**UK democracy under threat and need for reform is urgent, says regulator**

Electoral Commission asks government to change law after series of online political campaign scandals

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campaign scandals, acknowledging concerns that British democracy “may be under threat”.

Following a series of [revelations involving the likes of Cambridge Analytica](https://www.theguardian.com/uk-news/2018/jun/16/arron-banks-nigel-farage-leave-brexit-russia-connection), the elections regulator has asked Westminster and the devolved governments to change the law in order to combat misinformation, misuse of personal data and overseas interference in elections.

Among other recommendations, the Electoral Commission has called for:

* A change in the law to require all digital political campaign material to state who paid for it, bringing online adverts in line with physical leaflets and adverts.
* New legislation to make it clear that spending in UK elections and referendums by foreign organisations and individuals is not allowed.
* An increase in the maximum fine, currently £20,000 per offence, that the Electoral Commission can impose on organisations and individuals who break the rules.
* Tougher requirements for political campaigns to declare their spending soon after or during a campaign, rather than months later.
* A requirement for all campaigners to provide more detailed paperwork on how they spent money online.

The intervention follows years of debate about the largely unregulated world of online political campaigning in the aftermath of the 2016 EU referendum and Donald Trump’s election as US president.

“Urgent action must be taken by the UK’s governments to ensure that the tools used to regulate political campaigning online continue to be fit for purpose in a digital age,” said Sir John Holmes, chair of the Electoral Commission.

“Implementing our package of recommendations will significantly increase transparency about who is seeking to influence voters online, and the money spent on this at UK elections and referendums.”

His organisation also backed proposals to publish a database of political advertisements that will enable the public “to see what adverts a campaigner has taken out and how much they paid”. [Facebook](https://www.theguardian.com/technology/facebook) is already due to launch such a facility for UK political adverts within the coming months.

The regulator, alluding to foreign governments such as [Russia](https://www.theguardian.com/world/russia), also raised concerns that there is currently no explicit ban on overseas organisations buying online political ads aimed at a British audience.

The Electoral Commission has fined Arron Banks’s Leave.EU campaign £70,000 for breaking electoral rules. Photograph: Chris J Ratcliffe/Getty Images

“This means that people who are not allowed to register as campaigners can still spend money to influence voters in the UK,” said the organisation. “This could be from foreign nation states or from private organisations and individuals.”

The Electoral Commission’s call to action comes at a time when it is already under substantial pressure over its handling of the 2016 EU referendum, after allegations that Vote Leave may have coordinated its online advertising spending with a former fashion student and [Brexit campaigner called Darren Grimes](https://www.theguardian.com/politics/2018/mar/24/beleave-cambridge-analytica-brexit-boris-gove).

The regulator’s report into Vote Leave spending is due out next month. [According to a leaked copy of a draft investigation](https://www.bbc.co.uk/news/uk-politics-44567588) obtained by the BBC, it is likely to find that the Brexit campaign broke spending rules – a finding that would raise further questions about why it has taken the Electoral Commission two years to reach this conclusion.

Last month the regulator [fined Arron Banks’s Leave.EU campaign £70,000](https://www.theguardian.com/politics/2018/may/11/leaveeu-fined-70k-breaches-of-electoral-law-eu-referendum) for breaking the rules but the regulator has warned that the relatively low fines for breaking electoral laws make it “a cost of doing business for some campaigners”, given the millions of pounds that are spent during modern campaigns.

However, proposals to increase fines could come under attack from leading [Brexit](https://www.theguardian.com/politics/eu-referendum) supporters. Banks said the proposals would never have been made if remain had won the EU referendum. “The deeper issue for me is the politicisation of the Electoral Commission,” he said. “If it was an independent body it would have neutral civil servants on its board, not former MPs.”

A Cabinet Office spokesperson said: “The government is committed to increasing transparency in digital campaigning in order to maintain a fair and proportionate democratic process, and we will be consulting on proposals for new imprint requirements on electronic campaigning in due course.”

The Electoral Commission has also asked for the power to investigate individual political candidates if they have broken constituency spending limits in general elections. At the moment only the police can investigate such allegations, resulting in the long-running investigation [into Tory candidates’ spending on battle buses](https://www.theguardian.com/politics/2017/may/10/no-conservative-election-expenses-charges-from-14-police-force-inquiries), which was dropped by the Crown Prosecution Service due to insufficient evidence.

Other proposals include pushing political parties to count online advertising targeted at local constituencies within individual candidate spending limits – which can be as low as £10,000 – rather than as part of national campaigns which are allowed to spend up to £19.5m. During the 2017 general election the Conservatives were able to target Facebook ads regarding local issues at individuals in specific constituencies and count it as national spending – [just so long as they didn’t mention the name of the local Tory candidate](https://www.buzzfeed.com/jimwaterson/the-tories-are-exploiting-a-new-loophole-to-launch-a-last?utm_term=.we3WXOLRX#.mwyjdDVmd).

Both Labour and the Conservatives spent substantial sums of money on online promotions during the last general election, with digital spending accounting for more than 40% of all advertising spending by political parties in 2017.

As part of the Electoral Commission’s review it commissioned research from focus groups across the UK. These found the public “on the whole are unlikely to be aware of the extent to which they may be influenced by digital campaigning material” with respondents finding “it difficult to imagine how regulation or sanctions could work”.

However, some members of the focus groups were happy with political parties to target adverts at them, providing it was relevant.

“If they are micro-targeting me – or some sub-group that I follow – if they are telling me about political policies that this party is going to do for me, then that is relevant and informing me,” said one respondent in Glasgow. “I would be fine with that.”