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ZcfYUWX 'a YX]i a UbX'k \YhYfW ffYbh  
X]j Yf[ YbW'g'cZUddfcUWX fYa U]b'† gh] YX"  
'a df]bhg'g\ci 'X VY'fYei ]fYX'cb'X][ ]hU'  
WJa dU][ b'a UH'f]U'gžUg'cb'c'hYf'Zcfa g'cZ  
WJa dU][ b'a UH'f]U'g"  
5'gYU'fW'UV'Y'fYdcg]hc'fmcZcb' ]bY'dc' ]h]W'  
UXj Yfh]g]b[ 'g\ci 'X VY'XYj Y'cdYXž]bW' X]b[  
]bZcfa U]h]cb'cb'k \Yb'YUWX'UXj Yfh]gYa Ybh  
k Ug'dcghYXžhc'k \ca' ]hk Ug'hUf[ YH'XžUbX  
\ck 'a i W'k Ug'gdYbh'cb

H\Y'7ca a ]gg]cb'\cdYg'hUh]hg'  
fYW'ca a YbXU]h]cbg'k ]''YUX'hc'dcg]h]j Y'UbX'  
W'cbg'f]i W'h]j Y'X]gW'gg]cb'UVci h'h\Y'ž'hi fY'cZ  
fYZ'fYbXi a g' ]b'h\Y' ? žUbX'U'ghfYb[ h\Yb]b[ 'cZ  
XYa cW'U]h]W'dfUW]W''Gca Y'cZ'hYgY'  
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[ cj Yfba Ybhcf'XYj c]j YX [ cj Yfba Ybhg''Gca Y'  
dfcdcgY'UW]h]cbg'VmdUf' ]Ja Yb'UfmW'ca a ]hY'Ygž  
h\Y'9'YW'c'fU'7ca a ]gg]cbžUbX'c'hYf'c' W]U'  
VcX]Yg''C'h\Yfg'bY'YX'hc' VY'U'Yb'i d Vmdc' ]h]WU'  
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16. The Commission does not recommend the



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**relating to the conduct of a poll be clear at least six months before it is due to be complied with.**

The Commission recognises that in some exceptional circumstances this may not be possible.

44. **As lead campaigners receive public money it is important that key individuals associated with the person test should be required for the board members and the responsible person of groups applying to be lead campaigner.**

Each organisation that applies for designation would have to certify that all its board members are ‘fit and proper’ according to criteria specified by the Electoral Commission. If the Electoral Commission has reason to believe prior to or during the campaign that a person is not ‘fit and proper’, it should be required to conduct validity checks. If it is concluded that any member is not a ‘fit and proper’ person, that person should be removed from the board. If the person is not removed, the organisation should be barred from designation if designation has not yet occurred. If designation has occurred, the Electoral Commission should have the power to withdraw some or all of the public money and public benefits available to the organisation in virtue of designation.

45. **The Commission considered alternative ways of distributing spending limits amongst lead and other campaigners and concluded that the current balance should not be altered.**

Lead campaigners play a central role in the referendum debate and therefore it is right that they enjoy higher spending limits than other permitted participants and benefit from public funding. The Commission notes that, if there are more registered campaigners on one side of the argument than the other, current arrangements may permit an imbalance in collective spending. Nonetheless, as long as there are two well-financed lead campaign groups that are well represented in the debate, the Commission does not consider this to be a problem.

46. The Commission supports the Electoral Commission’s recommendation that joint spending controls should be clarified by the government and parliament and incorporated into

PPERA. It also agrees that the Electoral Commission should be given statutory Code-making power to clarify any future matters.

47. In order to ascertain the true cost of a referendum campaign, and to ensure that campaign groups do not exceed their spending limits, it is imperative that the costs of goods and services procured prior to the start of the regulated period but used during the regulated period should be included in referendum spending returns. To minimise any uncertainty, **the law should provide that ‘referendum expenses’ include spending on goods and services purchased prior to the regulated period but used during the regulated period.** This point is of particular importance as it relates to the collection, analysis and use of data, which play an increasingly important role in political campaigning.

48. The increasing usage of personal data in political campaigns means that the regulatory ambit of the Information Commissioner’s Office (in respect of personal data) and the Electoral Commission (in respect of campaign spending) are converging. On the conclusion of the ICO’s investigation into data analytics for political purposes, the Electoral Commission and the ICO should consider **how they can work together to ensure the best possible regulation in the future.** This should include an examination of how the financial value of data can be assessed to reflect the true costs of campaigns and a review of the appropriateness of the use in referendum campaigning of data already collected for other purposes.

49. At present, Electoral Commission investigations into the financial conduct of campaigners during referendum campaigns conclude long after the referendum takes place. **In order to improve accountability of campaigners, the time within which large campaign groups must submit their audited accounts should be shortened to three months.**

50. The Commission considered whether donations to registered referendum campaigners should be capped. The general issue of political donations is the subject of longstanding debate, which the Commission is not best placed to resolve. **The Commission does not consider there to be a case for treating donations to referendum political parties during election campaigns.**

51. The quality of discourse during referendum campaigns matters greatly. Referendums are opportunities for voters to take decisions of great importance into their own hands. It should be possible for voters to find the information that

59. The Commission believes that existing referendum regulation is ineffective in regulating online campaigning. At present, gaps in the regulatory framework mean that there is a lack of openness and transparency of advertising by referendum campaigners on social media.
60. The Commission is concerned about the potentially distorting effects of disinformation in referendum campaigns. It welcomes other inquiries set up to deal specifically with the issue of disinformation, including the Digital, Culture, Media & Sport Committee's inquiry into 'Fake News' and the LSE's Truth, Trust and Technology Commission. It believes that **the best solution to this problem requires cooperation between the government and technology companies. At the same time, solutions should not oblige or encourage technology companies to make judgements on the boundaries of democratic speech: that is a matter for democratically elected governments and parliaments.** The Commission welcomes existing efforts to this end, including the UK government's Digital Charter.
61. The Commission notes the variation in restrictions on political advertising across different types of media. Taking into consideration the changing nature of political campaigning, it is not convinced that such variation continues to be justified in its current form. **The Commission recommends that a parliamentary committee, or committees working together, should conduct a comprehensive inquiry into the future of political advertising across print, broadcasting and online media.**
62. The Commission welcomes commitments by social media companies to increase the transparency of political advertisements on their platforms. Nevertheless, transparency requires that full information on political advertisements on social media should be available to both citizens and the regulator in an open and accessible format. **The Commission recommends the creation of a publicly available and searchable online repository of political advertisements,** which should include the advertisement itself and information on when it was posted, which groups were targeted, and how much was spent. The Commission urges the
- UK government to build on its existing work with the Electoral Commission to establish the best means of operating such a repository.
63. In order to improve the transparency of online campaigning, **the Electoral Commission should do all it can within the existing legislative framework to maximise transparency of spending returns around digital spending. It should also review the spending categories listed in PPERA with a view to advising the minister on changes that would maximise transparency without imposing an undue burden on campaigners. In addition, PPERA should be amended to require more information in spending returns regarding what money has been spent on.**
- Imprint laws that apply to printed campaign materials should also be extended to apply to online campaign materials.**

68. The Commission enc

The Independent Commission on Referendums is the first comprehensive review of the role and conduct of referendums in the UK since legislation governing referendums was first introduced in 2000. The Commission on Referendums was established in October 2017 by the Constitution Unit, UCL. Its twelve distinguished members were selected to represent a range of political opinions and expertise, with experience of all major UK referendums of recent years.

Over nine months, the Commission has taken evidence, held public seminars in Belfast, Cardiff, Edinburgh and London, and deliberated in depth at monthly meetings. It has been

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