From: FOI
To: [redacted]
Subject: Breach of electoral rules in 2016 General Election - Response
Date: 23 October 2018 08:36:30

Dear [redacted],

Our Ref: FOI 101/18

Thank you for your email to the Electoral Commission dated **30 June 2018, received by the Commission on 2 July 2018.**

The Commission aims to respond to requests for information promptly and regrets that on this occasion we have not done so.

Your request is in bold below followed by our response.

1. **please advise how many breaches of electoral rules were discovered during the 2017 General Election and which candidates, parties and amounts were involved and what remedies or legal action took place, including the level of fines which were levied.**

Our response is as follows:

We do hold some of the information you have requested.

In referring to 'breaches of electoral rules' we are taking it that you mean offences under electoral law. We are taking the term 'discovered' to refer to offences being found, rather than where investigations were conducted but no offence found. There are two principal sources of legal requirements for elections. The first is the Representation of the People Act 1983 (RPA), which covers activity by individual candidates and various fraud-type offences in relation to voting. The second is the Political Parties, Elections and Referendums Act 2000 (PPERA), which covers most areas of political party finance, including donations and spending.

RPA is not regulated by the Commission, and any breaches are a matter for the police. The Commission does not therefore have an exact current figure for the number of breaches. We do however receive regular updates from the police, and we publish a report each year covering the preceding year. The last such report was published earlier this year to cover 2017 and you can read it here:

https://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/239973/Fraud-allegations-data-report-2017.pdf

We have also published a more detailed dataset with the report:

https://www.electoralcommission.org.uk/find-information-by-subject/electoral-fraud/data-and-analysis

It is likely that some cases from 2017 are still ongoing and have not therefore been notified to us or been included, and we will include these in our next report once they are complete.

You can, should you choose to, approach individual police forces to request

information about individual cases. It will be a matter for them, in considering the information, to decide whether they may disclose it. Information about what remedies or legal action took place, including the level of fines which were levied, will not necessarily be held by the police however, as any remedies, fines, or legal action would be a matter for a court. There may also be information elsewhere in the public domain as a result of media reporting.

We conduct our own investigations into potential offences under PPERA, and we publish the outcome of all cases on our website. You can find them here, under the heading 'Closed cases':

https://www.electoralcommission.org.uk/our-work/roles-and-responsibilities/our-role-as-regulator-of-political-party-finances/making-an-allegation

Cases arising directly from the 2017 UK Parliamentary General Election are identifiable from the information about offence. The Commission is still in the process of dealing with cases arising from the 2017 election, and the website is updated on a monthly basis.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority.

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/

Yours sincerely,

[redacted]
Access to Information Officer (FOI and DPA)

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