From: FOI
To: [redacted]
Subject: FOI 114/18 EC Police Referrals - Response
Date: 25 July 2018 09:17:58

Dear [redacted]

Our Ref: FOI 114/18

Thank you for your email to the Electoral Commission dated **18 July 2018.**

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.

Can you please confirm, since 1 January 2000:

(1) how many referrals, of individuals and organisations, have the Electoral Commission made to the police?

(2) how many of those referrals have resulted in prosecutions being launched: and

(3) how many of those prosecutions have resulted in convictions.

Our response is as follows:

We hold the information you have requested.

As a point of clarification, the term 'referral' should be understood in context. The Commission has no power or authority to instruct the police, and a referral therefore involves the passing of information to the police where the Commission has reasonable grounds to suspect an offence in order that the police can consider what, if any, action to take.

We are taking your request to relate to the whole of the United Kingdom, and to relate to regulatory decisions since 2007 as prior to 2007 the Commission did not act as a regulatory body.

There have been no prosecutions under PPERA since it came into force in 2001. The Commission has made seven referrals to the police (in all cases the Metropolitan Police). Two did not result in prosecutions and five remain with the police. We have provided links to our public statements relating to those cases below.

Registered treasurer of the Labour Party (2007) – CPS did not prosecute

Referral
https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/statement-from-the-electoral-commission2

CPS decision not to prosecute
https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-

media-centre/news-releases-donations/political-partiesrsquo-latest-donations-and-borrowing-figures-published2

Peter Hain MP (2008) - CPS did not prosecute

Referral:
https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/statement-from-the-electoral-commission

CPS decision not to prosecute
https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/statement-on-cps-decision-on-peter-hain-mp

Campaigns officer of the Liberal Democrats (2016) – police enquiries ongoing

https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/electoral-commission-calls-for-stronger-powers-to-sanction-political-parties,-as-liberal-democrats-are-fined-maximum-penalty

Registered treasurer of the Conservative and Unionist Party (2017) - police enquiries ongoing

https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/conservative-party-fined-70,000-following-investigation-into-election-campaign-expenses

Responsible person for Leave.EU (2018) – police enquiries ongoing

https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/leave.eu-fined-for-multiple-breaches-of-electoral-law-following-investigation

Responsible person for Vote Leave and Darren Grimes (BeLeave) (2018) - police enquiries ongoing

https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/vote-leave-fined-and-referred-to-the-police-for-breaking-electoral-law

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/

Yours sincerely,

[redacted]

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