

## **Ensuring civil society has a voice**

We are a network of organisations from across UK civil society. Our objective is to create an enabling environment for civil society advocacy and campaigning in the UK.

Over recent years, restrictions have been placed on the ability of civil society groups to speak out. Changes to the non-party campaigning rules (also known as the Lobbying Act), the introduction of anti-advocacy clauses and decisions on guidance by the Charity Commission have contributed to the creation of a climate where civil society organisations (CSOs) are reluctant to become involved in public debate. While many CSOs continue to campaign despite the restrictions, some have become increasingly cautious when it comes to raising their voice.

CSO and charity campaigning is central to our democracy, amplifying the voices of those who are marginalised and holding the powerful to account. It has been the driving force behind many of our great social reforms, both here in the UK and overseas. It has contributed to policy and legislative changes that have saved lives and made them better; a legacy that we are and should continue to be rightly proud of. It is essential that this freedom to campaign is restored.

Despite the Government's recent warm words about promoting democracy and civil society voices around the world, here in the UK we are seeing both go into decline. The UK has joined a list of 12 European countries in which civic space is now rated as 'narrowed'. The UK can only be a beacon to the rest of the world if it respects civil society's right (and sometimes duty) to campaign.

To this end, we are calling on the next government to:

- 1. Significantly revise the Lobbying Act, along the lines proposed by Lord Hodgson in his Government-commissioned review of the legislation.**

The Lobbying Act further regulates non-party campaigning in the run up to an election by adding to the rules set out in the Political Parties, Elections and Referendum Act 2000, and places strict controls on spending on regulated activity in the 12 months prior to an election.

Research shows the Act had a 'chilling effect' on CSOs at the 2015 General Election. The Act came in to force again at the 2017 snap election, and the rules were applied retrospectively to June 2016.

A government-commissioned review undertaken by Lord Hodgson recommended significant changes to the Act, and the House of Lords Select Committee on Charities called on the Government to implement its recommendations in full.

- 2. Ensure that all departments engage with and involve CSOs throughout the policy-making process, listen to and value the insights that CSOs provide, and respect and support their right to speak out.**

CSO campaigning can make the policy process more effective and inclusive. By bringing in different perspectives, CSOs provide decision makers with access to valuable insights. They also bring expert knowledge and robust evidence that can be used to improve public policy and the delivery of much needed services.

Engagement between government and civil society can be a frustrating experience, with many CSOs feeling that they are excluded from the policy-making process. CSOs can also be viewed as suppliers, rather than stakeholders, resulting in a transactional relationship rather than a meaningful one. We call on the next government to commit to renewing its relationships with CSOs, building on the Civil Society Strategy, ensuring that all engagement is meaningful, inclusive and deliberative.

**3. Ensure that all government grants and contracts support the right of CSOs to speak out, and facilitate open and inclusive policy engagement, and remove restrictions on campaigning.**

In 2016, the Government announced that it would insert a broad anti-advocacy clause into all government grant contracts, which would have meant grant funded CSOs were unable to provide policy makers with crucial insight that improves legislation, regulation, and public services.

Following sustained pressure from civil society the clause was replaced with the government grant minimum standards. However, some departments have continued to insert restrictions on campaigning and influencing in grant contracts. Whilst outlining what grant recipients can do, the grant minimum standards are still restrictive.

**4. Ensure the Charity Commission and Electoral Commission are working to enable a regulatory environment which support the rights of CSOs to campaign.**

The Charity Commission issued guidance on campaigning in the run up to the EU referendum, which failed to recognise how the outcome of the referendum could have a substantial impact on the activities of many CSOs and their beneficiaries. They reviewed the guidance following widespread criticism, which made some difference to the space allowed, but most CSOs still felt unable to participate in the public debate.

We welcome the Electoral Commission's willingness to engage in the process of reviewing guidance for issue-based non-party campaigners. The new guidance is a significant step towards greater clarity, and we hope that more civil society organisations will feel confident enough to speak out during election periods.

**5. Commitment to uphold the right to protest**

The government must commit to upholding the right to protest, especially articles 10 and 11 of the European Convention on Human Rights, to ensure that they are sufficiently protected.

Hard fought for protest rights in the UK have recently been brought under threat. It is essential the government commits to protecting them, in light of the misuse of terrorism charges against human rights activist, the Prevent strategy and labelling of protestors as domestic extremists, private persons unknown injunctions and the excessive cost risk in challenging them, and sentencing for protestors. It is also crucial the government ensures that police powers are not being used disproportionately.

Signed by:

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**Sarah Green, Director, End Violence Against Women Coalition**

**Dave Timms, Head of Political Affairs, Friends of the Earth**

**Frances Crook, Chief Executive, the Howard League for Penal Reform**

**Martha Spurrier, Director, Liberty**

**Paul Streets OBE, Chief Executive, Lloyds Bank Foundation for England and Wales**

**Karl Wildling, Chief Executive, NCVO**

**Andy Gregg, Chief Executive, Race on the Agenda (ROTA)**

**Sue Tibballs OBE, Chief Executive, Sheila McKechnie Foundation**

**Polly Neate, Chief Executive, Shelter**

**Rita Chadha, CEO, Small Charities Commission**

**Alex Runswick, Director, Unlock Democracy**

**Asad Rehman, Executive Director, War on Want**