From: FOI
To: [redacted]
Subject: FOI 151/18 - General Election 2015
Date: 19 October 2018 16:33:54

Dear [redacted]

Our Ref: FOI 151/18

Thank you for your email to the Electoral Commission dated **21 September 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.

1. How many Candidates' Expenses Declarations did the EC examine or begin investigations in immediately after the 2015 General Election? In what month did any investigations begin?

2. In how many constituencies' did the EC view and/or instigate investigations into all the 2015 GE Candidates' Expense Declarations in that constituency?

3. How many candidates of each Political Party (who were not victors ie did not become MPs post GE215) did the EC view or instigate investigations into their declared election expenses?

4. How many Candidates who became MPs after the 2015 General Election did the EC view and / or investigate?

5. How many individually named 'complaints' did the EC receive about Candidates who became MPs? and,
How many individually named 'complaints' did the EC receive about Candidates who did not become MPs?

6. On average how many complaints were received about any Candidate before the EC took any action/ began an investigation? How many complaints were ignored?

7. What was the total cost in man-hours and financial burden to the taxpayer of the Channel 4/DailyMirror led witch hunt of the Conservative Candidate's who became Members of Parliament? and what would have been the cost if the EC had included in the 'investigation' all the Conservative Candidates with similar expense returns who did not win their constituency elections?

8. How many of the Constituencies in which the EC ordered local police to apply for extensions and undertake investigations into CONSERVATIVE Candidates, did the EC also ask for other Party Candidates' expense returns to be examined and extensions applied for?

9. How many of those constituencies (Q8) did the EC and or the local police also revceive complaints? (and how many individual complaints?) regarding other candidates that the EC then ignored? - or investigated?

10. How many meetings were held by Members of the EC with UK Police Forces after the aborted 2015 investigation to advise these Forces ahead of the 2017 General Election on what to do with regard to Election Fraud, Personation, intimidation, other election offences and/or any Election Expense Declaration irregularities?

11. Since 2014 how many junkets have EC staff from CE level to lowest officer, including Board Members, been a part of? - whether inward to UK, or overseas? where the EC has imparted its 'specialised knowledge and key attributes in 'running elections well in a first world democracy'? and how much have such meetings/jaunts cost the taxpayer?

Our response is as follows:

We hold some of the information you have requested. We have answered each of your questions in turn below, or noted where we do not hold information.

1. **How many Candidates' Expenses Declarations did the EC examine or begin investigations in immediately after the 2015 General Election? In what month did any investigations begin?**

The Commission has a duty under section 145 of PPERA to monitor, and take all reasonable steps to secure, compliance with the restrictions and other requirements imposed by or by virtue of enactments, including the Representation of the People Act 1983, in relation to election expenses incurred by or on behalf of candidates at elections, or donations to such candidates or their election agents. The Commission does not however have any specific powers to investigate or sanction potential failures to comply with those requirements. Those are a matter for the police and prosecuting authorities.

In accordance with that monitoring duty, the Commission seeks to obtain from Returning Officers, copies of all candidates' returns of election expenses after a UK Parliamentary General Election. We review the key data from each return in the course of producing a summary of candidate spending across the UK. You can see the summary data for each election here:
https://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/past-elections-and-referendums/uk-general-elections/candidate-election-spending

Where the key data, taken at face value, raises any concerns about compliance, we will review that return in more detail. Where we believe there are reasonable grounds to suspect an offence, and we consider that it is in the public interest for further action to be taken, we may notify the police.

Therefore the Commission examined all returns it received, though not all in detail, but did not begin any investigations as the Commission had no power to do so. No cases were notified to the police.

2. **In how many constituencies' did the EC view and/or instigate investigations into all the 2015 GE Candidates' Expense Declarations in that constituency?**

See response to question 1 above.

3. **How many candidates of each Political Party (who were not victors ie did not become MPs post GE215) did the EC view or instigate investigations into their declared election expenses?**

See response to question 1 above.

4. **How many Candidates who became MPs after the 2015 General Election did the EC view and / or investigate?**

See response to question 1 above.

5. How many individually named 'complaints' did the EC receive about Candidates who became MPs? and,
How many individually named 'complaints' did the EC receive about Candidates who did not become MPs?

The Commission received contacts from members of the public in relation to election expenses for candidates for various parties, successful and unsuccessful. However, as noted in the response to question 1, these were not within the Commission's enforcement scope. We responded to any such contact by advising the person making contact that failures to comply with the law in relation to election expenses for candidates was a police matter. Because those matters were not treated as complaints within the Commission's remit, they were not logged as 'complaints' and we cannot therefore conduct a search to provide a total figure.

6. On average how many complaints were received about any Candidate before the EC took any action/ began an investigation? How many complaints were ignored?

See above response to question 5 - no investigations were opened as candidate election expenses are was not within our enforcement remit. Also, for clarity, the number of complaints received would not be a determining factor in the Commission taking action in any matter that was within its remit. We would consider the evidential basis for any complaint within our remit, and whether we had reasonable grounds to suspect an offence, regardless of the number of complaints received. No contact in relation to any candidate was ignored.

7. What was the total cost in man-hours and financial burden to the taxpayer of the Channel 4/DailyMirror led witch hunt of the Conservative Candidate's who became Members of Parliament? and what would have been the cost if the EC had included in the 'investigation' all the Conservative Candidates with similar expense returns who did not win their constituency elections?

The Commission did not investigate any candidates. We conducted an investigation into the Conservative Party's spending return for the 2015 UK Parliamentary General Election. You can read our published report of that investigation here:
https://www.electoralcommission.org.uk/__data/assets/pdf_file/0005/222935/Report-in-respect-of-the-Conservative-and-Unionist-Party.pdf

The costs of this were met within the Commission's existing budget, there was no additional cost to the taxpayer. You can see the Commission's accounts for each financial year in the relevant annual report:
https://www.electoralcommission.org.uk/our-work/publications/corporate-publications?query=annual+report&daat=on

8. How many of the Constituencies in which the EC ordered local police to apply for extensions and undertake investigations into CONSERVATIVE Candidates, did the EC also ask for other Party Candidates' expense returns to be examined and extensions applied for?

The Commission did not order, and has no power to order, any local police to apply for extensions or undertake investigations. Those decisions were a matter for the police. On 28 April 2018 the Commission requested that the Crown Prosecution Service and the relevant police forces consider applying for extensions in specific cases. You can read our statement on that, including our explanation why we made that request, here:
https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/party-and-election-finance-to-keep/electoral-commission-statement-on-allegations-regarding-conservative-party-spending-return-for-2015-general-election3

Our request was based on evidence about particular potential offences. We would approach evidence about potential offences by any candidate from any party in the same way.

9. How many of those constituencies (Q8) did the EC and or the local police also revceive complaints? (and how many individual complaints?) regarding other candidates that the EC then ignored? - or investigated?

As noted in our response to question 5, we neither ignored nor investigated any contacts we received. We do not hold information as to complaints received by local police, other than the information provided to us by local police forces and published in our annual electoral fraud report. You can find our report for each year here:

2015
https://www.electoralcommission.org.uk/__data/assets/pdf_file/0011/198533/Fraud-allegations-data-report-2015.pdf
2016
https://www.electoralcommission.org.uk/__data/assets/pdf_file/0020/223184/Fraud-allegations-data-report-2016.pdf
2017
https://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/239973/Fraud-allegations-data-report-2017.pdf

10. How many meetings were held by Members of the EC with UK Police Forces after the aborted 2015 investigation to advise these Forces ahead of the 2017 General Election on what to do with regard to Election Fraud, Personation, intimidation, other election offences and/or any Election Expense Declaration irregularities?

We do not recognise your reference to an 'aborted investigation'. The Commission has for many years held an annual seminar for single points of contact in police forces. In addition to this we provide general advice and guidance on a case by case basis, by telephone, email, or in person. We do not hold a record of all of these, which can arise in the context of other discussions, or a specific record of the number of meetings which involved advice being given. There is written guidance available to all police officers, to which we provide input and advice, on the College of Policing website here:
https://www.app.college.police.uk/app-content/policing-elections/

11. Since 2014 how many junkets have EC staff from CE level to lowest officer, including Board Members, been a part of? - whether inward to UK, or overseas? where the EC has imparted its 'specialised knowledge and key attributes in 'running elections well in a first world democracy'? and how much have such meetings/jaunts cost the taxpayer?

We do not recognise your term 'junkets' in this context. Commission staff and Board members attend meetings and other events around the UK and, occasionally, outside the UK, . We do not hold a central list of all meetings and other events Commission staff or Board members have attended since 2014 and would therefore need to create one in order to provide this information, which is outside the scope of the Act. However, our Annual Report and Accounts, link in response to question 7, do include an overall figure for travel and subsistence for staff and Board members. That figure includes travel and subsistence for various purposes, not just those you have referred to. The figures for 2015-16, 2016-17, and 2017-18 are as follows:

	2015-16	2016-17	2017-18
Staff travel, subsistence, and hospitality	£159,000	£140,000	£128,000
Commissioners travel and subsistence	£17,000	£20,000	£17,000

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]

Access to Information Officer (FOI and DPA)
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