

[REDACTED]

From: FOI
Sent: 19 October 2017 15:01
To: [REDACTED]
Cc: FOI
Subject: RE: Freedom of Information request - Arron Banks - Response 147/17
Attachments: In the news _ Thursday 19 Jan_1r8152h0 -2.pdf; Notes on The Brexit Club.pdf; RE_ Information request_1r8565n12.pdf; RE_ Press inquiry re Leave_eu campaign financing_1r83cgdi.pdf; 20170207-Campaign Monitoring and Horizon Scanning-Circular.JPG; In the News _ Friday 24 March_1r86dtt0.pdf

Categories: Transferred to Skynet
SharePointLocationUrl: [http://skynet/dm/Functions/IM/Requests_FOI_DPA/Aaron Banks](http://skynet/dm/Functions/IM/Requests_FOI_DPA/Aaron_Banks)
SharePointAbsoluteFileUrl: [http://skynet/dm/Functions/IM/Requests_FOI_DPA/Aaron Banks/FOI 147_17_ Freedom of Information request - Arron Banks_Response Final.msg](http://skynet/dm/Functions/IM/Requests_FOI_DPA/Aaron_Banks/FOI_147_17_Freedom_of_Information_request_-_Arron_Banks_Response_Final.msg)

Dear [REDACTED]

Our Ref: FOI 147/17

Thank you for your email to the Electoral Commission dated **25 September 2017**.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

You have requested:

- 1) From 01 January 2017 to 31 March 2017, I would like to request all internal correspondence and communications held by the Electoral Commission that mentions, or refers to, the businessman and political donor Arron Banks, who is associated with Leave.EU.**
- 2) From 01 January 2017 to 31 March 2017, I would like to request all external correspondence and communications between the Electoral Commission and Arron Banks, and between the Electoral Commission and Arron Banks' representatives.**
- 3) From 01 January 2017 to 31 March 2017, please indicate the number of meetings that have taken place between the Electoral Commission and Arron Banks (and/or his representatives). For each meeting, please provide the following information:**

Our response is as follows:

The Electoral Commission does hold information relevant to your request.

In relation to questions 1 and 2, you can find the information we are disclosing to you attached to this email. Please note that certain information has not been provided as it falls within exemptions in the FOI Act.

In relation to question 3, the Commission did not meet with Mr Banks or his representatives in relation to matters outside the scope of enforcement action during this time period. Please note that information relevant to whether the Commission met Mr Banks or his representatives as part of any enforcement action during this time period is not provided, as it too falls within exemptions in the FOI Act.

Details of those exemptions are below.

Exemption under section 31

Section 31(1)(g) of the FOI Act provides for exemption from disclosure of information which has been held at any time for a variety of law enforcement interests. For example, information may be exempt under section 31(1)(g) if its disclosure under the FOI Act would, or would be likely to, prejudice the prevention or detection of crime. The exemption under section 31(1)(g) is subject to the public interest test.

As you may be aware, the Commission currently has an active investigation concerning the registered campaigner, Leave.EU. Information which falls under the scope of your request, and which is relevant to this investigation, has been exempted under section 31(1)(g) of the FOI Act.

In addition, the Commission has liaised with another regulatory body on matters related to the subject of your request under the FOI Act. The Commission considers that the disclosure of information related to this liaison would be likely to compromise the ability of the regulatory body to investigate and would therefore affect the discharge of the body's regulatory function in vital areas. There is a public interest in maintaining the ability of the regulatory body to conduct investigations as it sees fit. There is also a strong public interest in the Commission being able to maintain effective and productive relationships with other regulators. It is essential that other regulatory bodies continue to engage with us without fear that the information they provide to us or which we share with them will be made public prematurely, or at any later date, where it is inappropriate to do so. We feel that the cooperation of other regulatory bodies may be adversely affected if details that they provide to us are routinely made public. Information which falls under the scope of your request, and which is relevant to this investigation, has been exempted under section 31(1)(g) of the FOI Act.

Exemptions under Section 40

You will notice that certain personal details have been redacted from the documents we are releasing. This redaction is necessary because section 40(2) and (3)(a) of the Freedom of Information Act 2000 (FOI) Act provides that personal data, where its disclosure would breach one of the data protection principles, is exempt from disclosure. The first data protection principle states that personal data must be processed fairly and lawfully. The Commission considers that it would be unfair to release the names and personal contact details of junior officials, who were not employed in public facing roles and did not act as spokespersons for their employer, as those individuals would have a reasonable expectation that this personal data would not be disclosed to the general public.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at:


<http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

You may already be aware, but the Commission recently published a response to a materially similar requested under the Freedom of Information Act, which covered a different time period. The response to this requested has been published on the Commission website, here:

<http://bit.ly/2zvNPlp>

Yours sincerely,


Information Management Adviser
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This was an interview with Arron Banks on politico.eu about how CA worked with them:

It's not just the scale of Banks's ambition that's fascinating, but the sophistication of his approach.

The Guardian recently ran a piece [criticizing](#) Cambridge Analytica, which has been working for Ted Cruz, for harvesting users' Facebook data. This same firm, says Banks, is using its understanding of our Facebook habits to shape Leave.EU's own "micro-messaging": Cambridge's profiles enable it to "know what sort of advertising appeals to you. It might be aggressive, it might be passive, it might be all sorts of different forms."

Social media gurus from San Francisco, recruited by Jim Mellon, are shaping the campaign's adverts to target exactly the right demographic. "That's why we know we've got broad appeal, because we advertise differently to different groups of people. So to a housewife, you might use an ad that says 'You can save £900 a year on your household budget.'"

Once people are recruited, they are mobilized. "We are putting down roots on the ground," says Banks. "We've already got over 300 groups who are meeting regularly, handing out leaflets, manning stalls in town squares, that kind of thing. Something like 2,500 people have actually delivered leaflets. That's driving the energy and growth of the whole thing."

[REDACTED]

From: Louise Edwards
Sent: 09 March 2017 09:27
To: Claire Bassett
Subject: RE: Information request

From: Claire Bassett
Sent: 08 March 2017 17:11
To: Louise Edwards
Subject: FW: Information request

So helpful of Mr Banks to explain for you...

From: Arron Banks [REDACTED]
Sent: 08 March 2017 11:45
To: Louise Edwards
Cc: [REDACTED]; Claire Bassett
Subject: Re: Information request

Dear louise

Just so I understand what you are saying , the government was allowed to campaign for remain without any of the regulations that applied to other campaigns.

I.e. The Welsh Government leaflets arrived after the date that the short campaign started but because it was the Government the rules didn't apply

Best
Arron

[REDACTED]

On 8 Mar 2017, at 11:40, Louise Edwards [REDACTED] > wrote:

Dear [REDACTED]

Thank you for your email, sent to Claire Bassett and others. Claire has asked me to respond. For your information, [REDACTED] has left the Commission.

I note your request for an assessment to be conducted in respect of leaflets published by the Government prior to the EU Referendum. Our published [Enforcement Policy](#) explains that we do not assess matters that are not within our regulatory remit, or where they are not supported by credible evidence. For the reasons set out below we will not be conducting an assessment into this matter.

As you are aware, the Commission is responsible for regulating the rules on referendum spending for the EU Referendum, as prescribed under the Political Parties, Elections and Referendums Act (PPERA) 2000 (amended by the EU Referendum Act 2015). Other than the rules in section 125 of PPERA, which are not

engaged here, the regulatory framework set out in PPERA does not apply to the government.

Please direct any questions regarding the distribution dates of the government leaflet to the Cabinet Office.

With regards

Louise Edwards

Louise Edwards
Head of Regulation

The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

electoralcommission.org.uk
yourvotematters.co.uk

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<image001.jpg>

From: Arron Banks [REDACTED]
Sent: 07 March 2017 13:28
To: [REDACTED]
Cc: [REDACTED] Claire Bassett
Subject: Re: Information request

I wouldn't hold your breath [REDACTED] the EC were the Government arm of the Remain campaign.....

Arron

On 7 Mar 2017, at 13:27, [REDACTED] > wrote:

Dear Sirs / Madam

I would like to request an assessment into whether the governments leaflet campaigning for Remain, adhered by the Electoral commission guidelines. I note that although it was campaigning for remain, there was no information on the leaflet in regards to any imprint.

Obviously any leaflet being delivered within the purdah period should have contained the imprint and the associated costs should have been declared.

It is in the public domain that the costs of the leaflet were £9.2m, any leaflets being delivered within the short period should have had the costs apportioned accordingly.

I would like to enquire as to whether there is satisfactory evidence that all leaflets were delivered prior to purdah commencing, as otherwise this would have been in breach of EC rules.

In particular, I would like confirmation of the dates of delivery for the Welsh leaflets, where they were translated into English and Welsh and were therefore delivered later on.

I look forward to your reply

Best Wishes



Join Britain's fastest growing grass roots movement by texting 'Leave EU' to 81400!

<image001.jpg>

<image002.jpg> <image003.jpg> <image004.jpg>

<image005.jpg>

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Notes on *The Brexit Club*

- Types of spending
- Names and roles of individuals mentioned
- How spending was targeted
- Other companies/agencies/outside people contracted/used for work
- Connections between campaigners
- Donations given from one campaigner to another
- Anything else that's relevant

[Non relevant information redacted]

.....

Page	Information	Role	Notes
6	Arron Banks	Founder of Leave.EU and UKIP donor	

[Non relevant information redacted]

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From: [REDACTED]
Sent: 19 January 2017 10:21
To: [REDACTED]
Subject: In the news - Thursday 19 Jan

Northern Ireland

[Lobbying Act and the 2017 Assembly Elections](#) – Northern Ireland Council for Voluntary Action

The NICVA has released advice that voluntary and community organisations should once again make themselves familiar with the provisions of the Lobbying Act and how they may affect their work in the run up to the election on 2 March. The article notes the differences posed by the unusually short timescales involved in this poll, and it links to our guidance.

Stoke By-Election

[Stoke-on-Trent Central – and why there is no electoral basis for abandoning Labour seats to UKIP](#) – Conservative Home

Paul Goodman dismisses some of the arguments that, strategically, a Labour or Ukip win at the Stoke by-election would be best for the Conservatives, arguing instead that the “practical case for simply abandoning these seats to Ukip altogether is very slim”.

PFR

[Arron Banks launches anti-establishment website](#) – BBC News

The BBC reports that former Ukip donor Arron Banks is moving into the media sector by backing an anti-establishment news website ‘Westmonster’ that launches today. The site is co-owned by Michael Heaver, former press adviser to Nigel Farage. The site will launch with an article from Nigel Farage and Mr Heaver has been open about wanting to adopt the highly provocative tone of Breitbart. The article posits that this launch is significant as it shows that the anti-establishment media which helped to power Trump’s campaign is coming to Britain.

Voter ID

[South west London councils provide cautious welcome to voter ID plans – but none are taking part yet](#) – SW Londoner

The SW Londoner reports that South West London councils have offered a mixed response to the voter ID proposals. Eight authorities said they had no plans to participate in the pilot yet, and the article notes that none of the authorities said there was evidence of electoral fraud in their borough. Hammersmith & Fulham Council have expressed concern that mandatory voter ID would disenfranchise those without ID, and the article quotes the Electoral Commission’s estimate that this would be around 7.5% of the electorate.

For Interest

[Who will succeed John Bercow as Commons Speaker?](#) – Daily Politics

A characteristically semi-serious discussion of who could replace John Bercow as the next Speaker. Suggestions include “national treasure” Jacob Rees-Mogg given that he is just as good

as haranguing his own side as the opposition benches, Labour MP Chris Bryant, the current deputy Lindsay Hoyle, and Douglas Carswell.

On this Day

1966 – Indira Gandhi, only daughter of Jawaharlal Nehru, becomes the first woman prime minister of India.

1993 – Production begins on 'Toy Story'

The Electoral Commission

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www.electoralcommission.org.uk

www.aboutmyvote.co.uk

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 We welcome correspondence in Welsh and English

From: [REDACTED]
Sent: 24 March 2017 11:19
To: [REDACTED]
Subject: In the News - Friday 24 March

Electoral Fraud

[Council elections attracted most voter fraud reports – BBC News](#)

Reporting on our electoral fraud data report, the BBC writes that English council elections attracted the most electoral fraud reports last year; nearly twice as many as the EU Referendum. The article notes that the number of voter fraud reports rose, particularly allegations of people voting under someone else's name. The article includes a quote from Ailsa saying- "The findings from our report show that significant sentences will be imposed when electoral law is broken, and that those responsible for electoral fraud can face jail".

[Police record over 250 cases of electoral fraud in 2016 – ITV News](#)

ITV note that the Commission have called for an accessible proof of identity scheme to be introduced at polling stations and that, among the incidents they [sic] investigated, 40 cases remain under investigation, five are awaiting advice for prosecution and six people accepted cautions. As well as Ailsa's quote, it includes the following quote from Cabinet Office- "This government is focused on protecting the right of everyone to have their say and participate in our democracy. That is why we recently announced new measures... to combat electoral fraud and protect anyone who is at risk of being bullied, undermined or tricked out of their vote - and their democratic right".

[Former Castle Point MP charged with electoral fraud – BBC News](#)

A former Conservative MP who defected to UKIP has been charged with electoral fraud. The allegations against Bob Spink are related to the local election campaign in Essex for Castle Point Borough Council in 2016. Essex Police said UKIP activist James Parkin had also been charged. Mr Spink has been charged with five counts of submitting false signatures on nomination papers on or before 5 April 2016. Mr Parkin faces nine counts of the same charge.

PFR

[Ukip wars: Arron Banks asks for his money back and submits invoice to Ukip for £200,000 – Telegraph](#)

Arron Banks is demanding that Ukip pays him £200,000 for call centre and other services he provided for free, after the party had "effectively suspended him". Ukip confirmed that Mr Banks had asked for some of his donations to be paid back but insisted that he had not had his membership suspended.

[Northern Ireland provides just one of many loopholes for dark-money to flow into British elections – openDemocracy](#)

openDemocracy argues that there are many avenues available to fund politics without transparency such as paying £50,000 to become a member of the Conservative party's 'Leadership Group.' Alternatively, they argue one could set up an Unincorporated Association, "enabling donations of up to £24,999 to be made to a dinner club which can be passed on to a political party of choice without your name being published by the Electoral Commission". They argue that the measures in place do not go far enough to eradicate opacity and that, if you have enough money, the rules are easy to circumvent.

Electoral Administration

Letters – South Wales Evening Post [no link]

A voter has written to the South Wales Evening Post explained that he recently wrote to Claire Bassett regarding election nominations. He explains that he was advised by somebody in the Commission's Wales office that "in order to achieve what they need for their nomination papers, some candidates will need to get their names changed by deed poll", adding that he thinks this is "unbelievable". He is talking specifically about the fact that his wife has been a county cllr since 2004 and has always had her middle name (by which she is known) on the ballot paper, but she is now being told that she cannot put one of the names appearing in the 'other forenames' section in the 'commonly used forename' field. He concludes by recommending that the Commission might want to reconsider their position.

Scotland

May and Sturgeon showdown over Independence set to be cancelled – The Herald [no link]

The proposed meeting between Theresa May and Nicola Sturgeon next week may be cancelled due to the recent Westminster terrorist attack. The two were expected to meet and discuss the First Minister's demands for a second independence referendum by spring 2019. However, Whitehall sources have suggested that it may be impossible for the pair to meet as the attack has forced a rethink on the Prime Minister's diary. The attack resulted in the Holyrood vote being delayed until Tuesday evening, hours before the UK Government sends the letter to use Article 50. The UK Government has stated that it cannot delay Article 50 beyond Wednesday as the White paper on the Great Repeal Bill is due to be released on Thursday and followed by Westminster going into an Easter recess on Friday.

Northern Ireland

Talks intensify ahead of deadline – Irish News [no link]

Irish News reports the talks aimed at restoring devolution will intensify today in a bid to find agreement ahead of Monday's deadline. It looks likely the negotiations will continue tomorrow, with senior representatives from both governments planning to spend the weekend in Belfast. If the executive's two top posts are not filled, legislation dictates that Secretary of State James Brokenshire must call another election within a 'reasonable time'. An Irish government source told The Irish News that the two governments were optimistic that agreement was possible as early as tomorrow.

On this Day

1603 – Queen Elizabeth I dies

1918 – German Forces cross the Somme River

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