

Non-party campaigners: Case studies Case study 1: Immigration A group that campaigns on immigration and xenophobia delivered a high profile poster campaign, followed by a digital campaign that went on for a number of months. The campaign aimed to show immigrants as real people. Although the campaign had been originally planned to go live the previous year, it was delayed for various practical reasons, and the poster campaign was launched in the period before the general election. The costs of the poster and digital campaign in the regulated period were above the registration thresholds in each part of the UK. Public test: The activity is aimed at the public since it uses billboards, websites and social media. Purpose test: Call to action to voters There is no call to action of any kind, and in particular nothing related to voting behaviour. Tone The campaign is positive about immigrants. It suggests that we should be welcoming to immigrants as well as hinting at the view that immigrants are an economic and social good, and therefore the campaign can reasonably be regarded as in favour of immigration in general. It does not mention parties or candidates, or any particular policy. Context and timing The organisation has campaigned on the issue for some time. The campaign has been planned for a long time and was intended to be released much earlier, but now it is very close to the election. Immigration is a high profile issue in the election, and is associated in particular with UKIP.

However UKIP usually focus explicitly on immigration from the EU, which the campaign does not. Neither of the two largest parties have a distinctive view on the issue, although the Conservative Party have a well-known target to reduce non-EU immigration to the 'tens of thousands'. No particular policy is alluded to by the poster campaign. The broad issue of 'immigration' is not enough to link the campaign to UKIP or any other party or category of candidates. How a reasonable person would see the activity A reasonable person would think that the intention of the activity was to change the general debate around immigrants, primarily in the media but also from politicians. Due to the proximity to the election and the subject matter, a reasonable person might consider the possibility that the posters were aimed at UKIP, and perhaps to a lesser degree the Conservative Party. However, given that the campaign has not been changed since it was originally designed to be launched in a period where there was no election, overall a reasonable person would not see the campaign as intended to influence voters. This activity cannot reasonably be regarded as intended to influence voters to vote for a political party or category of candidates, so the purpose test is not met. The spending on the activity is not regulated, and the campaign group does not have to register. Last updated: 19 September 2023

Book traversal links for Case study 1: Immigration Non-party campaigners: Case studies Case study 2: Fracking Case studies from recent elections This section contains case studies of some issues-based campaigns that took place in the run up to the UK Parliamentary general elections in 2015 and 2017. The case studies give detailed assessments of the public test and the purpose test for each campaign. These assessments may provide a model for how to assess your own campaign activities against the tests. For more details on the tests, please read our non-party campaigner guidance . Thanks to campaigners and caveat Our thanks to the campaigners whose campaigns we have used for these case studies. The assessments in the case studies are our assessments, as the regulator, of how the law applied to these particular cases, and do not necessarily reflect the views of the campaigners involved. Book traversal links for Non-party campaigners: Case studies Case study 1: Immigration Case study 2: Fracking An environmental campaigner ran a series of campaigns on fracking during the regulated period for the general election. The first campaign was an action day where a number of events took place across an area where

fracking applications were under consideration by the council. The second campaign aimed to get candidates to sign a pledge against fracking. The campaigner's website had an interactive map of the UK, with each constituency showing which of its candidates had signed the pledge. There was also a running total for how many candidates from each party had signed the pledge. Other material promoted the website, asked candidates to sign the pledge, and asked voters to write to their candidates to ask them to sign. Last updated: 19 September 2023 Book traversal links for Case study 2: Fracking Case study 1: Immigration Action days Action days Action days Public test: They are public events so the public test is met. Purpose test Call to action to voters People at the events are encouraged to sign a petition against the planning applications. They are not actively encouraged to vote in a particular way. Tone The tone of the events is very negative towards fracking. The focus is not on candidates or political parties. Context and timing The events are held during the regulated period, about a month before the election. Fracking is a significant issue in these areas, primarily because there are live planning applications on fracking with the council at the time. How a reasonable person would see the activity A reasonable person would think that the events are intended to influence a council decision. They would not think that they are intended to influence voter choice. The action day campaign cannot be reasonably regarded as intended to influence voters, and so it does not meet the purpose test. Last updated: 24 May 2021 Book traversal links for Action days Case study 2: Fracking Website pledge campaign Website pledge campaign Local or general campaigning: Although the interactive map names specific candidates in specific constituencies, it is not a series of local campaigns. It is a general campaign. This is because the interactive map covers many constituencies as a single campaign, and is clearly a campaign based on an issue, rather than primarily being about the named candidates. Public test: The website and the associated promotional material are available to the public, so the campaign meets the public test. Purpose test: Call to action to voters The campaign does not have an explicit call to action. However, it is obviously intended to be election-related because it mentions candidates and parties. It can therefore reasonably be regarded as intended to encourage voters to take into account their candidates' position on fracking when casting their vote. Tone Since it is very clear what the campaigner's view on fracking is, the campaign is implicitly positive towards candidates and parties who have signed the pledge and adopted an anti-fracking position in general. Because candidates' names appear on the interactive map in the relevant constituencies, a category of candidates has been clearly identified. The website is also implicitly more positive about parties that have more candidates who have made the pledge. In particular, the Green Party has scored highly. Context and timing The campaign ran during the regulated period, in the six weeks leading up to the election. It was clearly aimed at the election. How a reasonable person would see the activity A reasonable person would think that the primary intention of the campaign is to influence candidates to sign the pledge, so that after the election there will be more MPs who have signed the pledge and will be more receptive to the campaigner's policy aims. However, they could also reasonably think that it was intended to influence people's voting choice in favour of candidates and parties who are anti-fracking. The campaign can reasonably be regarded as intended to influence voters, so the purpose test is met. Since it also meets the public test, the costs associated with the interactive map, as well as the related material on the pledge campaign, are regulated and count towards the campaigner's regulated spending total. Last updated: 24 May 2021 Book traversal links for Website pledge campaign Action days