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The following Executive Summary is from the Brahm Insight Research Report: Research to support the Electoral Commission's consultation on its future enforcement policy.

A full copy of the Report is available at:

<http://www.electoralcommission.org.uk/party-finance/enforcement>

Background

- The research project examined perceptions of the Electoral Commission's regulatory approach and how it might use new powers and sanctions contained in the **Political Parties and Elections Act 2009 (PPE Act 2009)**.
- Focus groups were undertaken across Great Britain with a representative sample of the **general public**. This was complemented by a series of focus groups and in-depth interviews with 40 **treasurers** from 5 political parties. All respondents were asked to fill in a 'homework' task before taking part in the research interview; this gave participants the opportunity to consider specific examples of non-compliance, and to think about what sanctions, if any, should be imposed. Fieldwork was conducted between September and November 2009.

Key findings

Response to the sanctions introduced in the PPE Act 2009

- The general public and treasurers both **supported the new range of sanctions** introduced by the PPE Act 2009. They were seen to provide a more effective and appropriate set of tools for the Commission to ensure parties comply with the law in a fair and proportionate way - so that 'the punishment fits the crime'.

Choosing the sanctions

- A number of key factors were considered important by both the public and treasurers when deciding what action should be taken if the rules are not followed:
 - *Intent to deceive* - this was the **most important factor** for both audiences. The most punitive sanctions were used where there was perceived *intent to deceive* for political or financial gain.



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- *First or repeat offence* - repeat offenders should be given a more severe sanction than a first time offender.
- *The amount of money involved* - the larger the sum of money involved the more serious the breach of the rules was deemed to be.
- Both groups agreed that when a breach of the rules had occurred there must *always* be some action taken. They also recognised the **importance of advice and guidance to support compliance**.
- The public and treasurers both felt any fine imposed by the Commission should be **proportional and not fixed** - it should relate to the scale of the misdemeanor or size of the donation in question.
- There was no relationship between the general public's level of **education, political interest, or age** and how they believed the sanctions should be applied.
- Treasurers chose **less punitive sanctions** than the general public, and focussed on contextual issues which might explain an alleged breach in the rules. For example, treasurers were empathetic to delays that may occur due to the process of passing information through the party headquarters.

The bigger picture

- The general public had **low levels of awareness** about political party funding. Trust in politicians was low, and many respondents expressed cynicism towards politics more generally; this may be in part related to the 2009 MPs' expenses scandal.
- Many treasurers reported receiving little training in how they should carry out their duties. There was no standard way of recording the payments in and out of accounting units - most used the system their predecessors had used. Treasurers would welcome **more support to assist them in their roles in the future**, either directly from the Commission or indirectly via their own central party.
- After considering the issues both groups had a greater understanding of the Commission's role, and felt there was a **compelling need for a regulator**.