

Local Government Information Unit

NEWS RELEASE

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Keep it legal in council publicity

Local democracy think tank the Local Government Information Unit (LGIU) today launched the latest edition of *The Right Side of the Law*, the authoritative guide to the legal constraints upon local authority publicity.

The Right Side of the Law aims to ensure that councils can mount effective public relations campaigns to help achieve their objectives, while ensuring that they remain within the laws that govern all publicity from local authorities.

The guide aims to give council staff that communicate with the public, in whatever form, an awareness of the rules on local authority publicity. This latest edition of the guide, the first since September 2001, covers recent developments that effect council publicity. These include the repeal Section 28 - the law that prevented the "promotion of homosexuality by local authorities" - and issues around *The Communications Act 2003*.

The main part of the new edition covers the *Local Government Act 1988* and the attendant *Code of Conduct on Local Government Publicity*, which the Office of the Deputy Prime Minister (ODPM) currently has no plans to revise. The new version of *The Right Side of the Law* applies only to England. Since devolution, slightly different arrangements to those described in the guide now apply to local authorities in Wales and Scotland.

The guide also looks at some wider issues in relation to the power of well being, other powers that can be used to support publicity, the use of websites, local authorities and broadcasting, the rebuttal of racist information and the use of local authority premises for election meetings.

Alan Pickstock, author of *The Right Side of the Law*, said: "Many of the enquiries that the LGIU receives regarding publicity show a misunderstanding of the law in this field. It's a bit of a minefield out there and often a climate of fear surrounds council communications.

"This apprehension gets even more intense during election periods when the rules are tighter still. At worst this has led to silence when the council needed to speak up. Councils, however, have a duty to communicate their actions and represent their communities.

"Councillors are encouraged to be campaigning community leaders and to work in the new scrutiny functions, but the current rules can frustrate their legitimate

desire to promote their work to their electors. It is also doubtful whether such a suffocating climate for local political debate is conducive to the cause of combating voter apathy and improving election turnout.

"Although there must be some carefully crafted legislation to prevent public money being used for blatant party political propaganda and to protect the civil service role of officers, the law in this area is clearly an item of unfinished business in the local government modernisation agenda.

"The Right Side of the Law aims to ensure that councils can maximize their deployment of dynamic, modern and effective public relations techniques, while ensuring that their campaigns remain within the existing law."

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Notes to Editors

1. Originally founded in 1983 to campaign against the ratecapping regime that was established in the 1984 Rates Act, the Local Government Information Unit (LGIU) is Britain's foremost independent local democracy think tank, campaigning to extend local authority best practice, freedoms and responsibilities. The LGIU is working to influence the debate on local government modernisation. The LGIU and its sister organisations The Education Network (TEN) and the Democratic Health Network (DHN) provide research, policy briefings, information, advice, training and lobbying services to local authority and trade union affiliates. Previous LGIU news releases and statements can be viewed at www.lgiu.gov.uk.

2. Copies of The Right Side of the Law are on sale at £20 each (£10 to LGIU affiliates) from Central Books on 0845 458 9910, 0845 458 9912 (fax) or e-mail mo@centralbooks.com.

3. A PDF version of The Right Side of the Law is available to journalists by contacting Kevin Morton at <mailto:Kevin.morton@lgiu.org.uk>.