

[REDACTED]

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**From:** FOI  
**Sent:** 13 July 2016 15:20  
**To:** [REDACTED]  
**Subject:** FOI 88/16 - Sir Bob Russell  
**Attachments:** Doc 1.pdf; Doc 2.pdf; Doc 3.pdf; Doc 4.pdf; Doc 5.pdf; Doc 6.pdf; Doc 7.pdf; Doc 8.pdf

Dear [REDACTED]

**Our Ref: FOI 88/16**

Thank you for your request under the Freedom of Information Act 2000 dated 17<sup>th</sup> June 2016.

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:

**I wish to request, under the Freedom of Information Act, that you supply me with:**

- **Any correspondence between Sir Bob Russell, the former Liberal Democrat Member of Parliament for Colchester, and the Electoral Commission regarding the election expenses he incurred during the 2015 General Election. This includes any written or telephone records between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**
- **Any communication that the Electoral Commission received from or was sent by the Essex Police concerning Sir Bob Russell's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**
- **Any correspondence between the Electoral Commission and Sir Bob Russell's election agent on the subject of Sir Bob's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**
- **Any communication between the Electoral Commission and Colchester Council about Sir Bob Russell's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**
- **The length and specific dates of the Electoral Commission's inquiry into Sir Bob Russell's 2015 General Election expenses.**
- **The particulars of the Electoral Commission's inquiry into Sir Bob Russell's 2015 General Election expenses. This includes all the individuals questioned on the matter, the Electoral Commission employee with responsibility for the inquiry and the resources allocated to the inquiry.**
- **The conclusions of the inquiry and the rationale behind the decision to close the inquiry into Bob Russel's General Election expenses.**

Our response is as follows:

The Commission does hold information relevant to your request.

The Commission has no powers to investigate or sanction potential offences in relation to candidate spending under the Representation of the People Act 1983 (RPA). The Commission does however have a duty to monitor compliance with the RPA controls. As part of fulfilling this duty, the Commission reviewed the spending return delivered to the Returning Officer by Sir Bob Russell on the basis that the reported spending appeared to be in excess of the applicable spending limit.

The Commission sought information from Sir Bob Russell and his agent and also received information from the Liberal Democrats. Those communications are being disclosed to you. For clarity, because the Commission does not have powers in relation to RPA, this was not an investigation by the Commission. Had the inquiries led the Commission to believe that an offence may have been committed by either the candidate or the agent in terms of intentionally delivering an inaccurate return or making a false declaration, the Commission would have considered whether to pass the matter to the police.

The Commission was not satisfied, on the basis of information obtained, that there was sufficient evidence that the candidate or the agent intentionally delivered an inaccurate return or made a false declaration to justify bringing the matter to the attention of the police.

In reaching that view, the Commission took into account that Sir Bob Russell and his agent received an email dated 13 May 2015 from the local authority which provided an incorrect figure for the calculation of the spending limit. We understand this occurred as a result of an IT system error, now corrected. Sir Bob Russell and his agent appear not to have checked the figure provided, but we consider that it was reasonable for them to believe the figure provided to them was correct.

For convenience, your specific requests are addressed individually below.

- **Any correspondence between Sir Bob Russell, the former Liberal Democrat Member of Parliament for Colchester, and the Electoral Commission regarding the election expenses he incurred during the 2015 General Election. This includes any written or telephone records between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**
- **Any correspondence between the Electoral Commission and Sir Bob Russell's election agent on the subject of Sir Bob's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**

We have dealt with these two parts of your request together. The information you have requested is provided to you, along with communications from the Liberal Democrats which, whilst not within the scope of your request we are providing to enable you to see the full picture.

We are providing you with copies of:

- letters from the Commission to the candidate and the agent of 19 April 2016
- email chain between Commission staff and candidate of 20 April 2016
- related email chain of 21 April 2016 with candidate
- email chain of 21-22 April 2016 with agent
- email chain of 21 April 2016 to 3 May 2016 involving Commission, agent, and Liberal Democrats
- email chain with concluding emails between Commission and candidate, 20 and 21 May 2016.

These documents have been redacted to remove personal details only.

- **Any communication that the Electoral Commission received from or was sent by the Essex Police concerning Sir Bob Russell's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**

There are no such communications, for the reasons explained above.

- **Any communication between the Electoral Commission and Colchester Council about Sir Bob Russell's 2015 General Election expenses between the 1<sup>st</sup> March 2016 and 17<sup>th</sup> June 2016.**

Email chain between 12 and 18 April 2016 provided. Please note that the email chain provided ends with a question from Commission staff. The response was provided by telephone. Unfortunately no record was kept of that call, but the response was 'yes'. Subsequent to 17 June 2016, the authority confirmed to the Commission that the incorrect information provided to the candidate and agents arose from an IT system error.

- **The length and specific dates of the Electoral Commission's inquiry into Sir Bob Russell's 2015 General Election expenses.**

As stated above, there was no formal inquiry, but the dates of communications provided to you reflect the period during which we considered this matter.

- **The particulars of the Electoral Commission's inquiry into Sir Bob Russell's 2015 General Election expenses. This includes all the individuals questioned on the matter, the Electoral Commission employee with responsibility for the inquiry and the resources allocated to the inquiry.**

The information provided represents the full scope of the inquiries. The Commission does not generally disclose the names of individual staff below senior level unless their name is disclosed publically elsewhere, for example on the Commission's website, hence the name of the individual who made the inquiries has been redacted from the documents released. The overall responsibility for the inquiries sat with Dan Adamson, Monitoring and Analysis Manager, as part of the Regulatory Compliance and Casework Team. As regards resources, the Commission does not record precise details of resources allocated to every inquiry, but the information disclosed reflects the full scope of inquiries, which were all conducted by one individual in addition to a wider caseload.

- **The conclusions of the inquiry and the rationale behind the decision to close the inquiry into Bob Russell's General Election expenses.**

See explanation above.

Some of the information contained in these documents contains personal data, such as direct contact information of staff members and the names and contact details of junior staff members, which is exempt under Section 40 of the FOI Act. These documents have been redacted prior to release. Further explanation of the exemption is provided below.

#### Section 40(2) and (3)(a)(i) of the FOI Act

Section 40 (2) provides for an exemption where the information requested constitutes personal data, some of which is sensitive personal data, as defined by the Data Protection Act (DPA), and where release of the information requested would breach one of the data protection principles. Some of the information we hold within the description of personal data as defined by section 1 of

the DPA because the information relates directly to an identifiable living individual.

I trust that this information satisfies your request.

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: <http://www.ico.gov.uk>

Yours sincerely

**Paul O'Malley**  
**Information Adviser (Records Management)**

The Electoral Commission

3 Bunhill Row

London EC1Y 8YZ

Tel: 020 7271 0554

Fax: 020 7271 0665

[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

[www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

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[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 18 April 2016 11:29  
**To:** [REDACTED]  
**Subject:** RE: Confidential: UKPGE candidate expenditure returns

Thank you [REDACTED],

Are you able to confirm that these were the figures supplied to candidates?

Kind Regards,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

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**From:** [REDACTED] [mailto:[REDACTED]@colchester.gov.uk]  
**Sent:** 15 April 2016 15:53  
**To:** [REDACTED]  
**Subject:** RE: Confidential: UKPGE candidate expenditure returns

[REDACTED],

70,737 is the eligible electorate figure on publication of notice of election (2 April 2015)

At the commencement of the long campaign (01/01/ 2015) the eligible electorate was 70,032

Kind regards

**Electoral Services Manager**

Professional Services  
Colchester Borough Council  
33 Sheepen Road  
Colchester  
CO3 3WG

Post Point 8

Tel: [REDACTED]  
Mobile: [REDACTED]

[www.colchester.gov.uk](http://www.colchester.gov.uk)



---

**From:** [REDACTED] [[mailto:\[REDACTED\]@electoralcommission.org.uk](mailto:[REDACTED]@electoralcommission.org.uk)]

**Sent:** 14 April 2016 14:33

**To:** [REDACTED]

**Subject:** RE: Confidential: UKPGE candidate expenditure returns

Hello [REDACTED]

Thank you for your response, it is appreciated.

Was the 70,737 figure valid for the long or short campaign? I require the figure for each.

Kind Regards,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
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**From:** [REDACTED] [[mailto:\[REDACTED\]@colchester.gov.uk](mailto:[REDACTED]@colchester.gov.uk)]

**Sent:** 14 April 2016 14:30

**To:** [REDACTED]

**Subject:** RE: Confidential: UKPGE candidate expenditure returns

Hi [REDACTED]

The eligible elector totals for Colchester Constituency in 2015 was 70,737.  
It appears the election returns you sent me were complete, but I have forward you another scanned copy for your information.

I hope this is of assistance but if should you need any further information please do not hesitate to contact me again.

Kind regards

[REDACTED]

[REDACTED]  
**Electoral Services Manager**

Professional Services  
Colchester Borough Council  
33 Sheepen Road  
Colchester  
CO3 3WG

Post Point 8

Tel: [REDACTED]  
Mobile: [REDACTED]

[www.colchester.gov.uk](http://www.colchester.gov.uk)



---

**From:** [redacted] [mailto:[redacted]@electoralcommission.org.uk]  
**Sent:** 12 April 2016 15:13  
**To:** [redacted]  
**Subject:** Confidential: UKPGE candidate expenditure returns

Dear [redacted]

The Electoral Commission is currently monitoring compliance with the rules regarding UKPGE candidate expenditure by inspecting a sample of candidate returns. Following our inspections, we may, where necessary, need to request further information from the relevant candidate or agent.

Before we do this, we are contacting the relevant Returning Officers to ensure that we hold correct information in respect of the expenditure limits and to ensure that the returns we have represent the complete return provided by the candidate and agent.

Could you please confirm that the attached return represents the complete return provided to you by Bob Russell and his agent. Could you please also confirm that the expenditure limits for Colchester were:

- Long campaign: **£34,944.28**
- Short campaign: **£15,066.42**

Please note that, at this stage, no formal enquiries are being made and no candidates or agents have been contacted. Please therefore treat this request as confidential

Yours Sincerely,

[redacted]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [redacted]  
Fax: 020 7271 0505  
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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Private & Confidential

19 April 2016

Dear [REDACTED]

### Why we are writing to you

You were the election agent responsible for delivering the return of a candidate's expenditure on behalf of Mr Bob Russell. Mr Bob Russell was a candidate for the 2015 UK Parliamentary General Election in the constituency of Colchester.

The Electoral Commission is an independent regulator established by the UK Parliament. One of our main objectives is ensuring the transparency of party and election finance and ensuring high levels of compliance. To help achieve this objective, we play a role in ensuring that candidates and agents comply with the controls on expenditure incurred at elections under the Representation of the People Act 1983 (the RPA).

### Your candidate expenditure return

Mr Russell's candidate expenditure return declared that expenditure of £14,129.73 was incurred during the short campaign (30 March to 7 May 2015). The expenditure limit for the Colchester constituency for the short campaign was £12,944.22.

This indicates that you may have exceeded the expenditure limit set out in section 76 of the RPA. Under section 76(1B) of the RPA, any candidate or election agent who incurred or authorised election expenses and knew or ought reasonably to have known that the expenses would be in excess of the maximum, is guilty of an illegal practice.

The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ

Tel: 020 7271 0500  
Fax: 020 7271 0505  
info@electoralcommission.org.uk  
www.electoralcommission.org.uk

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The Commission would like to establish the facts of the matter so that we can ascertain whether any breaches of electoral law have occurred.

In addition to this apparent overspend, the report includes three items of short campaign expenditure where the invoice value does not match the amount paid stated on your return; it is not clear why the figures do not match. I refer to items B6, B8 and C16 of the short campaign and enclose copies of the relevant invoices and sections of the return.

Please provide any information or comments you can to explain the apparent overspend and the differences between the invoice values and the amounts paid for the three items specified.

Although you are not required to provide this information; we are seeking your voluntary co-operation. Any information you provide will be taken into consideration.

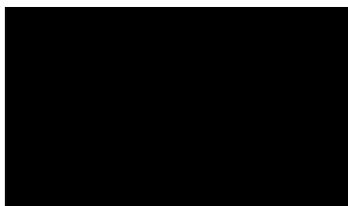
Please reply to this letter by 3 May 2016, giving as much detail as you can. If you need more time to reply please contact me as soon as possible.

### **Additional Information**

You may wish to seek legal advice before responding to this letter or taking any further action in respect of this matter.

Should you require further information about these enquiries, or on the role of the Commission generally, please do not hesitate to contact me.

Yours sincerely



  
**Investigator**

@electoralcommission.org.uk

020 7271 

Mr Bob Russell  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Private & Confidential

19 April 2016

Dear Mr Bob Russell

### Why we are writing to you

You were a candidate for the 2015 UK Parliamentary General Election in the borough constituency of Colchester.

The Electoral Commission is an independent regulator established by the UK Parliament. One of our main objectives is ensuring the transparency of party and election finance and ensuring high levels of compliance. To help achieve this objective, we play a role in ensuring that candidates and agents comply with the controls on expenditure incurred at elections under the Representation of the People Act 1983 (the RPA).

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Please provide any information or comments you can to explain the apparent overspend and the differences between the invoice values and the amounts paid for the three items specified.

Although you are not required to provide this information; we are seeking your voluntary co-operation. Any information you provide will be taken into consideration.

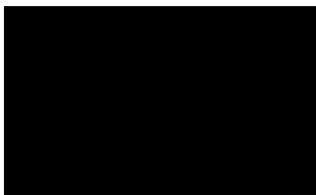
Please reply to this letter by 3 May 2016, giving as much detail as you can. If you need more time to reply please contact me as soon as possible.

#### **Additional Information**

You may wish to seek legal advice before responding to this letter or taking any further action in respect of this matter.

Should you require further information about these enquiries, or on the role of the Commission generally, please do not hesitate to contact me.

Yours sincerely



**Investigator**

[\[REDACTED\]@electoralcommission.org.uk](mailto: [REDACTED]@electoralcommission.org.uk)

020 7271 [REDACTED]

[REDACTED]

---

**From:** Sir Bob Russell [REDACTED] >  
**Sent:** 20 April 2016 12:05  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear [REDACTED]  
I fully understand what is required in response to your letter – and when I manage to hear from [REDACTED] you have my assurance that there will be a full response. I hope we can achieve this by 3<sup>rd</sup> May as requested. I can only repeat this has come as a shock because I had hitherto not had any concerns in respect of the declarations.  
From Bob Russell

---

**From:** [REDACTED] [mailto:[REDACTED]@electoralcommission.org.uk]  
**Sent:** 20 April 2016 12:00  
**To:** 'Sir Bob Russell' [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear Sir Russell,

Thank you for your email.

I note that you have stated you are personally satisfied that there has been no deliberate breaking of the rules. However, I still request that [REDACTED] and yourself provide a full response to my query concerning the potential overspend and why the reported cost of the three items specified does not match the invoice total.

As requested in my original letter, please respond by Tuesday 3 May.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
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---

**From:** Sir Bob Russell [<mailto:> ██████████]  
**Sent:** 20 April 2016 11:50  
**To:** ██████████  
**Subject:** RE: Colchester calling

Dear Mr ██████████  
Thank you for your prompt response. There is a sense of relief that your enquiry was not the result of an external complaint! I had five years of negativity from malcontents.  
I have e-mailed ██████████ to let him know that I had received a letter from the Electoral Commission. Although I have known him for the best part of 20 years, after last year's Election he ceased working for the Party and I have not seen him for several months.  
I am personally satisfied that there has been no deliberate breaking of the regulations.  
From Bob Russell

---

**From:** ██████████ [<mailto:██████████@electoralcommission.org.uk>]  
**Sent:** 20 April 2016 11:43  
**To:** 'Sir Bob Russell' ██████████  
**Subject:** RE: Colchester calling

Dear Sir Russell,

Thank you for your email.

The matter was picked up internally by the Commission as part of our monitoring function. For your information, the query has also been taken up with your agent at the election, ██████████

If you have any further questions, please let me know.

Yours Sincerely,

██████████  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 ██████████  
Fax: 020 7271 0505  
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---

**From:** Sir Bob Russell [REDACTED]  
**Sent:** 20 April 2016 11:31  
**To:** [REDACTED]  
**Subject:** Colchester calling

Dear [REDACTED]

I was shocked this morning to receive a communication from you reference my Election Return for the “short campaign” for the Colchester constituency in last year’s General Election. I was not aware of anything untoward. I shall make enquiries and get back to you.

May I enquire if this was a routine spot-check by you or were you responding to a complaint? My reason for asking is that between 2010 and 2015 I was the subject of several complaints to different public bodies.

From Bob Russell, Colchester

[REDACTED]

---

**From:** Sir Bob Russell [REDACTED]  
**Sent:** 21 April 2016 16:35  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear [REDACTED]  
Thanks for getting back to me so promptly.  
To the best of my knowledge that is still his address – it may be that postal delivery in rural Suffolk takes longer!  
I will contact him to confirm, so unless he has moved I will not respond further at this stage.  
Best wishes – from Bob Russell

---

**From:** [REDACTED] [mailto:[REDACTED]@electoralcommission.org.uk]  
**Sent:** 21 April 2016 16:32  
**To:** 'Sir Bob Russell' [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear Sir Russell,

The letter was sent to the address stated on the Notice of Election Agents Names and Offices:-

<http://www.colchester.gov.uk/CHttpHandler.ashx?id=17381&p=0>

[REDACTED]

As with your own letter, it was sent next day delivery and marked private and confidential.

If you are able to provide either an alternative address or email address for Mr Horner, I will send it across straight away.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
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---

**From:** Sir Bob Russell [mailto: [REDACTED]]  
**Sent:** 21 April 2016 16:27  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear [REDACTED]  
Ian Horner has e-mailed me to say that he has not received any communication from the Electoral Commission. May I enquire, please, to which address you posted to him?  
Thanks – from Bob Russell

---

**From:** [REDACTED] [mailto: [REDACTED]@electoralcommission.org.uk]  
**Sent:** 20 April 2016 12:00  
**To:** 'Sir Bob Russell' < [REDACTED] >  
**Subject:** RE: Colchester calling CCM:0174194

Dear Sir Russell,

Thank you for your email.

I note that you have stated you are personally satisfied that there has been no deliberate breaking of the rules. However, I still request that [REDACTED] and yourself provide a full response to my query concerning the potential overspend and why the reported cost of the three items specified does not match the invoice total.

As requested in my original letter, please respond by Tuesday 3 May.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
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**From:** Sir Bob Russell [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 20 April 2016 11:50  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling

Dear Mr [REDACTED],  
Thank you for your prompt response. There is a sense of relief that your enquiry was not the result of an external complaint! I had five years of negativity from malcontents.  
I have e-mailed [REDACTED] to let him know that I had received a letter from the Electoral Commission. Although I have known him for the best part of 20 years, after last year's Election he ceased working for the Party and I have not seen him for several months.  
I am personally satisfied that there has been no deliberate breaking of the regulations.  
From Bob Russell

---

**From:** [REDACTED] [[mailto:\[REDACTED\]@electoralcommission.org.uk](mailto:[REDACTED]@electoralcommission.org.uk)]  
**Sent:** 20 April 2016 11:43  
**To:** 'Sir Bob Russell' <[REDACTED]>  
**Subject:** RE: Colchester calling

Dear Sir Russell,

Thank you for your email.

The matter was picked up internally by the Commission as part of our monitoring function. For your information, the query has also been taken up with your agent at the election, [REDACTED]

If you have any further questions, please let me know.

Yours Sincerely,

[REDACTED]  
**Investigator**

**Casework and Investigations Team  
Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

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---

**From:** Sir Bob Russell [[mailto:\[REDACTED\]](#)]  
**Sent:** 20 April 2016 11:31  
**To:** [REDACTED]  
**Subject:** Colchester calling

Dear [REDACTED]

I was shocked this morning to receive a communication from you reference my Election Return for the “short campaign” for the Colchester constituency in last year’s General Election. I was not aware of anything untoward. I shall make enquiries and get back to you.

May I enquire if this was a routine spot-check by you or were you responding to a complaint? My reason for asking is that between 2010 and 2015 I was the subject of several complaints to different public bodies.

From Bob Russell, Colchester

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 22 April 2016 11:17  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Colchester Election expenses  
**Attachments:** 20160419-[REDACTED]-HornerI-BR-UKPGE-Return-Query.pdf; Bob Russell B-C and Invoices.pdf

Dear [REDACTED],

Thank you for contacting me in relation to our query.

Please find attached a copy of the letter sent to you by post and also a copy of the relevant sections of Sir Russell's return and invoices. You will see that there is a specific query relating to the short campaign expenditure limit and separate queries relating to the three items and invoices. If you do have any questions, please let me know.

As requested I have copied in the Liberal Democrat compliance department.

I would be grateful if you could respond in full by 3 May.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
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*action in reliance upon it. If you have received this information in error, please destroy it and inform me as soon as possible. Thank you.*

---

**From:** Ian Horner [mailto: [REDACTED]]  
**Sent:** 21 April 2016 21:27  
**To:** [REDACTED]  
**Subject:** Colchester Election expenses

Dear [REDACTED]

Sir Bob Russell has made me aware of a letter which you have sent to him with regard to Liberal Democrat election expenses for the Colchester constituency.

I have seen from the email exchange between you that the Colchester council website details for me are in fact incorrect. My home address is in fact [REDACTED]

I would be grateful if you could send me an email copy of your letter as soon as possible. Unfortunately I no longer work for the party and my current employment has me working odd hour shifts. This makes my ability to respond to you quickly much more difficult as I have no access to my mobile phone or email for the majority of working hours.

Let me give you my personal assurance that despite now being largely out of political life these days I do still take this matter very seriously. I suspect that the problem is that the cost of various invoices were in fact split between the General and local election campaigns which may mean that the invoice totals are higher than the figure I put in the General Election return.

I would be grateful if you would also share this matter with the Liberal Democrat compliance department as I always rely on them for advice in such matters.

I was deeply shocked to receive this information in an email yesterday and I am anxious to co-operate fully in trying to resolve this as soon as possible.

Yours sincerely

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 03 May 2016 14:36  
**To:** [REDACTED]  
**Subject:** RE: Colchester Election expenses  
**Attachments:** FW: Election Expenses; Elector totals-Parliamentary.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[REDACTED]

I have investigated the issues you raise in your letter of the 22nd to Mr Horner.

It appears that the returning officer in Colchester supplied incorrect information to the agents in this election. The number of electors was incorrect and the calculation for the short campaign was also incorrect. This error is confirmed by the attachment "Elector totals-Parliamentary.pdf" in the email of May 13th which was sent to all agents which I have attached to this email.

In addition to the error on the returning officer's part it also appears that some items on [REDACTED] return have been double counted, an error which did not come to light at the time as he believed he was within the limits as stated by the returning officer.

On your final points regarding higher amounts in the "Value £" section as opposed to the "Amount Paid £" section, the invoices in question were apportioned with some of the value being national expenses. The spreadsheet is somewhat deficient in how to account for items such as this and it appears Mr Horner has simply added the total amount rather than the apportioned amount in the "Value £" section.

If you need any further information please don't hesitate to contact me.

Regards,

[REDACTED]  
Compliance Department

**Liberal Democrats**   
Stronger Economy. Fairer Society.  
**Opportunity for Everyone.**

[REDACTED] | Compliance Officer

T : [REDACTED]  
E : [REDACTED]

**Liberal Democrats**  
8-10 Great George Street, London, SW1P 3AE  
[www.libdems.org.uk](http://www.libdems.org.uk)

---

**From:** [redacted] [mailto:[redacted]@electoralcommission.org.uk]

**Sent:** 22 April 2016 14:43

**To:** [redacted]

**Subject:** RE: Colchester Election expenses

Hi [redacted],

Please see attached the full return,

thanks

[redacted]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [redacted]  
Fax: 020 7271 0505  
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---

**From:** [redacted] [mailto:[redacted]]

**Sent:** 22 April 2016 14:38

**To:** [redacted]

**Subject:** RE: Colchester Election expenses

[redacted]

Can you send me the full return please.

I think I know what the issue is but I need to check.

Regards,

[redacted]



[Redacted] | Compliance Officer

T : [Redacted]  
E : [Redacted]

**Liberal Democrats**  
8-10 Great George Street, London, SW1P 3AE  
[www.libdems.org.uk](http://www.libdems.org.uk)

---

**From:** [Redacted] [[mailto:\[Redacted\]@electoralcommission.org.uk](mailto:[Redacted]@electoralcommission.org.uk)]  
**Sent:** 22 April 2016 11:17  
**To:** 'Ian Horner'  
**Cc:** [Redacted]  
**Subject:** RE: Colchester Election expenses

Dear [Redacted]

Thank you for contacting me in relation to our query.

Please find attached a copy of the letter sent to you by post and also a copy of the relevant sections of Sir Russell's return and invoices. You will see that there is a specific query relating to the short campaign expenditure limit and separate queries relating to the three items and invoices. If you do have any questions, please let me know.

As requested I have copied in the Liberal Democrat compliance department.

I would be grateful if you could respond in full by 3 May.

Yours Sincerely,

[Redacted]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [Redacted]  
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---

**From:** Ian Horner [mailto:████████████████████]  
**Sent:** 21 April 2016 21:27  
**To:** ██████████  
**Subject:** Colchester Election expenses

Dear ██████████  
Sir Bob Russell has made me aware of a letter which you have sent to him with regard to Liberal Democrat election expenses for the Colchester constituency.

I have seen from the email exchange between you that the Colchester council website details for me are in fact incorrect. My home address is in fact ██████████

I would be grateful if you could send me an email copy of your letter as soon as possible. Unfortunately I no longer work for the party and my current employment has me working odd hour shifts. This makes my ability to respond to you quickly much more difficult as I have no access to my mobile phone or email for the majority of working hours.

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I would be grateful if you would also share this matter with the Liberal Democrat compliance department as I always rely on them for advice in such matters.

I was deeply shocked to receive this information in an email yesterday and I am anxious to co-operate fully in trying to resolve this as soon as possible.

Yours sincerely  
████████████████████

[REDACTED]

---

**From:** Sir Bob Russell <[REDACTED]>  
**Sent:** 20 May 2016 13:12  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear [REDACTED]  
Thank you for your message below. This is much appreciated. It is a huge relief.  
Best wishes – from Bob Russell, Colchester

---

**From:** [REDACTED] mailto:[REDACTED]  
**Sent:** 20 May 2016 12:54  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear Sir Russell,

Thank you for your email.

The Commission has reviewed the response submitted on behalf of yourself and Mr Horner by [REDACTED] of the Liberal Democrats compliance unit.

I can confirm that a decision has been made not to investigate the matter concerning your candidate expenditure any further, based on the information at hand.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
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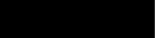
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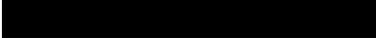
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---

**From:** Sir Bob Russell [<mailto:>   
**Sent:** 17 May 2016 15:59  
**To:**   
**Subject:** FW: Colchester calling CCM:0174194

Dear   
Further to our exchange of e-mails, see below, I write to enquire if matters have now been clarified and that you are satisfied that there was no deliberate attempt to falsify the election expenses declaration?  
Thank you for your consideration.  
From Bob Russell.

---

**From:**  [<mailto:> @electoralcommission.org.uk]  
**Sent:** 21 April 2016 16:32  
**To:** 'Sir Bob Russell'   
**Subject:** RE: Colchester calling CCM:0174194

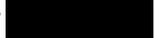
Dear Sir Russell,

The letter was sent to the address stated on the Notice of Election Agents Names and Offices:-

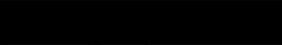
<http://www.colchester.gov.uk/CHttpHandler.ashx?id=17381&p=0>



As with your own letter, it was sent next day delivery and marked private and confidential.

If you are able to provide either an alternative address or email address for , I will send it across straight away.

Yours Sincerely,

  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
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---

**From:** Sir Bob Russell [<mailto:sir.bob.russell@hotmail.com>]  
**Sent:** 21 April 2016 16:27  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling CCM:0174194

Dear [REDACTED]  
[REDACTED] has e-mailed me to say that he has not received any communication from the Electoral Commission. May I enquire, please, to which address you posted to him?  
Thanks – from Bob Russell

---

**From:** [REDACTED] [[mailto:\[REDACTED\]@electoralcommission.org.uk](mailto:[REDACTED]@electoralcommission.org.uk)]  
**Sent:** 20 April 2016 12:00  
**To:** 'Sir Bob Russell' <[REDACTED]>  
**Subject:** RE: Colchester calling CCM:0174194

Dear Sir Russell,

Thank you for your email.

I note that you have stated you are personally satisfied that there has been no deliberate breaking of the rules. However, I still request that [REDACTED] and yourself provide a full response to my query concerning the potential overspend and why the reported cost of the three items specified does not match the invoice total.

As requested in my original letter, please respond by Tuesday 3 May.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row

London EC1Y 8YZ  
Tel: 020 7271 [REDACTED]  
Fax: 020 7271 0505  
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---

**From:** Sir Bob Russell [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** 20 April 2016 11:50  
**To:** [REDACTED]  
**Subject:** RE: Colchester calling

Dear [REDACTED]  
Thank you for your prompt response. There is a sense of relief that your enquiry was not the result of an external complaint! I had five years of negativity from malcontents.  
I have e-mailed [REDACTED] to let him know that I had received a letter from the Electoral Commission. Although I have known him for the best part of 20 years, after last year's Election he ceased working for the Party and I have not seen him for several months.  
I am personally satisfied that there has been no deliberate breaking of the regulations.  
From Bob Russell

---

**From:** [REDACTED] [[mailto:\[REDACTED\]@electoralcommission.org.uk](mailto:[REDACTED]@electoralcommission.org.uk)]  
**Sent:** 20 April 2016 11:43  
**To:** 'Sir Bob Russell' [REDACTED]  
**Subject:** RE: Colchester calling

Dear Sir Russell,

Thank you for your email.

The matter was picked up internally by the Commission as part of our monitoring function. For your information, the query has also been taken up with your agent at the election, Mr Ian Horner.

If you have any further questions, please let me know.

Yours Sincerely,

[REDACTED]  
**Investigator**  
**Casework and Investigations Team**  
**Party and Election Finance**  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
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---

**From:** Sir Bob Russell [[mailto:\[REDACTED\]](#)]  
**Sent:** 20 April 2016 11:31  
**To:** [REDACTED]  
**Subject:** Colchester calling

Dear [REDACTED]

I was shocked this morning to receive a communication from you reference my Election Return for the “short campaign” for the Colchester constituency in last year’s General Election. I was not aware of anything untoward. I shall make enquiries and get back to you.

May I enquire if this was a routine spot-check by you or were you responding to a complaint? My reason for asking is that between 2010 and 2015 I was the subject of several complaints to different public bodies.

From Bob Russell, Colchester