mean, if you take the £2,000 as a basis, England has ten times the population of Scotland, fifteen times the population of Wales, and about thirty times the population of Northern Ireland so if Northern Ireland have a limit of £2,000, then maybe England should have a limit of £60,000.

Elizabeth: But it is already done by constituency so there is some rationale behind the figures. I don't know the facts but there is a rationale behind the figures. It is based on constituency so that is why Scotland, Wales and Northern Ireland are lower...

Nick Pickles: But whereas if you are a parliamentary candidate the spending limit is a set level plus 10p per hectare I think, it has been a while since I've done it, so it does vary but there is a baseline.

Julianne: And baseline costs are there because of costs you will have no matter how few people so...

Richard:Any other views on this?

Rory: I have a question; is that representative of the parliamentary side of things, in terms of the expenses they have to adhere to because it may be a good suggestion to have a mirror of the parliamentary standards to bring everyone in line so there is one standard for everyone?

Richard:But as we know, one difference is of course that parliamentary candidates don't have to account for most of their expenditure on staff. I think certain aspects they do, but mostly they don't. Would somebody like to guide us about what similarities and dissimilarities there are with political party campaigning on this issue.

Nick Pickles: Well political parties have a wonderful distinction which relevant to the constituency limits. Because political can have Ed Miliband or Nick Clegg or David Cameron as many times as you want in the material in a constituency, it won't count to the individual candidate spending. So the Conservative party did a lot of direct mail to targeted groups of voters that wouldn't count in the individual candidates election return because it didn't mention the candidate by name, it just listed David Cameron. There's a loophole now that's being used.

Liz: So what's the appropriate comparison? Is it an NGO and a political party candidate or an NGO and a political party, because the Bill is almost moving towards

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Nick Pickles: And the idea that the Conservative party sending direct mail to a pensioner in their constituency isn't intended to influence the electoral success of a candidate in that constituency is a nonsense. So actually that distinction between constituency spending and how you define candidate spending is loophole.

Liz: So in terms of the threshold to be regulated, is there a size of organisation or activity that people think they could identify or say 'that really is too small to be regulated', is that a way of looking at it? Instead of thinking about a comparative between parties and candidates and percentage increases because of inflation, is there another way of looking at it that says 'this size of organisation is too small to be burdened with...'

Clare: Is that size of that organisation in terms of staff, or size of organisation in terms of supporters.

Clare: Dot's got three members of staff.

Dot: We hold events that will bring a thousand people who all pay their fairs.

Alexandra: But even if you were an organisation of one very wealthy person. Say that you had one paid member of staff but the organisation had an appetising budget of £500,000 that it could spend on newspaper adverts in different constituencies. Just because they've only got one person, that activity should still be regulated. I appreciate what you're trying to do with that line of thinking but I just don't think it really works in that way.

Richard - RSPB: That's a similar point as I'm going to make. The logically way to do it is to look at the sort of activities that you think are reasonable or unreasonable and set the threshold on that basis. So, yes a wealthy individual couldn't be excluded if they were then going to go ahead and take an activity that would cause undue influence. What you would do in an ideal world would be to take an activity like a pledge card activity where you say 'if an organisation does just this one thing in a constituency it's likely to cost this amount of money and that wont represent undue influence and set the threshold above that level. So for example if a pledge card activity in one constituency costs £15,000 you would set the threshold at that level, and that would mean an organisation gives pledge card plus, instead of £25,000 before needing to register. Or if it did pledge card and some kind of telephone campaign then it would

need to register. YOU would need to build this up with building blocks of activity.

Richard: I think we might try to do that, so if you've got further thoughts on that we'd be glad to have someone else.

Nick Davies: It's a very problematic line when you talk about a constituency because what is a constituency in this regard? Different campaigning works well in different areas. Say we've spent, to take a comparison, on pledge card activities a thousand pounds in Aldridge-Brownhills which is not a representative constituency of, I don't know, Vauxhall, and there is concern then that a thousand pounds in Aldridge-Brownhills works quite well for activities, it won't work at all for Vauxhall, because it is either a larger constituency or more amenable to pledge cards and the like. So there is a problem in the sense of defining it by constituency because every constituency has a different applicability. They absorb information differently, campaign differently. There's a problem if we universalise in that respect because different funding is needed to reach people across the country.

Richard: I'm sure you're right and we'll come on to that further when we get on to constituency. Perhaps we've don't as much as we can on question four and we move on now to question 5, "How do you think the spending limit for non party campaigning should be judged? Should there be a limit, what if any cap should there be?" And the previous limit was 5% of the political party spending, so do you think a proportion of political parties is an appropriate way to decide and what other ways do you think there might be of deciding? And just to remind us of the figures, the cap has been reduced by something like two thirds, by 60% in England, 70% in the other countries. From something, what is it, 950,000 to something like 350,000. It would be useful just to have those figures. Somebody's got the report here, just so that we've got them.

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Richard - RSPB: It's 793,000 in England to 320,000 in England, 108,000 in Scotland to 35,000, in Wales 60,000 to 24,000 and in Northern Ireland 27,000 to 11,000.

Richard: So these are pretty Draconian reductions. What rationales has the government given for this, if any?

Alexandra: It hasn't.

(Laughter)

Nick Pickles: It's very illustrative.

Richard: So, again the same sort of issue but here it is the upper limit, the cap. We have got some quite big charities and campaigning groups represented among us, the RSPB is a big one isn't it. What's your annual budget, I don't just mean on this. It's a big budget, isn't it? You're a big charity.

Richard - RSPB: Yeah, we're lucky to have quite a lot of money. I have to say at the last election we didn't reach the spending threshold, we spent less than £10,000 at the last election. That was in part by curtailing activities however. That's not including staff costs, it's materials. So we have always said that it

is illogical to increase the amount of materials and reduce the cap.

Richard: But then the aid agencies have big budgets...

Cara: Yes, but again, no Bond members registered in the last election but a similar situation in that Oxfam deliberately chose to ensure their spending was capped under £10,000 so they didn't have to register, because for charities, they see it as a real brand reputational risk, they have to register as a third party because we are meant to be really apolitical NGOs. But yes they do have large budgets but have chosen not to spend them on election campaigns.

Richard: So we don't have any really big spenders in election year represented here today?

James: Well, I mean, it's chicken and egg, it will depend on whether we make sure we stay under...but forgive me if I've made a basic mistake on understanding the difference between the threshold and the limit, but the threshold of £5,000, over which you then become registered and then the limit is you're not allowed period to spend over that.

Richard: That is correct.

James: Well our turnover is around the million mark and we are very into campaigning in what we do. This particular year, because of the growth in interested youth in democracy and the huge turnout in youth elections and all the rest of it, we are forming a coalition which is the Coalition Funding, some of which some of you might be involved with, the League of Young Voters and deliberately going out to raise the turnout of young people, so it is conceivable that this limit will be relevant to us and one way to increase it is to form an alliance of several organisations, each will have their own limit. There is a critical bit, some people have been saying, which is who defines what is campaigning or not, and for me it's not the writing of the policy, it's the proactivity directed at the election and the staff time. To me that could be quite discreet and rule out a lot of spending that we would do. So we only register and declare an amount that might very well come under the 300 amount, because we're not including everything. Quite often people say it's a matter for you to decide, or your trustees, and if you get it wrong, someone else might challenge you. Though the electoral commission does say, having looked it up in their very latest guidance, 'we will be happy to offer advice to organisations as to what counts and what doesn't'. That was what we did at the last election, rather than waiting for someone to challenge, we sent them our plan and said 'are we able to do that?'

Richard: And you got that alright did you?

James: Yes, well it was easier at the last election when it was under 10,000. But they are offering to do it this time, but yes we are an example of one that could be we are quite happy for that case study to be shared if it helps.

Julianne: So this is slightly controversial, apparently I read 33 organisations registered, I am convinced that far more than 33 organisations spent £10,000. I worked in a big national charity, I am quite sure that there was an office in another town that was printing something that I didn't know anything

about, and I could not have added it up.

Richard: I think that more organisations registered. No you're quite right, I've seen the list.

Julianne: I just don't believe that RNIB, Oxfam, Shelter, RSPB, with all due respect, only spent £10,000. It's just not possible. I've just printed something for the organisation that I work at, and that's come out at four thousand pounds. Basically, before we knew people weren't really checking on us, as soon as this comes in, the next election, everyone is going to get scrutinized. I think this kind of response, that it's not really a problem, is just because we're not aware of it, we're not reporting it.

Alexandra: Part of the issue around working out whether or not people reach the threshold is this definition of what counts as public. So for example, we printed a manifesto document, that we sent to all our members and supporters and you're right, that cost a couple of thousand pounds. Because we were sending it to people we already had a relationship with, that wasn't deemed to be public, therefore that wasn't in play when it came to registration, there is campaigning that you can do, at the moment anyway, that wasn't included in calculating whether or not you had to register. I think that's why larger charities were able to do campaigning but not be registered.

Nick Pickles: Equally there is an element of an Alan Partridge situation there, if someone is going to say 'how much is my phone bill, 40% declared, 60% not declared. Actually if 50% puts us over, it's 30%. It's accountancy fudge, rather than a really clear law.

Elizabeth: The other thing we need to be aware of, is at the last election 90% of the sector wasn't even aware of the rules. I know that the electoral commission received panicked phone calls weeks before the date of polling saying 'I've heard I might have to be registering with you', so there was a mad dash to register, it was just absolute confusion. There are various factors at play that make it very difficult for us to go to ministers and say 'this is what happened at the last election, this is what would happen in 2015', because there is not a comparative situation.

Richard: That's a good point, I'm sure you are right there that a lot didn't happen last time, that might happen this time, with the heightened awareness of this whole issue.

Nick Davies: Can I just ask a question about coalition, it relates to the spending limit. Does the spending limit relate to each organisation within the coalition or to the entire campaign.

Liz: To the entire campaign.

Nick Davies: For example, we're a very small organization, we only have a turn over of about half a million, but I'd say our members probably have a combined turnover of the better part of half a billion, so it's very difficult for us to know, as with the example of producing campaign materials, what they then do with it. If there are 20 organisations campaigning, and some of them are very big, it can very quickly get up to three hundred thousand.

Richard: Absolutely.

Liz: In terms of how you make a judgment about what the overall spending cap is once you've gone through the threshold, I think that if you get the definition right, and activity that generally isn't about supporting candidates or parties. If we're just talking about activity that is genuinely party political, which there is legitimate campaigning like Hope not Hate does, I would be inclined to just look at how much Hope not Hate spend, and any of the other big spenders that seem to me to be very legitimate activity, you would want it to all be very transparent and regulated, and then set that cap just a bit above that, to enable them to do that sort of activity.

Richard: Have we got any figures for Hope Not Hate, they are big spenders are they?

Liz: They are big spenders, and I think we are going to identify what the really important case studies are to bolster this sort of discussion and make sure we've got those sorts of figures. I don't know if anyone's got any examples of big spenders that you think should not only be regulated, as in be transparent, but actually be curtailed, I'd be interested to hear a counter argument to setting it at the Hope not Hate level.

Nick Pickles: Hope not Hate spent three hundred and nineteen thousand pounds at the last election.

Julianne: I just wanted to add one thing that I said in private, not every campaigning the year before election is about an election. If the Government announces something 11 months and 29 days before the election, something that is genuinely your job to campaign on, what are you meant to do, not respond to it because its in the 12 months to election? If I was the government, I'd start announcing things 11 months and 29 days before election, so that no one could oppose me, so that I could get them through.

Richard: You had better be careful, or the government might employ you as an advisor

(laughter)

Jessica: About figures, we had that conversation with the Electoral Commission in 2010 and the same as many other organisations, and they said that although there was nothing particular, there was something about our peace witness work. I've got the 2012 figures overall across the whole of the UK including staff, including everything we spent on peace witness it was more than a million pounds. Now that wasn't about an election, but for the coming election there is going to be something about Trident, obviously, because the Lib Dems have one view, we are currently talking to Labour about whether they want to oppose the like for like replacement, the Conservatives have a different view, this is going to be an issue. Supposing that all of the peace work cost counts there, that's going to be an awful lot.

Richard: That's a very good example. Nobody would dispute that the Quakers by definition should be campaigning against Trident. That is your *raison d'etre*.

Jess: Yes we spent a lot of money on it in 2012, not just Trident of course, lots of other things, that's

just a figure.

Nick Davies: Just a small point to say that any recommendation would also consider inflation, we don't want to be tied to 2000 spending limits when its 2020.

James: Three quick points, the one about the spending, on materials for example, the fact we use the internet for a lot our work, I mean we publish a hundred hard copies, and then we put our full copy on the internet, it only costs half an hour of a member of staffs time. That's one of the ways you can do a lot of mass reach for a very low cost. Coming back to your point, you asked should there be limits on certain organisations. I think we need to remind ourselves to distinguish between charities, NGO's and private companies and lobbying. When I think about what is a constraint for me is the Charity Commission guidance, talking about campaigning if its not your main activity, it's a part of your activity. My personal rule of thumb is no more than 50% of turnover. It's not so much a fixed amount, its depending on the size of the organization,

Richard:Are you a charity or not?

James: Yes, a charity. We would have to obey that rule anyway. Because that rule already exists, it might translate across. I have trouble with any fixed limit being set, is there a limit to the donations to political parties?

James: That's the point, in a way it feels like you should be able to spend whatever you like, so long as it's public and registered. The notion of having it capped for any third sector, NGOs or anyone at all compared with no limit on a private donation to a political party.

Richard:There is a difference between a donation to a political party and actually the amount of money you spend on a political campaign. There's no reason why a charity should receive ten billion pounds from somebody, and that wouldn't be regulated. It's just a matter of how much of that they spend in election year. We've got four questions to get through. We're doing very nicely in terms of time.

Alexandra: A very quick point, in principal I don't have a problem with the lowering of the spending threshold, I want to understand why we pick a certain level, it does feel as if its been plucked out of thin air, and obviously to look at the impact that has on different countries, because I think it has particular impact there. Where it concerns me, and I know we're going to come on to coalition campaigns, but I would veer towards a higher spending on it, because of the implications in terms of coalition working, but I'll raise that later.

Richard:Let's move on to coalition working. Question 6, do you think that non-party campaigning in coalition should be restricted? How do you think non party campaigners, working in coalition should be regulated? Now this is a really tricky question.

Alexandra: First of all we need to acknowledge that coalition campaigning is currently regulated, its just that for most people and organisations, it didn't affect them because the spending limits were so high. I think it's right that coalition campaigning is regulated, because you don't want there to be a

loophole where people can set up an alternative organisation and get round the regulations. I think the principle that coalition working is regulated is right, but its one of those issues of how you do it in practice. One of my big concerns is that, as Liz has already said, the problem with this bill is that there is not one specific cause, it is how it interrelates with each other. I don't have a problem with lowering the spending limit, but as soon as get to lowering the spending limit, you then look at the impact of coalition working. Unlocked Democracy is a member of lots of different coalitions, some of which have over a hundred national organizations as members, that's before you even go onto grassroots constituency based organisations. Some of the national organizations are large trade unions or international NGO's like Amnesty, there is no way that I, as director of a small organisation, can be accountable for what Amnesty International does. Just because we both support the human rights act doesn't mean we are actually--

Richard:Have you got a way through this? You've agreed that coalition working should be regulated, the present situation whereby all spending is aggregated and then counted against each of the partners in the coalition is clearly very unsatisfactory, it would very quickly bring you above the threshold, and perhaps above the capping gap. What other alternatives are there? What other way could be a fair way of assessing the amount?

Alexandra: My key concern is that whatever we come up with isn't too bureaucratic. One of the ideas I've heard discussed, for example, is that if you look at whether or not organisations have a shared plan. But how would we all get to decide what a shared plan is, and what level of detail it has to have for it to be a plan and not just something undeveloped that we are working on? That is why I would veer to having a higher spending limit to take account of the coalition working. Political parties tell us that they want us to work together, it's more impactful when we work together. If that's the case, then I think we need to go for a higher spending limit.

Richard:The spending limit would have to be very high if you had a very major coalition working on a major issue with some big spenders in it. You might not be able to get it high enough. Let us suppose you had 20 partners to the coalition, and the overall spending of the coalition was a million pounds, you could just divide it by 20 and that would be attributable to each one, whether they were small spenders or big spenders. I am not arguing for that, but that would be one very rough and ready way of doing it. You'd only have to work out your own expenses. I'm interested in any other ways people could think of.

Nick Davies: It becomes very murky to determine how closely organisations are working together, what is a coalitional and what is just two organisations that happen to share the same views? I agree that it seems very unfair for one organization, particularly a very small organization, should have to account for the spending of a partner or someone that they loosely work with, and actually the only clear line you can draw is, are they separately constituted organisations? I personally don't think that there should be any regulation of coalitions separate from the regulations that should apply to each organisation that is a member of that coalition. I don't know where you draw the line otherwise.

Richard:It would provide a loophole, that's already been said.

Richard - RSPB: This is certainly one of the knottiest parts of the bill, and if there is somewhere where we didn't properly account for our spending at the last election, it might have been missed. We simply had no way, as far as I'm aware, of checking with coalition partners what they were doing. I think unfortunately, the idea of dividing coalition spending between the members of the coalition, wouldn't work. That would allow the sort of gaming practice to keep going. Each fake organisation would be able to take only the part of the overall that it spent itself.

Richard: That wasn't what I was arguing; I was suggesting that they took a fixed percentage, however much they spent themselves.

Richard - RSPB: I think that would still mean that overall, a notional set of 20 organizations, that were really one, could actually spend a lot more if they only had to account for one portion of it.

Nick Pickles: If you've got one massive donor and lots of smaller organisations then it would massively increase the spending power of those smaller organisations.

Richard - RSPB: For me, I wonder whether its possible to define the sort of gaming activity that you are talking about, and leave it up to a judgment by the Electoral Commission or by a court about whether gaming is taking place.

Nick Pickles: I guess the most obvious example I have seen of a coalition that has clear political objectives is 'Stop HS2', where they have the anti HS2 alliance. On the current law, I think that they would have to register. They are spending so much money in certain constituencies, I think that the test of intended to influence an election outcome is clear, they would already hit the threshold. What I'm struggling with is the examples of coalitions that currently exist that wouldn't hit that threshold but are spending a lot of money. There are a lot of loose coalitions, we're part of several of them, but there aren't many where there isn't a centrally organising group which spends the money, and receives donations directly, or where its so loose that the outcome is still the individual members doing there own thing and there isn't something collectively being produced.

Julianne: With something like the Disability Benefits Consortium, which is made up the big six or seven disability charities, and the lots of lots of tiny ones, what happens when you go to a meeting is that often Scope say, 'well I'll do such and such' and RNIB say 'I'll do such and such' and the little organizations say 'well in the town that I'm in the center of, we'll do such and such'. RNIB might have done that activity, regardless of whether it (...) or we might do more of it.

Nick Pickles: That comes back to our previous point, it's the transferring. As a central organisation you pay a very expensive graphic designer to do your branding, then the local branch use it, and retransfer the branding cost locally. The same problem applies for coalitions. Really it's the apportionment of cost, rather than necessarily the coalition structure itself.

Richard: I think this is a really difficult one.

Dot: This is a difficult one for us, because the NPC has always stood alone, over the last few

weeks we've had Age UK, which is a massive charity, has suggested that in advance of the next election we could form a coalition. We're like minnows; our turnover is about £180,000 a year. Whereas they're a huge organisation. The question is very important for us.

Richard: My whole worry about this particular aspect is that unless we can come up with a plausible alternative, the government will simply stick to what they have at the moment, because there isn't anything else that can convince, and there's real difficulties in finding something which will convince. I hope that your people will particularly think about that, and let Liz know within the next 3 or 4 days, if you can think of a better way of doing it.

Sophie: We endorse lots of projects one by different organisations, and we may have to start rethinking what we endorse. If having our logo on something means that money will then be apportioned to that, then we can't endorse it. With certain things people will say, 'well if the board of deputies aren't endorsing it, then I'm not getting involved in it'. I'm worried on the effects that will have on democracy. And other people saying they don't want to be involved in all sort of bureaucracy, and just won't do any kind of campaign, its just too complicated, and we don't have the money for it. We do a lot of endorsements, so it is something we are worried about, coalitions. Relationships with other organisations, sometimes they are very good, sometimes its hard to find a meeting place, but is this going to breed some kind of suspicion, 'are you only wanting to link up with us so that we can share the cost' It is something to think about.

Richard: Any quick points to make?

James: So the definition of coalition is very important, whether it's a shared bank account or separate. One way round it might be a new invention, the campaign cooperative, where people cooperate but don't actually share funding. That's what might happen as a consequence. If a coalition has a shared bank account that people pay into, that limit might apply to that bank account. There are other ways of dealing with this; the sector organically evolves ways to manage it.

Richard: Thank you, we move on then to constituency campaigning. Do you think that non-party campaigning organisers should be limited on what they can spend in a single constituency, do you think accounting for spending in individual constituencies is workable?

Nick Davies: It's not workable (laughter). I've worked for a number of members of parliament, whether they are in rural areas or urban areas. The style of different constituents changes, how they absorb information, how they should be targeted. Universalisation of this whether it be spending thresholds or permitted activities is absolutely going against the fundamentals of a pluralistic society, it's trying to uniformalise the system. Constituents whether they be 18 year olds or 80 year olds are fundamentally different. My response would be we that we can't have constituency limits; they are fundamentally different to one another.

Nick Pickles: I'm going to pay devils advocate here, this is the one bit where I think the governments got a fair case to argue, in terms of undue influence of political, you can spray paint the whole country

with advertising if you want, but actually if you want to have influence, you focus on a few key constituencies, where a particular swing issue, whether it's a hospital, HS2, fox hunting, whatever the issue is, that's where you can change the outcome. It happened with last election. The argument you've just made is an argument for a higher cap, not for not having limits.

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Nick Davies: The issue here, and you are quite right about influence and targeting, is where is the standard? I'm open to seeing a standard, but which constituency do you look at, and how do you define spending limits and activities that can go about within that constituency because as you rightly point out, geographically, media activity, goes beyond constituency borders. There is a sense of where is the standard, what is the criteria to which we should adhere? I would suggest there couldn't be any criteria.

Richard: Is there any sense of trying to relate it to political campaigning per constituency. There are quite significant sums allowed for campaigning in a particular constituency, aren't there? Can anybody remember what they are?

Nick Pickles: My campaign came in at £14,000, which was more with (...) which was more heavily contested they were pushing 20.

Richard: And what was the limit you were allowed to spend

Nick Pickles: It's based on the number of electors, so it varies slightly. It was around 20,000.

Richard: There seems to me a case here, for a link with what is allowed to political parties, and it shouldn't be less than a political party. Taking into the account the exclusion of staff costs.

Nick Pickles: The question becomes, is the intention to transfer costs from third party groups to limit their, essentially you could be very cynical and say if you're David Blunkett and want to support ID cards, you set up a pro-ID card group, in your seat, and you essentially double your spending allowance by having a supportive third party group in your constituency. The question is how you stop that; one group supporting one candidate, that doubles the money.

Richard: I quite agree. The trouble is, there are probably ways around almost everything in life, on the grounds that original sin is universal. (Laughter).

Liz: Maybe there are some issues where we say there is an issue that deserves to be addressed, that has been raised by government, they haven't come up with a workable solution. In the time we've been given, less than 6 weeks, it hasn't been possible to come up with a solution, therefore we propose there are no constituency limits this time round, but we are not against something in the future looking into it. The only thing is, where are the red lines are for the Conservatives and Liberal Democrats on this? This is a real red line; they'll fight to the death on this. Is that winnable, and does that change what would we should say, or just how we should fight for what we agree is the right thing.

Richard: I think the commission will have to grapple with that one. Meanwhile I think we must move on to question 9. That is reporting requirements. What should the reporting requirements be for non-party campaigners, where should the balance between transparency and bureaucracy lie? We've had a certain amount of discussion already, as unanimity, there should be transparency, there are real difficulties for bureaucracy if staff costs have to be taken into consideration. On the assumption that staff costs would not be taken into account, the bureaucracy is probably not too difficult. The costs of things such as printing and meetings in the immediate election period.

Jessica: That's right we certainly know how much we have spent on certain things such as printing and publications, we know how many things have gone up on the website. The last job I did was with the civil service, we logged our time broadly by the hour, many of my friends who work for the private sector log it every 6 minutes, because that's what they charge for. (laughter) In my current role with the Quakers, I broadly say how many days per week I've worked on something, but it's nowhere near what the civil service often do. I think that this bill is making the assumption that we have more ability and more systems in place that we simply don't. I don't think we should find ourselves in a place where we have to log every 6 minutes in order to charge it. Perhaps we can say 'this is broad percentage of our time' supposing that we had to log staff costs as well, perhaps we could say 'this is to the nearest 5% of the time over the year'. That might I think be the sort of thing the charities could do.

Cara: I don't know if this a very helpful comparison, but within the international development sector, there is something called the IATI International Aid Transparency Index, and these days if you are going to get a grant, any money from DFRD they require that you report to IATI. Many bond members have to report to IATI. How this works is that you have to publish once every 3 months everything that you have spent, it's quite general top-line figures, but we have a programme of work, with one dedicated member of staff, who helps all of our members to do that. That programme has been running now for a number of years, and we only now have 100 of our organizations up to speed. The smaller ones are still really struggling. I think that's probably a less burdensome reporting requirement than what I understand is currently within the electoral commission regulation.

Richard: Thank you. It's interesting that you had to employ one full time member of staff just to do that, even though it is for a range of organisations that use it.

Nick Pickles: Would that come within the spending limit? Is the staff time to do the paperwork counted?

Richard: There's no doubt about it, what emerges, once you start to take staff time into account, you're getting into real difficulties. If those are kept out, then it's probably manageable for the regulation burden. Then we move on to the last question, which is 'How long should the regulated period for non party campaigning be?' How should the length of this period be arrived at? For the moment it is for the year before an election, and with a fixed election period, that will be locatable and the immediate will be the immediate election period, which is about 6 weeks. Are there any views on that?

Richard - RSPB: It's the year before Westminster general elections, it's also four months before

European elections or elections for the devolved assemblies. Which means that we are headed for one great set of regulated periods after the next. The effect of halving the regulated period would be welcome, it would effectively increase the amount of money you could spend per day, it would help with the caps but its important to note that it wouldn't account for a proportional increase in the amount of money per day because most of the spending on an election is back loaded towards the 6 months before an election anyway. Talking to other groups, I think that most spending happens in that crucial 6 months. I'd fly a strong flag for that being extremely helpful in terms of reducing the regulatory burden, in terms of sorting out the caps and in terms of reducing the amount of time you are going to need to, if necessary, put down your tools.

Jessica: I believe that the parliamentary boundaries are definitely going to be changed every 5 years now, my last job was on local government boundaries, and I believe that they report- that they are only required to report to government 9 months before the election, which means that we won't actually know what the constituencies are anyway, but there is something in legislation about the amount of time that the registering officers have to be given before an election to make sure that they know exactly where the boundaries are, and it is much more relevant to local government, but of course the parliamentary constituencies are set upon wards. It might make sense to tie it to that, I think it's about six months.

Nick Pickles: And that's the parliamentary campaign, there is a short campaign which is 6 weeks, and the longer campaign, which I think is tied to that. One of the ideas that I heard was just to have it as the first of January of the year of an election. That would give you your long period and for parliamentary you have two different amounts, one for the long period and one for the short period, to stop people back loading the funding too much. That is already there for parliamentary campaigns. Why they have tried to create this new twelve-month period I'm not sure.

Julianne: My earlier concern was that if I was the government, I would be announcing policy 11 months, 29 days. I think most governments can't really announce stuff 6 months before; you would just never get it through, legislation wise. I would feel more comfortable about the fact that our spending six months on an election is probably about an election as opposed to reacting.

Nick Pickles: The one that springs to mind is balance of competencies. Rory, on the EU? Balance of competencies is going to report October, November 2014.

Rory: Yes, it is, it's been an 18 month project, but every semester gives about 2 to 3 months for organizations to get their submissions in.

Nick Pickles: The reason it's an issue is because your staff time to reduce your consultation response for the government consultation to go into the process would be campaign time. Because you would publish that.

Julianne: So they could just kill us, just by using consultation.

Richard: It's one minute past two, and we said we would finish the meeting at two. Thank you very much

for all your contributions. If you have further thoughts, please send them in to Clare who will pass them onto Liz. I feel its been a very participative meeting, I think and hope that everyone has been able to express the views that they wanted, we have certainly taken note of them.