

[REDACTED]

From: FOI
Sent: 11 August 2017 13:42
To: [REDACTED]
Subject: FOI 88/17 Donations to political parties NI Response

Dear [REDACTED]

Our Ref: FOI 88/17

Thank you for your email to the Electoral Commission dated 11 June 2017, received by the Commission on 12 June 2017.

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

Due to the large number of attachments for this response, we have employed the use of our secure cloud-based document storage system 'Objective Connect'. You will receive an 'Invitation to **Objective Connect** Email Notification' (sent to the inbox of [REDACTED]). This notification will contain a link to enable you to start using **Objective Connect**. Please find below details on how to access the specific area we have set up for your documents.

1. You will be prompted to set up your username and password. Your username will be your email address, and your password can be whatever you like.
2. With your username and password, enter both details at the login screen and click 'login'.
3. You will now see your personal page, which will show the Share '**FOI 88/17 Donations to political parties NI**'.
4. By clicking on the share, you will then find the folder 'supporting documentation'.
5. Within this folder you will find 47 documents which are relevant to the FOI request. You may view any of these documents by selecting the 'download' option, and then 'open'.
6. In addition you may download a copy to your personal computer by selecting the 'download' option and then 'save as'.

This service will be closed 1 month after the official response has been dispatched on Monday 11 September 2017.

Your request is in bold below followed by our response.

You have requested:

please provide me with all correspondence including emails, letters, memos, minutes of meeting, briefing documents, research or reviews from May 2016 to June 2017 (or longest time period possible to comply with time and cost exemptions) held by the Electoral Commission that makes reference to the issue of donations to political parties in Northern Ireland.

Our response is as follows:

We hold some information which is relevant to your request.

This includes internal and external emails, press releases and internal discussions, which we have released via our secure online file share.

In the information we released, we redacted some of the information in the documents. Section 40(2) provides for an exemption where the information requested constitutes personal data as defined by the Data Protection Act 1998 (DPA), and where release of the information requested would breach one of the data protection principles. Some of the information contained in the requested information falls within the description of personal data as defined by section 1 of the DPA because the information relates directly to an identifiable living individual. Release of this information would breach the first data protection principle, which states the information must be processed fairly and lawfully.

Information which is exempt from disclosure under the FOI Act

The Commission also holds information which is relevant to your request but which we consider to be exempt from disclosure under the FOI Act. This information falls into the following categories:

- Information which involves or relates to discussions between staff of the Electoral Commission and UK Government officials about the issue of donations to political parties in Northern Ireland. Disclosing this information would inhibit the free and frank provision of advice between the Electoral Commission and the UK's various governments in future, and which is therefore exempt from disclosure under s36(2)(b)(i) of the FOI Act.
- Information which involves or relates to communications between lawyers and other staff at the Electoral Commission which is subject to legal professional privilege, and which is therefore exempt from disclosure under s42 of the FOI Act.
- Information relating to donations to which the current statutory prohibition on publication applies (under s71E of the Political Parties, Elections and Referendums Act 2000), and which is therefore exempt from disclosure under s44(1)(a) of the FOI Act.

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

Yours sincerely,

Ashley

Ashley Lardner
Senior Information and Knowledge Adviser
The Electoral Commission
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London EC1Y 8YZ
FOI@electoralcommission.org.uk

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yourvotematters.co.uk

[Twitter](#) | [Facebook](#) | [Blog](#)

[REDACTED]

From: [REDACTED]
Sent: 18 August 2016 13:21
To: Ann Watt; [REDACTED]
Subject: NI election report

Ann [REDACTED]

Here is the link to the latest version of the NI Assembly report:

<http://skynet/dm/Programmes/May2016/May%202016/2016%20NI%20Assembly%20election%20report%20draft.docx>

[REDACTED] – can you check chapter 4 as this covers a lot of PEF issues. There is also the donation and loans recommendation in chapter six. Bob has reviewed it and is happy with it.

[REDACTED]

[REDACTED]
Senior Officer (Communications and Electoral Administration)

The Electoral Commission
Ground Floor, 4 Cromac Place
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Belfast BT7 2JB
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www.electoralcommission.org.uk
www.aboutmyvote.co.uk

Putting voters first

P

Please consider the environment before printing this email.

[REDACTED]

From: [REDACTED]
Sent: 02 March 2017 09:45
To: Louise Edwards; [REDACTED] Ann Watt
Subject: RE: Further question from [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 01 March 2017 16:35
To: [REDACTED]; [REDACTED]; Ann Watt
Subject: RE: Further question from [REDACTED]

Yes, absolutely, I'm happy with that.

Thanks

Louise

From: [REDACTED]
Sent: 01 March 2017 16:12
To: [REDACTED]; Louise Edwards; Ann Watt
Subject: Further question from [REDACTED]

All

We had a further question from [REDACTED] following our response. I've suggested a response below. Please let me know if you are happy for with this or would like to suggest any changes.

Question : my only remaining question is as follows: If a UI were registered at an address outside Northern Ireland, and received a donation from a person outside Northern Ireland, then would the fact of it then making a donation in turn to a party in Northern Ireland mean that the sources of these donations wouldn't be published, unlike donations to other UIs in GB?

Suggested response

"As we've said before, whether we publish details of donations received by UAs will depend on whether the restrictions on disclosing information related to donations received by a Northern Ireland party are engaged. This is the case irrespective of whether the UA or its donors have addresses in Northern Ireland or outside Northern Ireland."

[REDACTED]

From: [REDACTED]
Sent: 01 March 2017 15:29
To: [REDACTED]
Subject: Re: Response to your queries about Unincorporated Associations

This is a reference to the requirement in the Political Parties Elections and Referendums Act 2000 (PPERA) for parties to take all reasonable steps to verify the identity of the donor and ensure they are a permissible donor before they accept a donation. It's also a reference to circumstances where a person passes on a donation to a party on behalf of another person. In these circumstances the person making the donation must give the party the full details of the donor on whose behalf the donation is made.

- What sanctions are available if a party does not identify the true source of the donations?

The true source of a donation is the donor. It is the responsibility of the Party to make sure they know the true source of a donation. There are potential offences under PERA related to the evasion of the restrictions on donation controls. For example where a person knowingly conceals or disguises an impermissible donor or where a person is passing on a donation to a party on behalf of another person and does not give the recipient the full details of the donor. There are also offences related to accepting impermissible donations. The range of sanctions available to the Commission depends on the provision in PERA that has been breached. Some breaches however can only be dealt with by criminal prosecution. You can find more information on offences and sanctions in [this document](#).

Regards

[Redacted]

[Redacted]

Senior Officer (Political Parties Liaison)

The Electoral Commission

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The Gasworks

Belfast BT7 2JB

Tel: [Redacted]

Fax: 028 90314827

www.electoralcommission.org.uk

www.aboutmyvote.co.uk

--

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: 30 March 2017 15:11
To: [REDACTED]
Subject: RE: DUP spending on EU referendum

The law does place a duty on us to verify information given to us in reports from parties in Northern Ireland. This is outlined in [The Political Parties, Elections and Referendum Act 2000 \(Northern Ireland Political Parties\) Order 2007](#)

Hope this is helpful
[REDACTED]

From: [REDACTED]
Sent: 30 March 2017 15:01
To: [REDACTED]
Subject: Re: DUP spending on EU referendum

Thanks for your reply [REDACTED]

As you can't comment on a specific donation, can you confirm whether the Electoral Commission ensures all donations, or large donations, are permissible?

Thanks
[REDACTED]

From: [REDACTED]
Sent: 30 March 2017 13:26:11
To: [REDACTED]
Subject: RE: DUP spending on EU referendum

[REDACTED]

The Electoral Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Although information on a donation was made public in February by the DUP we are still bound by this legal requirement. Unfortunately this means that we are unable to comment on your query.

[REDACTED]

[REDACTED]

Senior Officer (Communications and Electoral Administration)
electoralcommission.org.uk
yourvotematters.co.uk

From: [REDACTED]
Sent: 30 March 2017 13:02
To: infonorthernireland
Subject: DUP spending on EU referendum

It was revealed in February that the DUP received £425,000 from a donor called Constitutional Research Council (CRC) to fund their campaign to Leave the EU.

Could you please advise if the Electoral Commission has been satisfied that the true source of the funds is known, and that it was a permissible donation - or whether this is under consideration.

Regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 May 2017 13:30
To: [REDACTED]
Subject: RE: Press Release (EMBARGOED): Northern Ireland Assembly election was well run, concludes Electoral Commission, but voters are warned to check that they are registered

Hi [REDACTED]

The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on your query.

As discussed we have recently launched an investigation into Leave.EU – you can see the press release for this here: <http://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-referendums/electoral-commission-statement-on-investigation-into-leave.eu?>

We have consistently called for increased transparency on how political parties are funded in Northern Ireland. Such a move will only help to increase public confidence in the democratic process.

Hope this is helpful

From: [REDACTED]
Sent: 16 May 2017 13:05
To: [REDACTED]
Subject: RE: Press Release (EMBARGOED): Northern Ireland Assembly election was well run, concludes Electoral Commission, but voters are warned to check that they are registered

Hello.

What investigation has been carried out into the DUP's £425,622 (€530,000) from the Constitutional Research Council?

Should there be more transparency around the declaration of political donations in Northern Ireland?

Thanks

Sent: 15 May 2017 14:07

To: [REDACTED]

Subject: Press Release (EMBARGOED): Northern Ireland Assembly election was well run, concludes Electoral Commission, but voters are warned to check that they are registered

Press Release

Embargoed until: 00:01 Tuesday 16 May 2017

The
Electoral
Commission

Northern Ireland Assembly election was well run, concludes Electoral Commission, but voters are warned to check that they are registered

The Electoral Commission has today published its report on the administration of the March 2017 Northern Ireland Assembly election. More than 812,000 votes were cast at the election, representing a turnout of 64.8% - the highest turnout since the first Assembly election in 1998.

Public opinion research for the report suggests that most voters had a positive view of the electoral process and were confident that the election was well-run (86%). The report also praises the Chief Electoral Officer for the successful delivery of the election, particularly in light of the short notice given to prepare. It was the first election to the Assembly where all candidates were elected without the need for the count to move into a second day.

However the report also highlights that a total of 3,475 people from across Northern Ireland were turned away from the polling station on 2 March because they were not on the electoral register. This followed the removal of more than 60,000 voters from the electoral register in December 2016 who had not updated their registration details.

Ann Watt, Head of the Electoral Commission in Northern Ireland, said:

“There is no doubt that organising and running an election with just over six weeks’ notice was challenging for the Chief Electoral Officer and her staff but we are pleased to report today that overall the Assembly election was well-run. We know that preparations are well underway for the UK Parliamentary General Election on 8 June and our report should give voters confidence that these plans can deliver another successful election in Northern Ireland.

“There is now less than one week left to register to vote for the upcoming UK general election. It was disappointing to report that almost 3,500 would-be voters did not get to have their say at the March election as they were not on the electoral register. Poll cards for the UK general election have already been issued so if you have not received one or if you are not sure if you’re registered to vote then you should contact the Electoral Office helpline on 0800 4320 712.”

People can download an electoral registration form and find out more information on the UK general election at yourvotematters.co.uk. The deadline for completing and returning an electoral registration form is Monday 22 May.

Voters who cannot make it to their polling station on 8 June only have until Thursday 18 May to apply for a postal or proxy vote. Application forms are available from www.eoni.org.uk

The Electoral Commission's report on the election is available to [view on our website.](#)

Ends

Contact

For further information please contact [REDACTED]
[REDACTED]

Out of office hours 07789 920 414

Notes to editors

1. The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity by:
 - enabling the delivery of free and fair elections and referendums, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible
 - regulating political finance – taking proactive steps to increase transparency, ensure compliance and pursue breaches
 - using our expertise to make and advocate for changes to our democracy, aiming to improve fairness, transparency and efficiency

The Commission was set up in 2000 and reports to the UK and Scottish Parliaments.

2. The Commission published its report on May 2016 Northern Ireland Assembly in September 2016. [You can view that report here.](#)

[REDACTED]
Senior Officer (Communications and Electoral Administration)

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[REDACTED]

From: [REDACTED]
Sent: 17 May 2017 11:42
To: [REDACTED]
Subject: RE: Link to legislation

Can we say we check 100%?

From: [REDACTED]
Sent: 17 May 2017 11:42
To: [REDACTED]
Subject: Link to legislation

[REDACTED]

Legislation is here, under Part 2:

<http://www.legislation.gov.uk/ukSI/2007/2501/contents/made>

Note that under Article 8 (a) the legislation requires 50% of all donations made by individual donors are checked. However, the Commission's current policy is to check 100%.

[REDACTED]

[REDACTED]

Financial Reporting Manager

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[REDACTED]

From: [REDACTED]
Sent: 17 May 2017 17:01
To: [REDACTED]
Subject: RE: BBC Query

Hi [REDACTED]

There are two different reporting regimes in the UK - one for Great Britain and one for Northern Ireland. They both operate in the same way but the difference in Northern Ireland is the confidentiality issue and an Irish dimension allowing for donations from Irish permissible sources. As in my previous email, as per our current policy, we do verification checks on all donations received in GB and Northern Ireland.

Donation returns are made to the Commission every quarter and parties should provide information on donations received during the previous quarter (ie Jan-Mar, Apr-Jun etc). We will contact parties if we have any concerns about the verification of a donation and ask what checks the party did. If we suspect an impermissible donation has been received then we will take action in line with our [enforcement policy](#).

We publish information about recently closed cases on the third Tuesday of each month, including the potential breach we considered, our finding, and any action taken. You can view these here: http://www.electoralcommission.org.uk/_data/assets/pdf_file/0009/151659/Cases-publication.pdf

[Section 71e of the Political Parties, Elections and Referendum Act 2000 sets](#) out the duty not to disclose the contents of donation reports in Northern Ireland. Section 1 states that a person who is or has been a member or employee of the Commission must not disclose **any** information which relates to a donation received by a Northern Ireland recipient and has been obtained by the Commission in the exercise of their function. Confirming or not confirming a donation has been checked in Northern Ireland would be a breach of the law and the person who contravenes it would be guilty of an offence.

I just want to make clear that we are not trying to be obtrusive or unhelpful. We will provide you with any information that we can but we are very prohibited in what we can say when it comes to donations relating to Northern Ireland. I think it's worth highlighting again that the Commission has consistently called for increased transparency on how political parties are funded in Northern Ireland.

I hope the above is clear but if you need any further information please let me know

[REDACTED]

-----Original Message-----

From: [REDACTED]

Sent: 17 May 2017 16:21
To: [REDACTED]
Subject: FW: BBC Query

Sorry I was in a meeting writing that email.

I meant the first two questions relate to U.K. wide donation checks.

And can you explain why you can't answer a question about whether checks re Northern Ireland donations have been carried out?

Can you quote the legislation which states that?

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 17 May 2017 15:19
To: [REDACTED]
Subject: Re: BBC Query

[REDACTED]

The two questions relate to U.K. wide donation checks.

And can explain why you can't answer a question about whether checks re Northern Ireland donations have been carried out?

Can you quote the legislation which states that?

[REDACTED]

Sent from my iPhone

> On 17 May 2017, at 14:35, [REDACTED] wrote:

>

>

> Hi [REDACTED]

>

> I'm afraid i can't answer any of those questions as they relate to donations in Northern Ireland and we are legally prohibited from commenting.

>

> [REDACTED]

>

> From: [REDACTED]

> Sent: 17 May 2017 14:05

> To: [REDACTED]

> Subject: RE: BBC Query

>

> Hi [REDACTED]

>

> Thanks for this.

>

- > Can you tell me how many verification checks of donations have been completed?
- > How long do you expect the checks to take?
- > Have donations to parties in Northern Ireland been checked yet?

> Many thanks,

> [REDACTED]

> From: Cahir Hughes [mailto:CHughes@electoralcommission.org.uk]

> Sent: 17 May 2017 11:52

> To: [REDACTED]

> Subject: RE: BBC Query

> Hi [REDACTED]

> We discussed on the phone but I think it's important to highlight again that the Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether a political party or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on some of your questions below.

> Answers to your questions are below.

> [REDACTED]

> From: [REDACTED]

> Sent: 16 May 2017 17:06

> To: [REDACTED]

> Subject: BBC Query

> Hi [REDACTED]

> Hope you're well. I'm working on the [REDACTED]

> I've a couple of questions regarding donations during the EU referendum.

> I've had a look at the guidelines -

> http://www.electoralcommission.org.uk/__data/assets/pdf_file/0005/1965

> 83/Permissibility-for-Northern-Ireland-Political-Parties-at-the-EU-Ref

> erendum.pdf

> They say in part, - "Before a political party accepts any donation of more than £500 or enters into a loan of more than £500, they must take all reasonable steps to: · make sure they know the identity of the true source". Can you please supply answers to the following questions?

> 1. How does the electoral Commission define a "true source"?

> This is a reference to the requirement in the Political Parties Elections and Referendums Act 2000 (PPERA) for parties to take all reasonable steps to verify the identity of the donor and ensure they are a permissible donor before they accept a donation. It's also a reference to circumstances where a person passes on a donation to a party on behalf of another person. In these circumstances the person making the donation must give the party the full details of the donor on whose behalf the donation is made.

- >
- >
- > 2. Can you give an example?
- >
- > Any donation received from a political party must come from a
- > permissible source. These are included in our guidance for political
- > parties in managing donations (see page 3-4)
- >
- > [http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/1313](http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/1313/76/sp-manage-donations-rp-ni.pdf)
- > [76/sp-manage-donations-rp-ni.pdf](http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/1313/76/sp-manage-donations-rp-ni.pdf)
- >
- >
- >
- > 3. What does the Electoral Commission define as “reasonable steps” when a political party is making sure they know the identity of the “true source”?
- >
- > Before a party accepts any donation of more than £500, they must immediately make sure that they know who the donor is and that the donation is from a permissible source. The onus is on the party (in particular the party treasurer) to ensure that all donations over £500 received are permissible.
- >
- > Please give an example.
- >
- > See page 3 on the above link
- >
- >
- > 4. Did the DUP check if the individuals who made donations to them for the EU referendum were permissible?
- >
- > The Electoral Commission is legally bound by the requirement for confidentiality and cannot comment.
- >
- >
- > 5. Has the Electoral commission checked if the identity of the individuals, who made donations to the DUP for the EU referendum, were permissible?
- >
- > The Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007 outlines the steps to be taken by the Commission for the purpose of verifying information given in Northern Ireland donation and loan reports.
- >
- > You can view the legislation here:
- > <http://www.legislation.gov.uk/uksi/2007/2501/part/2/made>
- >
- > You will note in part 8 the Order states that the Commission must do verification checks against 50% of donations. Our current policy across the UK is do 100% checks.
- >
- >
- > 6. If not, why not?
- >
- > As above
- >
- >
- > 7. The website, openDemocracy, says it asked DUP MP Jeffrey Donaldson if he could name the individuals who funded his party’s Brexit campaign. They say he said the following. “We don’t need to know who made the donations. We have fulfilled all the requirements under electoral law. There is no further

investigation under way into the DUP." What is your reaction to those quotes?

>
> The Electoral Commission is legally bound by the requirement for confidentiality and cannot comment.

>
>
> 8. Is there or could there be an investigation into donations made to the DUP for the EU referendum campaign?

>
> The Electoral Commission can confirm that we are not currently conducting any investigations in respect of donations to the DUP.

>
> Any questions please ring me or email me.

>
> Many thanks,

>

> [REDACTED]

>

> [REDACTED]

> phone | [REDACTED]

> email | mailto:[REDACTED]

> mail | BBC Broadcasting House - Radio Current Affairs | Ormeau Avenue

> | Belfast | BT2 8HQ

>

>

<http://www.bbc.co.uk>

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Do not use, copy or disclose the information in any way nor act in reliance on it and notify the sender immediately.

Please note that the BBC monitors e-mails sent or received.

Further communication will signify your consent to this.

[REDACTED]

From: [REDACTED]
Sent: 17 May 2017 17:05
To: Ann Watt
Subject: FW: [REDACTED]

Ann

Sharing this with you as think you should be aware.

Over the last 24 hours I have spoken to most of the major news outlets in Northern Ireland about the DUP and donations. Clearly they are all in response to the Irish Times article. The below exchange sums up the tone of many of these conversations.

Hopefully we will see some progress on this issue after the election!

From: [REDACTED]
Sent: 17 May 2017 17:01
To: [REDACTED]
Subject: RE: BBC Query

Hi [REDACTED]

There are two different reporting regimes in the UK - one for Great Britain and one for Northern Ireland. They both operate in the same way but the difference in Northern Ireland is the confidentiality issue and an Irish dimension allowing for donations from Irish permissible sources. As in my previous email, as per our current policy, we do verification checks on all donations received in GB and Northern Ireland.

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checked in Northern Ireland would be a breach of the law and the person who contravenes it would be guilty of an offence.

I just want to make clear that we are not trying to be obtrusive or unhelpful. We will provide you with any information that we can but we are very prohibited in what we can say when it comes to donations relating to Northern Ireland. I think it's worth highlighting again that the Commission has consistently called for increased transparency on how political parties are funded in Northern Ireland.

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[REDACTED]

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Can you quote the legislation which states that?

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 17 May 2017 15:19
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Subject: Re: [REDACTED]

[REDACTED]

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[REDACTED]

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> Hi [REDACTED]
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> I'm afraid i can't answer any of those questions as they relate to donations in Northern Ireland and we are legally prohibited from commenting.

>
> [REDACTED]
>
> _____
> From: [REDACTED]
> Sent: 17 May 2017 14:05
> To: [REDACTED]
> Subject: RE: [REDACTED]

>
> Hi [REDACTED]
>
> Thanks for this.
>
> Can you tell me how many verification checks of donations have been completed?
> How long do you expect the checks to take?
> Have donations to parties in Northern Ireland been checked yet?

>
> Many thanks,
>
> [REDACTED]
>
> From: [REDACTED]
> Sent: 17 May 2017 11:52
> To: [REDACTED]
> Subject: RE: [REDACTED]

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> Hi [REDACTED]
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>
> Answers to your questions are below.
>
> [REDACTED]
>
> From: [REDACTED]
> Sent: 16 May 2017 17:06
> To: [REDACTED]
> Subject: [REDACTED]

>
> Hi [REDACTED]
>
> Hope you're well. I'm working on the [REDACTED].
>
> I've a couple of questions regarding donations during the EU referendum.
>

> I've had a look at the guidelines -

> http://www.electoralcommission.org.uk/__data/assets/pdf_file/0005/1965

> 83/Permissibility-for-Northern-Ireland-Political-Parties-at-the-EU-Ref

> erendum.pdf

>

> They say in part, - "Before a political party accepts any donation of more than £500 or enters into a loan of more than £500, they must take all reasonable steps to: · make sure they know the identity of the true source". Can you please supply answers to the following questions?

>

>

> 1. How does the electoral Commission define a "true source"?

>

> This is a reference to the requirement in the Political Parties Elections and Referendums Act 2000 (PPERA) for parties to take all reasonable steps to verify the identity of the donor and ensure they are a permissible donor before they accept a donation. It's also a reference to circumstances where a person passes on a donation to a party on behalf of another person. In these circumstances the person making the donation must give the party the full details of the donor on whose behalf the donation is made.

>

>

> 2. Can you give an example?

>

> Any donation received from a political party must come from a permissible source. These are included in our guidance for political parties in managing donations (see page 3-4)

>

> http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/1313

> 76/sp-manage-donations-rp-ni.pdf

>

>

>

> 3. What does the Electoral Commission define as "reasonable steps" when a political party is making sure they know the identity of the "true source"?

>

> Before a party accepts any donation of more than £500, they must immediately make sure that they know who the donor is and that the donation is from a permissible source. The onus is on the party (in particular the party treasurer) to ensure that all donations over £500 received are permissible.

>

> Please give an example.

>

> See page 3 on the above link

>

>

> 4. Did the DUP check if the individuals who made donations to them for the EU referendum were permissible?

>

> The Electoral Commission is legally bound by the requirement for confidentiality and cannot comment.

>

>

> 5. Has the Electoral commission checked if the identity of the individuals, who made donations to the DUP for the EU referendum, were permissible?

>

> The Political Parties, Elections and Referendums Act 2000 (Northern Ireland Political Parties) Order 2007 outlines the steps to be taken by the Commission for the purpose of verifying information given in Northern

Ireland donation and loan reports.

>

> You can view the legislation here:

> <http://www.legislation.gov.uk/uksi/2007/2501/part/2/made>

>

> You will note in part 8 the Order states that the Commission must do verification checks against 50% of donations. Our current policy across the UK is do 100% checks.

>

>

> 6. If not, why not?

>

> As above

>

>

> 7. The website, [REDACTED], says it asked DUP MP Jeffrey Donaldson if he could name the individuals who funded his party's Brexit campaign. They say he said the following. "We don't need to know who made the donations. We have fulfilled all the requirements under electoral law. There is no further investigation under way into the DUP." What is your reaction to those quotes?

>

> The Electoral Commission is legally bound by the requirement for confidentiality and cannot comment.

>

>

> 8. Is there or could there be an investigation into donations made to the DUP for the EU referendum campaign?

>

> The Electoral Commission can confirm that we are not currently conducting any investigations in respect of donations to the DUP.

>

> Any questions please ring me or email me.

>

> Many thanks,

>

> [REDACTED]

>

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 19 May 2017 15:39
To: [REDACTED] Ann Watt
Cc: [REDACTED] Louise Edwards
Subject: RE: First pre poll donation and loans report press release

I think in the past we have said something along the lines of:

Political Parties and non-party campaigners in Northern Ireland are required to submit weekly reports of their donations and loans to the Electoral Commission. However as required by law the Commission is prohibited from publishing this information.

From: [REDACTED]
Sent: 19 May 2017 15:19
To: Ann Watt; [REDACTED]
Cc: [REDACTED] Louise Edwards
Subject: RE: First pre poll donation and loans report press release

Hi both,

I've added the following line to the press release for the 2nd pre-poll donations and loans report, could you check it for me?

Thanks,

From: [REDACTED]
Sent: 18 May 2017 13:47
To: Ann Watt; [REDACTED]; Louise Edwards
Cc: [REDACTED]
Subject: RE: First pre poll donation and loans report press release

Hi Ann,

Yes, of course. Sorry not to have added to this one. Copying in [REDACTED] so that he can make sure it's added to future pre poll releases.

Thanks,

From: Ann Watt
Sent: 18 May 2017 13:25
To: [REDACTED] Louise Edwards

Cc: [REDACTED]

Subject: FW: First pre poll donation and loans report press release

Hi all – in future weeks, could we note somewhere in this press release (or at least in the full details note) that NI parties are required to submit weekly returns, but that the details are not published because of the transparency requirements.

We shouldn't assume that everyone reading this will know about the different transparency regime in NI, plus it's an opportunity for us to once again highlight the difference in approach here.

Ann

From: [REDACTED]

Sent: 18 May 2017 11:41

To: [REDACTED]

Subject: First pre poll donation and loans report press release

Dear All,

Please see below the press release we will be issuing at midday today to accompany the publication of the first pre poll donations and loans reports for the general election. Please note that the links in the press release will not be live until midday.

Kind regards,

[REDACTED]

Press release

Thursday 18 May

First weekly set of donations and loans to political parties published ahead of General Election

£7,054,844 in donations and £10,000 in loans to political parties have been reported to the Electoral Commission in the first weekly report published prior to the poll on 8 June.

By law, political parties standing candidates at the UK Parliamentary General Election must submit details of any donations and loans of over £7,500, as part of weekly reports to the Electoral Commission. Parties must notify the Commission if they are not standing candidates in order to be exempt from weekly reporting.

This is the first of six weekly pre-poll donations and loans reports, in which the Commission will publish details of all donations and loans reported. Four of these reports will be published before polling day, with two in the following weeks.

The political parties that have reported receiving donations over £7,500 were:

Political party	Total donations received in first pre poll
-----------------	--

	reporting period (3-9 May 2017)
Conservative and Unionist Party	£4,108,000
Green Party	£15,000
Labour Party	£2,683,300
Liberal Democrats	£180,000
UK Independence Party (UKIP)	£48,000
Women's Equality Party	£20,544

The UK Independence Party (UKIP) also reported a loan of £10,000.

Full details of all reported donations to registered political parties in the first pre-poll period are [available here](#)

Ahead of the 2015 general election, almost £2.5 million in donations were reported to the Electoral Commission in the [first pre-poll](#) reporting period. A total of almost £14.4 million in donations and loans were reported across all pre-poll reporting periods at the 2015 general election.

Non-party campaigners

Registered non-party campaigners – individuals or organisations that campaign at elections, but are not standing as candidates or political parties – must also submit weekly pre-poll donation reports to the Commission if they have received any amounts above £7,500 to use for the purpose of their regulated campaign activity.

Non-party campaigners	Total donations received in first pre poll reporting period (3-9 May 2017)
People's Assembly Against Austerity	£65,000

To search donations on the Electoral Commission's website, [click here](#).

Ends

For further information contact the Electoral Commission press office on 020 7271 0704 or press@electoralcommission.org.uk
Out of office hours 07789 920 414

Notes to editors

- The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity by:
 - enabling the delivery of free and fair elections and referendums, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible
 - regulating political finance – taking proactive steps to increase transparency, ensure compliance and pursue breaches

- using our expertise to make and advocate for changes to our democracy, aiming to improve fairness, transparency and efficiency

The Commission was set up in 2000 and reports to the UK and Scottish Parliaments.

2. Details on upcoming pre poll publications:

Reporting period	Deadline to submit report	Date Electoral Commission will publish donations and loans
3 May to 9 May	16 May 2017	Thursday 18 May
10 May to 16 May	23 May 2017	Thursday 25 May
17 May to 23 May	30 May 2017	Thursday 1 June
24 May to 30 May	6 June 2017	Wednesday 7 June
31 May to 6 June	13 June 2017	Thursday 15 June
7 June to 8 June	15 June 2017	Tuesday 20 June

3. The first quarterly donations and loans to political parties (covering the period 1 January 2017 – 31 March 2017) will be published on 23 May 2017.

4. In the pre poll weekly reports, political parties must report donations that they are given during the relevant period. However, parties have 30 days after receiving a donation to check that it is from a permissible source and to decide whether to accept it. If a party decides to return a donation, that will be recorded in Quarter 2 2017 donations and loans report which will be published by the Electoral Commission in August 2017.

5. 179 parties were required to submit weekly reports to the Electoral Commission.

6. Where a political party fails to submit a donation or loan report, the Commission will consider what, if any, action is appropriate in each case and in accordance with its [enforcement policy](#).

7. For more information about the rules for political parties during the General Election period, see the Commission's [media handbook here](#).

8. Non-party campaigners must register with the Electoral Commission if intending to spend over the threshold of £20,000 in England or £10,000 in any of Scotland, Wales and Northern Ireland on regulated campaign activity during a regulated period

9. Registered non-party campaigners do not need to submit a 'nil return' to the Electoral Commission during the General Election campaign period.

10. To see which non-party campaigners have so far registered with the Electoral Commission, click [here](#)

Senior Communications Officer

The Electoral Commission

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London EC1Y 8YZ

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yourvotematters.co.uk

[Twitter](#) | [Facebook](#) | [Blog](#)

[REDACTED]

From: [REDACTED] >
Sent: 05 January 2017 16:26
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Would just say NIO rather than use their twitter handle – can we say moving rather than move?

From: [REDACTED]
Sent: 05 January 2017 16:08
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Have had to cut it down due to characters. How about:

Statement on @NIOPressOffice decision to consult w/ NI parties on move to full transparency of donations & loans

From: [REDACTED]
Sent: 05 January 2017 15:57
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Just saw it on twitter – think it doesn't look right now! Sorry to be a pain but can we amend to

“See our statement on NIO decision to consult with NI parties on moving towards full transparency of donations and loans”

From: [REDACTED]
Sent: 05 January 2017 15:55
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Done

From: [REDACTED]
Sent: 05 January 2017 15:52
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Yeah that's fine

From: [REDACTED]
Sent: 05 January 2017 15:24
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Yep asked me to wack it up. Wording okay?

From: [REDACTED]
Sent: 05 January 2017 15:23
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

[REDACTED] has just come back to me saying she would put it up on twitter

From: [REDACTED]
Sent: [REDACTED] 15:22
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Do we want to tweet to the release from our corporate account?

If so, how about:

Read our statement on the UK Government's decision to write to parties in Northern Ireland about the transparency in party funding<insert link>

From: [REDACTED]
Sent: 05 January 2017 15:16
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

What a way to end it!

From: [REDACTED]
Sent: 05 January 2017 15:16
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

That was the last press release I put on the website :O

From: [REDACTED]
Sent: 05 January 2017 15:14
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Whatever our norm is – no strong feeling

From: [REDACTED]
Sent: 05 January 2017 15:11
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

<http://www.electoralcommission.org.uk/cymru/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/transparency-of-donations-and-loans-to-northern-ireland-political-parties>

Done. Let me know if you want me to add "Electoral Commission spokesperson said:" No biggie.

██████████

From: ██████████
Sent: 05 January 2017 15:04
To: ██████████
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Cheers

From: ██████████
Sent: 05 January 2017 14:57
To: ██████████; Press
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

I'll do it now.

From: ██████████
Sent: 05 January 2017 14:57
To: Press
Subject: FW: Media statement: Transparency of donations and loans to Northern Ireland political parties

Hi all

Can someone stick this up on the website?

Cheers

██████████

Media Statement

5 January 2017

Transparency of donations and loans to Northern Ireland political parties

The
Electoral
Commission

“We welcome the announcement by the Secretary of State for Northern Ireland that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency.

“We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. Such a move will only help to increase public confidence in the democratic process.

“We look forward to hearing the outcome of this consultation and are ready to work closely with the NIO to progress this issue.”

Ends

For further information please contact [REDACTED] or [REDACTED] Out of office hours- [REDACTED].

Notes to editors

1. The Electoral Commission is an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the UK's democratic process. We regulate party and election finance and set standards for well-run elections and are responsible for the conduct and regulation of referendum held under the Political Parties, Elections and Referendums Act (2000).
2. In September 2016 we published our independent statutory report on the administration of the Northern Ireland Assembly election held on 5 May 2016. The Electoral Commission's report on the election is available to view [here](#).

[REDACTED] **Communications and Electoral Administration)**

The Electoral Commission
Ground Floor, 4 Cromac Place
The Gasworks
Belfast BT7 2JB

[REDACTED]
www.electoralcommission.org.uk
www.aboutmyvote.co.uk

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P Please consider the environment before printing this email.

[REDACTED]

From: [REDACTED] >
Sent: 06 January 2017 13:28
To: [REDACTED]
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Hi [REDACTED]

Meeting would be useful. [REDACTED] is speaking to a few colleagues in London and will then be in touch to get a date sorted with you.

[REDACTED]

From: [REDACTED]
Sent: 05 January 2017 16:39
To: [REDACTED]
Cc: Ann Watt
Subject: RE: Media statement: Transparency of donations and loans to Northern Ireland political parties

Thanks [REDACTED]. The parties have been given until 31 January to respond to SoS, so we should get to hear their views shortly. I'll keep you posted. Might be worth a meeting too between us before then so we can discuss the practicalities of possible next steps, including an early move to full transparency. Let me know what you think and when might suit.

Regards,
[REDACTED]

From: [REDACTED]
Sent: 05 January 2017 15:26
To: [REDACTED]
Subject: FW: Media statement: Transparency of donations and loans to Northern Ireland political parties

Hi [REDACTED]

Just to let you we issued the below earlier this afternoon welcoming the announcement by the SoS

[REDACTED]

From: [REDACTED]
Sent: 05 January 2017 14:57
To: Press
Subject: FW: Media statement: Transparency of donations and loans to Northern Ireland political parties

Media Statement

5 January 2017

The
Electoral
Commission

Transparency of donations and loans to Northern Ireland political parties

“We welcome the announcement by the Secretary of State for Northern Ireland that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency.

“We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. Such a move will only help to increase public confidence in the democratic process.

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Ends

For further information please contact [REDACTED]

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[REDACTED]
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Belfast BT7 2JB

[REDACTED]

www.electoralcommission.org.uk
www.aboutmyvote.co.uk

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P Please consider the environment before printing this email.

[REDACTED]

From: [REDACTED] >
Sent: 16 February 2017 11:58
To: [REDACTED]
Subject: RE: Spending on the recent EU referendum

No problem at all

[REDACTED]

From: [REDACTED]
Sent: 16 February 2017 11:56
To: [REDACTED]
Subject: Re: Spending on the recent EU referendum

Oh you poor thing. I am sorry for dropping these extra queries into your lap at such a busy time. Thanks for confirming and good luck with the election prep.
Pamela

On 16 February 2017 at 11:54, [REDACTED] wrote:
The joy of election time P [REDACTED]

Yes – its absolutely fine to attribute the stats to us

[REDACTED]

From: [REDACTED]
Sent: 16 February 2017 11:52

To: [REDACTED]
Subject: Re: Spending on the recent EU referendum

Wow, that was a late email! You obviously work too hard!
That's great. It's only the donations part of the survey that I'm interested...as long as these figures are correct and I know who I should attribute them to (the Northern Irish Electoral Commission as opposed to the wider body?) then I don't need anything else on that front.

Thanks,
[REDACTED]

On 15 February 2017 at 22:27, [REDACTED] wrote:
Hi [REDACTED]

This question is included in our annual survey with voters and covers a wide range of topics – however the below is the only question we ask on donations in Northern Ireland. The rest of the survey covers issues around electoral registration and the administration of elections.

[REDACTED]

From: [REDACTED]
Sent: 15 February 2017 15:22
To: [REDACTED]
Subject: Re: Spending on the recent EU referendum

Hi [REDACTED] - thank you for your reply.
Just one add on - I noticed this tweet by Niall McCracken of the Detail on a survey carried out on behalf of the NI Electoral Commission.
Can you send me a copy of the survey please?
Thanks,
[REDACTED]

In your opinion, should information about who donates money to political parties in Northern Ireland be made available to the public or kept confidential, or do you not mind either way?

	Dec 2008	Dec 2011	Dec 2012	Dec 2013	Dec 2014	Dec 2015	Dec 2016
	%	%	%	%	%	%	%
Made available	59	62	62	64	67	68	73
Kept confidential	8	4	7	6	8	6	3
Do you not mind either way	32	33	31	29	24	25	23
Don't know	*	1	*	*	2	1	1

On 13 February 2017 at 16:13, [REDACTED] > wrote:
Hi [REDACTED]

Nice to speak to you earlier.

As I mentioned I am researching a piece around spending on the recent EU referendum and have few queries that I thought I might put to you because some of them pertain to the requirements for parties in the North.

1. Your media handbook on the referendum [states that](#) "Registered campaigners who are not also registered political parties" must report all loans and donations over £7,500 (...). Is this because parties are not allowed to receive such donations or because any such donations would be accounted for in their quarterly "[donations to parties](#)" statements? If it's neither of those you might let me know what the rules are on this.
2. Having spoken to your London office last week it is my understanding that, in general, Northern Irish parties are required to report donations of £7,500 and over to the Electoral Commission (as is required of other UK parties) but that the EC cannot, under law, publish details of those donations. I wanted to find out a) if I have understood that correctly and b) if there was any exception to this rule (in other words are there **any** circumstances under which donations to NI parties are published? Are there any such exemptions around referendums?)
3. I am aware that there have been calls for changes to the publication of donations to NI parties. Were this to happen in future could the commission expect to publish NI donations retrospectively or is that highly unusual? (is there any kind of precedent for this?)
4. Does [this list](#) of registered campaigners cover all entities which registered (in other words, is it a comprehensive and exhaustive list of all individuals, political parties, organisations and groups that

registered with the Electoral Commission ahead of the EU referendum)? If not can you let me know please?

5. Looking at the same [list](#) I noted that the Conservative party was not listed as a registered campaigner. Why is that given that they obviously did campaign?
6. Has a date been announced for EU referendum spends of £250,000 or more (or, if there's no set date, is there any indication of roughly when this might be published)?
7. As regards [General Election](#) and [NI Assembly Election](#) spends by political parties: does the data published by the Electoral Commission (linked above) cover all aspects of the listed parties' campaign spend or is there other spending that wouldn't show up here?

It would be great to get a response to these queries tomorrow or early Wednesday if possible. If you need to clarify anything my mobile is the best way to get me - the number is below. I will be at my desk from 10am tomorrow.

If any of the links I have sent don't work let me know and I will send them separately.

Thanks for your time,

[Redacted]

--

[Redacted]

Guardian News & Media

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

Data journalist
Guardian News & Media

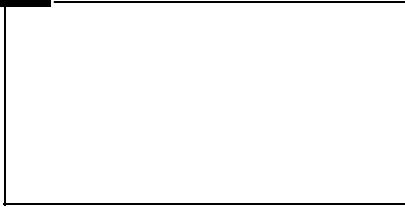
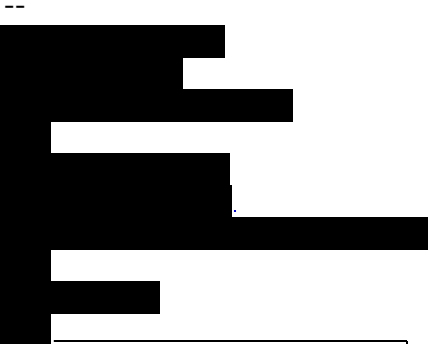
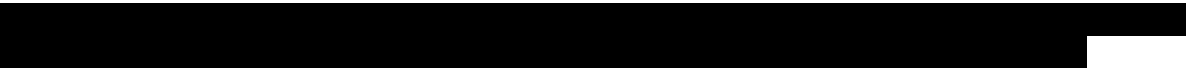
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[Redacted]

From: [REDACTED]
Sent: 05 January 2017 14:11
To: [REDACTED]
Bcc: [REDACTED]
Subject: Media statement: Transparency of donations and loans to Northern Ireland political parties

Hi

Happy New Year. Please see below statement from Electoral Commission on announcement by Secretary of State that he is consulting with parties on moving towards full transparency on donations and loans.

Regards
[REDACTED]

The
Electoral
Commission

Media Statement

5 January 2017

Transparency of donations and loans to Northern Ireland political parties

“We welcome the announcement by the Secretary of State for Northern Ireland that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency.

“We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. Such a move will only help to increase public confidence in the democratic process.

“We look forward to hearing the outcome of this consultation and are ready to work closely with the NIO to progress this issue.”

Ends

For further information please contact [REDACTED] or press@electoralcommission.org.uk. Out of office hours- 07789 920 414.

Notes to editors

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Senior Officer (Communications and Electoral Administration)

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www.aboutmyvote.co.uk

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[REDACTED]

From: [REDACTED]
Sent: 20 October 2016 13:35
To: [REDACTED]
Subject: RE: BBC Inquiry

We're still working our way through them [REDACTED] so can't really comment on specifics just yet.

From: [REDACTED]
Sent: 20 October 2016 13:32
To: [REDACTED]
Subject: RE: BBC Inquiry

Thanks. Will you be contacting [REDACTED] in relation to not supplying the required information?

From: [REDACTED]
October 2016 13:29
To: [REDACTED]
Subject: RE: BBC Inquiry

Hi [REDACTED]

Candidates and their agents at the Northern Ireland Assembly election must follow certain rules about how much they can spend, who they can accept donations from and what they must report after the election.

Candidates can only accept donations of money, items or services towards their campaign spending from certain, mainly UK-based, sources and must report them to the Chief Electoral Officer after the election. This includes donations from their party, including their local branch.

A candidate's return must include details of all donations over £50 and the total amount of all donations of less than £50. If the candidate incurred their own personal costs for their campaign they must also declare this in their return. We produced guidance for candidates and agents on this which is available to view on our website:

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/194109/Candidate-Guide-Northern-Ireland-Assembly-May-2016.pdf

There are different rules in place for the reporting of donations to political parties. These are set out in the Political Parties, Elections and Referendums Act 2000. Under this Act political parties in Northern Ireland must report donations and loans above a certain threshold to the Electoral Commission. However we are currently prohibited by law from publishing this information.

The rules for candidate spending and donations are set out in the Northern Ireland Assembly (Elections) Order 2001 (as amended). Alleged breaches of the rules around candidate spending at the Northern Ireland Assembly election are matters for the police to investigate.

As part of our monitoring function-under the Political Parties Elections and Referendum Act 2000 we are reviewing a number of returns made by candidates at the Northern Ireland Assembly election. Where we consider it appropriate to do so we will contact the candidate or their agent for more information and clarification. However we have no powers to investigate or sanction candidate spending offences. In 2013 we asked the UK Government to give us these powers but there has been no change in the law since then.

Hope this is helpful

[REDACTED]

From: [REDACTED]
Sent: 20 October 2016 11:15
To: [REDACTED]
Subject: BBC Inquiry

Dear Sir

Could you please help with the following query.

On examination of the returns held at the Electoral Office could you please confirm for me who paid for the election spend for the following two MLAs.

[REDACTED]

[REDACTED]

From my own look at this return I was unable to see how the £9,233 pounds [REDACTED] spent was sourced.

Is it true to say that while parties in NI don't have to declare where they get their money from, candidates do?

Under what law does a candidate have to say where his election spend came from?

What happens if a candidate does not say where the money came from? Does the Commission have to follow this up and ask further questions?

What does the Commission intend doing in this case?

If there is no return made, does this mean the candidate paid for the campaign out of his/her own resources? If that was the case would that have to be declared on the form?

If someone or some other organisation (such as a constituency association) paid for it, does the name have to be recorded?

Best

[REDACTED]

BBCNI News
Investigations Reporter

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 05 January 2017 11:46
To: [REDACTED] Warren Seddon; Ann Watt; Craig Westwood; Bob Posner
Cc: [REDACTED]; Ailsa Irvine; Tom Hawthorn; [REDACTED]
Subject: RE: Consultation on moving to full transparency

Hi all

I have drafted the following statement: <http://skynet/dm/Functions/media/Press%20releases/Media-Statement-NIO%20consultation%20on%20transparency%20in%20NI.docx>

Apologies for rushing people but ideally it would be good to get this sent sooner rather than later so grateful for any comments asap

Thanks
[REDACTED]

From: [REDACTED]
Sent: 05 January 2017 10:58
To: Warren Seddon; Ann Watt; [REDACTED]; Craig Westwood; Bob Posner
Cc: [REDACTED]; Ailsa Irvine; Tom Hawthorn; [REDACTED]
Subject: RE: Consultation on moving to full transparency

Hi

Thanks for including me in this email. I haven't yet been able to look at the copy of the statement that [REDACTED] sent because of the ongoing error with opening certain PDFs so I am about to go and try to read that on someone else's computer...

In the meantime, my general thoughts on putting out a statement before having seen the NIO one

- I agree that we should welcome movement on the issue, particularly as we've been calling for change for years and we reiterated that call recently in the post NIA elections report in September 2016

[REDACTED]

[REDACTED]

[Redacted]

Thanks

[Redacted]

From: [Redacted]
Sent: 05 January 2017 10:47
To: Ann Watt; Cahir Hughes; Craig Westwood; Bob Posner
Cc: [Redacted]; Ailsa Irvine; Tom Hawthorn; [Redacted]
Subject: RE: Consultation on moving to full transparency

Just copying in the policy team again.

I know quite a while ago there were some issues around being able to give practical effect to the provisions in the Northern Ireland (Miscellaneous Provisions) legislation – are these resolved enough for us to be relaxed about them. If so, don't see any harm in issuing a positive statement, as although from a media perspective we have slightly missed the boat given we have been calling for this for a while it would be good to be seen to support the Government stepping in this direction.

[Redacted]

From: Ann Watt
Sent: 05 January 2017 10:28
To: [Redacted] Craig Westwood; Warren Seddon; Bob Posner
Cc: [Redacted] Ailsa Irvine
Subject: RE: Consultation on moving to full transparency

I think there is a strong case for us putting out a statement welcoming the SoS's consultation, mainly because this is the first time since Jan 2014 that there has been any progress on the issue that is visible to the public – so I think it is worthy of a positive response from the Commission.

[Redacted]

[Redacted]

From: [Redacted]
Sent: 05 January 2017 10:11
To: Craig Westwood; Warren Seddon; Bob Posner
Cc: Ann Watt; [Redacted]; Ailsa Irvine
Subject: RE: Consultation on moving to full transparency

Hi all

So much for a quiet start to the New Year!

Ann and I had a bit of a discussion this morning about making a public statement on the NIOs consultation with the parties on increasing transparency. Our views on this is clear to the NIO and

parties but there could be some benefit in reiterating our recommendation in the election report and welcoming this development.

It should be straightforward to pull something together quickly but I'm conscious that this all happening against the backdrop of the RHI scandal and we would need to be mindful that we don't want to get dragged into it.

Ideally it would have been better to put something out yesterday but this all seems to have been very rushed by the NIO particularly given that they only made announcement late yesterday afternoon. As such if we do think there is merit in doing something then we would need to act quickly.

Welcome any thoughts on this?

Thanks

From: Warren Seddon
Sent: 04 January 2017 16:42
To: Bob Posner; [REDACTED]; Ann Watt; [REDACTED]; Ailsa Irvine; Craig Westwood
Cc: [REDACTED]; John Franks; Tom Hawthorn; [REDACTED]; [REDACTED]
Subject: RE: Consultation on moving to full transparency

Just adding policy folk to this chain as well.

Warren

From: Bob Posner
Sent: 04 January 2017 16:39
To: [REDACTED]; Ann Watt; [REDACTED]; Ailsa Irvine; Craig Westwood; Warren Seddon
Cc: [REDACTED]; John Franks
Subject: RE: Consultation on moving to full transparency

Just to add that under s15A PPERA the Secretary of State has to consult with us before being able to make an Order changing the current confidentiality rules.

Bob.

From: [REDACTED]
Sent: 04 January 2017 15:59
To: Ann Watt; [REDACTED]; Bob Posner; [REDACTED]; Ailsa Irvine; Craig Westwood; Warren Seddon
Subject: RE: Consultation on moving to full transparency

Attached statement from Secretary of State – sorry about quality as NIO seem to be having some technical issues. I'll send a link once it's on website

I think it's worth noting that he is only consulting with parties. NIO will write to us to advise what is happening but are not consulting with us.

From: [REDACTED]
Sent: 04 January 2017 15:46
To: Ann Watt; [REDACTED]; Bob Posner; [REDACTED]; Ailsa Irvine; Craig Westwood; Warren Seddon

Subject: Consultation on moving to full transparency

Hi all

Some positive news. The NIO have just called to advise that the Secretary of State has today written to the parties in Northern Ireland to ask for their views on moving to full transparency on donations and loans. Decision seems to have only been made this morning.

Waiting to get copy of press release from NIO

[REDACTED]

[REDACTED]

Senior Officer (Communications and Electoral Administration)

The Electoral Commission
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The Gasworks

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 27 September 2016 12:36
To: [REDACTED]
Subject: RE: Data vis stuff

Dead on

From: [REDACTED]
Sent: 27 September 2016 12:04
To: [REDACTED]
Subject: RE: Data vis stuff

Hi [REDACTED]

How about this as the standalone quote?

“The UK Government should introduce legislation to allow the Commission to publish information on how political parties in Northern Ireland are funded.”

From: [REDACTED]
Sent: 26 September 2016 15:50
To: [REDACTED]
Subject: RE: Data vis stuff

Hi [REDACTED]

All sounds good to me – not sure there would be much to be gained by running the blog again but yeah should be fine to pull a line out of it

From: [REDACTED]
Sent: 26 September 2016 15:26
To: [REDACTED]
Subject: RE: Data vis stuff

Hi [REDACTED]

I'm looking at the social media schedule for Thursday I think it makes sense to do more posts on NI because we can share some graphics with the complete picture for the election. I'll circulate the schedule shortly so everyone can give their views to see what others think. But I think that makes the most sense.

Also it gets quite confusing with the Scotland and Wales figures because they're missing the main parties at the moment – which is really hard to explain in less than 140 characters. We

can still mention that we've published info from those elections but just focus the majority of the posts on NI.

I was also wondering if it would be worth re-sharing Ann's blog on the election report as it mentions our recommendation for donations and loans to be published. Or (and this is my preference) we could just pull out a quote from the blog or the press release and share that as a standalone line. What do you think? Too bold?

Thanks,

[REDACTED]

From: [REDACTED]
Sent: 26 September 2016 13:46
To: [REDACTED]
Cc: Ann Watt
Subject: RE: Data vis stuff

Great news

Thanks

[REDACTED]

From: [REDACTED]
Sent: 26 September 2016 13:45
To: [REDACTED]
Subject: Data vis stuff

Hi,

PEF are going to update this page for Thursday's publication:
<http://www.electoralcommission.org.uk/find-information-by-subject/political-parties-campaigning-and-donations/political-party-spending-at-elections/details-of-party-spending-at-previous-elections>

For some reason on the second chart, if you filter it for the Northern Ireland election, the spending isn't broken up into each of the parties. So I've asked them to look into it and make sure that we can do this for Thursday otherwise it makes that chart redundant. And the chart below has the data for the NIA split by party so it must be possible!

They will also update this page for non-party campaigner spending:
<http://www.electoralcommission.org.uk/find-information-by-subject/political-parties-campaigning-and-donations/non-party-campaign-spending-and-donations-at-elections/details-of-non-party-campaign-spending-at-previous-elections>

I'll keep you posted.

Thanks,

[REDACTED]

[REDACTED]

Senior Communications Officer

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[REDACTED]

From: [REDACTED]
Sent: 25 July 2016 16:05
To: [REDACTED]
Subject: RE: Media line

“The Electoral Commission has consistently called for greater transparency on how political parties are funded in Northern Ireland. We know that the public also supports the call for greater transparency. An assessment of the current security situation is a matter for the UK Government. We will continue to work with the NIO on secondary legislation that will allow for the partial disclosure of information on political donations and loans. We would hope to see this legislation introduced as soon as possible”

[Slight change to last sentence placing onus on NIO](#)

From: [REDACTED]
Sent: 25 July 2016 16:03
To: [REDACTED]
Subject: Media line

Think this was it:

The Electoral Commission has consistently called for greater transparency on how political parties are funded in Northern Ireland. We know that the public also supports the call for greater transparency. An assessment of the current security situation is a matter for the UK Government. We anticipate that the NIO will have the secondary legislation that will allow for the partial disclosure of information on political donations and loans ready soon and we will be available to assist as required by them to enable this.

[REDACTED]
Senior Officer (Communications and Electoral Administration)
The Electoral Commission
Ground Floor, 4 Cromac Place
The Gasworks
Belfast BT7 2JB

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[REDACTED]

From: [REDACTED]
Sent: 27 January 2017 12:10
To: [REDACTED]
Subject: RE: Political donations

Hi [REDACTED]

Since November 2007 political parties and regulated donees (such as elected representatives) in Northern Ireland have been required to submit details of donation and loans they have received (over £7,500 for a central party or £1,500 for an accounting unit or elected rep) to the Electoral Commission. As required by law this information is currently not published by us.

The Northern Ireland (Miscellaneous Provisions) Act 2014 changed the law on the confidentiality requirement on donations and loans to political parties. Although the current reporting regime continues at present, the Act enables the Secretary of State via secondary legislation to allow details (excluding the donors name) of reportable donations and loans received by a political party from 1 January 2014 to be published at some point in the future. The Commission would also be able to publish some aggregated data about donations received between 2007 and 2014.

On 4 January the Secretary of State for Northern Ireland announced that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency over the issue of donations and loans. We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. We are now awaiting the outcome of this consultation with the parties.

Hope that clarifies the latest situation but do let me know if you need any further information.

[REDACTED]

[REDACTED]

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[REDACTED]

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Please consider the environment before printing this email.

From: [REDACTED]
Sent: 26 January 2017 12:35
To: [REDACTED]
Subject: Political donations

Hello

Could you explain the current situation regarding publication of donations on the Electoral Commission website please? Are any donations to political parties currently published? I have read that donations over £500 are published, but I'm not clear whether that only applies to GB. Wasn't there legislation to change the rules in NI at some point over the last few years?

Thank you
[REDACTED]
(Green Party NI)

--
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 24 November 2016 15:39
To: Louise Edwards; Warren Seddon; John Franks; [REDACTED]; Ann Watt
Cc: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

Thanks Louise

[REDACTED]

From: Louise Edwards
Sent: 24 November 2016 15:38
To: [REDACTED]; Warren Seddon; John Franks; [REDACTED] Ann Watt
Cc: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

Remove the 'therefore' please. Hypothetically we could take action before a return is submitted if we had cause to.

Otherwise looks good.

From: [REDACTED]
Sent: 24 November 2016 15:37
To: Louise Edwards; Warren Seddon; John Franks; [REDACTED] Ann Watt
Cc: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

Suggest I respond by saying that we are expecting DUP return to be over £250k and therefore since we have not received a return yet no complaints or action have been taken.

Does that seem ok?

From: Louise Edwards
Sent: 24 November 2016 15:33
To: Warren Seddon; [REDACTED]; John Franks; [REDACTED] Ann Watt
Cc: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

Likewise.

I can't actually remember whether we've received any complaints. Either way I think a 'yes' or 'no' answer is fine. In terms of taking action, the answer is simply 'no', isn't it?

[REDACTED]

Louise

From: Warren Seddon
Sent: 24 November 2016 15:30
To: [REDACTED]; Louise Edwards; John Franks; [REDACTED]; Ann Watt
Subject: RE: Press request, Democratic Unionist Party expenses

On the process point I am reasonably relaxed about confirming the DUP will be in the second tranche of data – will let others come back on the complaint point.

W

From: Cahir Hughes
Sent: 24 November 2016 15:27
To: Louise Edwards; John Franks; [REDACTED]; Ann Watt; Warren Seddon
Subject: FW: Press request, Democratic Unionist Party expenses

Hi all

Grateful for a steer on this – I have let the journalist below know that we will be publish under £250k on Tuesday and over £250k in February. However she has asked the below about any complaints we have received.

We clearly have taken no action because no return has even been submitted yet but conscious that even saying that confirms DUP spent over £250k before we publish on Tuesday. I also know questions were asked about the Metro ad during and after the campaign (I have had at least half a dozen queries from press on it) but would these have been considered as complaints?

Thanks in advance for any advice

[REDACTED]

From: [REDACTED]
Sent: 24 November 2016 15:17
To: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

Hi C [REDACTED]

Thanks very much for letting me know.

Would you also be able to confirm if any complaints have been made or action taken by the Commission in relation to this ad the DUP took out in the Metro for the referendum campaign?

<http://www.newsletter.co.uk/news/dup-party-funded-huge-advertising-campaign-in-paper-not-circulated-in-ni-1-7441831>

Thanks,

[REDACTED]

[REDACTED]

The Independent

From: [REDACTED]
Sent: 24 November 2016 15:11
To: [REDACTED]
Subject: RE: Press request, Democratic Unionist Party expenses

External Sender

Hi [REDACTED]

On Tuesday (29th) we will be publishing the spending returns of campaigners who spent under £250k at the EU Referendum. Campaigners who spent over £250k at the referendum are required to submit their spending return to us by 23 December. We intend to publish these in February.

At the end of September we published the DUPs spending return at the May 2016 Northern Ireland Assembly election. [You can view the party return here](#)

The DUP latest annual statement of accounts are also available to [view on our website](#) – however this is for 2015.

Hope this is helpful and I'll make sure you get copy of press release on Tuesday.

[REDACTED]

[REDACTED]

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From: [REDACTED]
Sent: 24 November 2016 14:34
To: Press
Subject: Press request, Democratic Unionist Party expenses

Hi,

I hope you're well. I was wondering if you could please send/ attach a copy of the Democratic Unionist Party's expenses during the recent EU referendum campaign? As well as the DUP's spending accounts more

generally for 2016?

In addition, I was wondering if you could please confirm where the expense for this Metro advert was recorded by the DUP, and whether commission has received any complaints or taken any action regarding it?

Many thanks,

[REDACTED]

[REDACTED]

*Social Affairs Correspondent
The Independent*

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[REDACTED]

From: [REDACTED]
Sent: 15 December 2016 14:43
To: Bob Posner
Cc: Louise Edwards; Warren Seddon; Ann Watt; [REDACTED] Craig Westwood;
[REDACTED]
Subject: RE: Upcoming media story in Northern Ireland

Thanks Bob – I think its fair to assume that we will be asked questions that they know we can't answer, which I suspect will be exactly the reason they will ask them. I think it will then be for others to discuss and make their own mind up.

Your point on possible investigations being launched on party returns did come into my head this morning but I decided not to bring it up. Will need to be considered though .

[REDACTED]

From: Bob Posner
Sent: 15 December 2016 14:30
To: [REDACTED]
Cc: Louise Edwards; Warren Seddon; Ann Watt; [REDACTED]
Subject: RE: Upcoming media story in Northern Ireland

Thanks [REDACTED] and as you say this will give us an opportunity to reinforce our recommendation on the need for greater transparency.

I have highlighted one sentence in your below email. Presumably if the DUP do not say who their donor was, then the question to us is redundant, but were it to be asked of us anyway because of the confidentiality rule on donors we would/could not say whether the donor was registered as a campaigner. Alternatively if the DUP do name the donor then who were registered campaigners is a matter of public record on our website.

[REDACTED]

Bob.

From: [REDACTED]
Sent: 15 December 2016 14:18
To: Bob Posner; Louise Edwards; Warren Seddon; Ann Watt; [REDACTED]
Subject: Upcoming media story in Northern Ireland

Hi all

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[REDACTED]

From: [REDACTED]
Sent: 10 January 2017 14:34
To: Ann Watt
Subject: RE: Winter tracker previous results

That would then mean we wouldn't share the letter with APP?

From: Ann Watt
Sent: 10 January 2017 14:28
To: [REDACTED]
Subject: RE: Winter tracker previous results

Thanks [REDACTED] – we have a letter about donations and loans in NI due to go from Sir John Holmes to the Secretary of State for Northern Ireland within the next few days. Would you be content for us to include the figure in that letter if we clearly said it is interim and confidential? I think the new figure, and the upward trend, would be very helpful in emphasising the Commission's point about public support for transparency.

Ann

From: [REDACTED]
Sent: 10 January 2017 09:54
To: [REDACTED]
Cc: Ann Watt
Subject: RE: Winter tracker previous results

Yes I spoke to Phil and he's happy with the results being shared with NIO (confidentially if before official publication).
He will mention it to Craig too.

From: [REDACTED]
Sent: 09 January 2017 13:28
To: [REDACTED]
Cc: Ann Watt
Subject: RE: Winter tracker previous results

End of the month should be fine but if there was any possibility of us letting NIO officials know in advance then that would be helpful.

Cheers

[REDACTED]

From: [REDACTED]
Sent: 09 January 2017 12:56
To: [REDACTED]
Subject: RE: Winter tracker previous results

We are planning to publish the findings at the end of the month. Don't think we can share findings

externally before then.

Would that be too late? I could ask Phil and Craig if we could bring that forward or share them confidentially.

From: [REDACTED]
Sent: 09 January 2017 12:12
To: [REDACTED]
Subject: RE: Winter tracker previous results

When do you think we would be in a position to use this figure in Northern Ireland? The NIO is consulting with parties at the minute on moving to full transparency and has given them a deadline of the end of this month. It would be good if we could add some further pressure if this increase from public for more transparency as soon as we can.

From: [REDACTED]
Sent: 09 January 2017 12:09
To: [REDACTED]
Subject: RE: Winter tracker previous results

Yes, there's actually been an increase in confidence/satisfaction across most areas (registration, voting etc) so we want to have a good look at the data first.

From: [REDACTED]
Sent: 09 January 2017 12:04
To: [REDACTED]
Subject: RE: Winter tracker previous results

Thanks [REDACTED] – interesting to see that increase given current political climate here

From: [REDACTED]
Sent: 09 January 2017 11:53
To: [REDACTED]
Subject: RE: Winter tracker previous results

Hi [REDACTED]

We received the interim results on Friday – please see below.

As these are still to be checked, I'd be grateful if you won't distribute them (internally or externally).

Thanks

[REDACTED]

⇒ **ASK IN NORTHERN IRELAND ONLY**

Q23. In your opinion, should information about who donates money to political parties in Northern Ireland be made available to the public or kept confidential, or do you not mind either way?

2016 Base: All in Northern Ireland (200)	Dec 2008	Dec 2011	Dec 2012	Dec 2013	Dec 2014	Dec 2015	Dec 2016
	%	%	%	%	%	%	%
Made available	59	62	62	64	67	68	73 [†]

Kept confidential	8	4	7	6	8	6	3 [†]
Do you not mind either way	32	33	31	29	24	25	23
Don't know	*	1	*	*	2	1	1

From: [REDACTED]
Sent: 09 January 2017 11:49
To: [REDACTED]
Subject: Winter tracker previous results

Hi both

Do you have a table with the results on the donations questions asked in NI in the winter tracker over the last few years. Appreciate the latest result probably isn't available yet

Thanks

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P Please consider the environment before printing this email.

From: [REDACTED]
Sent: 04 January 2017 12:32
To: Ann Watt; Ailsa Irvine; Craig Westwood; Warren Seddon; [REDACTED]; [REDACTED]; Bob Posner; Louise Edwards; [REDACTED]; [REDACTED]; Tom Hawthorn; [REDACTED]
Cc: Northern Ireland Office; Press
Subject: Update from Northern Ireland

Hi all

Happy New Year.

I thought it would be helpful to give you an update on the latest situation in Northern Ireland. As you will recall before Christmas a motion of no confidence in the First Minister failed following the Renewable Heat Initiative (RHI) scandal. However the pressure on her to resign or step aside has not receded on the return from the Christmas break.

Next week Sinn Féin intend to bring forward another motion calling on the First Minister to step aside while an independent investigation takes place. Other parties are calling for a judge led inquiry. Sinn Féin are suggesting that if their motion fails then they will pull out of the Executive and that an Assembly election will follow. To date the DUP and the First Minister have made it very clear that she has no intention to stand down. There is certainly more talk of a possible election in the media today and we will continue to monitor this. I don't think there is much further that needs done at this stage but it would be helpful for us all to keep this on our radar.

Some of you will also be interested to know that Belfast City Council passed a motion last night calling on the Secretary of State to immediately lift the exemption on the publication of donations made to political parties since January 2014. The Alliance led motion was supported by Sinn Féin, the SDLP, PUP, Greens and TUV. Both the DUP and UUP opposed it. The new Alliance leader Naomi Long has also called the on the law to be changed now in light of the ongoing RHI scandal. More info on the BBC: <http://www.bbc.co.uk/news/uk-northern-ireland-38501643>

Finally for those of you who don't know Virginia McVea has been appointed the new Chief Electoral Officer for Northern Ireland. She is currently the Director of the Northern Ireland Human Rights Commission. She was previously Head of Legal Services at the Human Rights Commission and was a Legal Adviser to the Regulation and Quality Improvement Authority. Her term of office will begin on 1 February. Graham will finish on 31 January.

As always if you would like any further information please let Ann or I know.

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P Please consider the environment before printing this email.

From: [REDACTED]
 Sent: 30 January 2017 11:28
 To: [REDACTED]
 Subject: Public support for more transparency

Hi [REDACTED]

Just to let you know that our most recent public opinion research has showed an increase in support for information on donations being made public.

See below:

In your opinion, should information about who donates money to political parties in Northern Ireland be made available to the public or kept confidential, or do you not mind either way?

	Dec 2008	Dec 2011	Dec 2012	Dec 2013	Dec 2014	Dec 2015	Dec 2016
	%	%	%	%	%	%	%
Made available	59	62	62	64	67	68	73
Kept confidential	8	4	7	6	8	6	3
Do you not mind either way	32	33	31	29	24	25	23
Don't know	*	1	*	*	2	1	1

Senior Officer (Communications and Electoral Administration)

The Electoral Commission
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 The Gasworks
 Belfast BT7 2JB

Tel: [REDACTED]
 Fax: 028 9031 4827

Textphone: 18001 028 9089 4020

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www.aboutmyvote.co.uk

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[REDACTED]

From: [REDACTED] >
Sent: 13 February 2017 10:58
To: [REDACTED]
Cc: John Franks
Subject: you may be interested in this

<https://www.thedetail.tv/articles/ni-assembly-election-2016-candidate-expenditure-and-donations>

[REDACTED]
Senior Officer (Political Parties Liaison)

The Electoral Commission
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4 Cromac Place
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Belfast BT7 2JB

[REDACTED] what you think of our [website](#) by taking part in our [online survey](#).

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[REDACTED]

From: [REDACTED]
Sent: 12 June 2017 15:05
To: [REDACTED]
Subject: Donations

Hi [REDACTED]

As discussed

“The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on your query.

However we can confirm that we are not currently conducting any investigations in respect of donations to the DUP.

The Electoral Commission has consistently called for increased transparency on how political parties are funded in Northern Ireland. Such a move will only help to increase public confidence in the democratic process”.

For background on the confidentiality rules:

[Section 71e of the Political Parties, Elections and Referendum Act 2000 sets](#) out the duty not to disclose the contents of donation reports in Northern Ireland. Section 1 states that a person who is or has been a member or employee of the Commission must not disclose **any** information which relates to a donation received by a Northern Ireland recipient and has been obtained by the Commission in the exercise of their function. Confirming or not confirming a donation has been checked in Northern Ireland would be a breach of the law and the person who contravenes it would be guilty of an offence.

[REDACTED]

[REDACTED]

Senior Officer (Communications and Electoral Administration)

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Belfast BT7 2JB

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[REDACTED]

From: [REDACTED]
Sent: 17 May 2017 11:29
To: [REDACTED]
Subject: Donations

Hi [REDACTED]

As discussed

“The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on your query.

However we can confirm that we are not currently conducting any investigations in respect of donations to the DUP”.

[REDACTED]

[REDACTED]

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[REDACTED]

From: [REDACTED] >
Sent: 04 January 2017 12:33
To: Policy Team
Subject: FW: Update from Northern Ireland

Interesting update from NI...

Tom Hawthorn
Head of Policy
The Electoral Commission

From: [REDACTED]
Sent: 04 January 2017 12:32
To: Ann Watt; Ailsa Irvine; Craig Westwood; Warren Seddon; [REDACTED] Bob Posner; Louise Edwards; [REDACTED] Tom Hawthorn; [REDACTED]
Cc: Northern Ireland Office; Press
Subject: Update from Northern Ireland

Hi all

Happy New Year.

I thought it would be helpful to give you an update on the latest situation in Northern Ireland. As you will recall before Christmas a motion of no confidence in the First Minister failed following the Renewable Heat Initiative (RHI) scandal. However the pressure on her to resign or step aside has not receded on the return from the Christmas break.

Next week Sinn Féin intend to bring forward another motion calling on the First Minister to step aside while an independent investigation takes place. Other parties are calling for a judge led inquiry. Sinn Féin are suggesting that if their motion fails then they will pull out of the Executive and that an Assembly election will follow. To date the DUP and the First Minister have made it very clear that she has no intention to stand down. There is certainly more talk of a possible election in the media today and we will continue to monitor this. I don't think there is much further that needs done at this stage but it would be helpful for us all to keep this on our radar.

Some of you will also be interested to know that Belfast City Council passed a motion last night calling on the Secretary of State to immediately lift the exemption on the publication of donations made to political parties since January 2014. The Alliance led motion was supported by Sinn Féin, the SDLP, PUP, Greens and TUV. Both the DUP and UUP opposed it. The new Alliance leader Naomi Long has also called the on the law to be changed now in light of the ongoing RHI scandal. More info on the BBC: <http://www.bbc.co.uk/news/uk-northern-ireland-38501643>

Finally for those of you who don't know Virginia McVea has been appointed the new Chief

Electoral Officer for Northern Ireland. She is currently the Director of the Northern Ireland Human Rights Commission. She was previously Head of Legal Services at the Human Rights Commission and was a Legal Adviser to the Regulation and Quality Improvement Authority. Her term of office will begin on 1 February. Graham will finish on 31 January.

As always if you would like any further information please let Ann or I know.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 04 January 2017 15:59
To: Ann Watt; [REDACTED]; Bob Posner; Louise Edwards; Ailsa Irvine; Craig Westwood; Warren Seddon
Subject: RE: Consultation on moving to full transparency
Attachments: image1.jpg

Attached statement from Secretary of State – sorry about quality as NIO seem to be having some technical issues. I'll send a link once it's on website

I think it's worth noting that he is only consulting with parties. NIO will write to us to advise what is happening but are not consulting with us.

[REDACTED]

From: [REDACTED]
Sent: 04 January 2017 15:46
To: Ann Watt; [REDACTED]; Bob Posner; Louise Edwards; Ailsa Irvine; Craig Westwood; Warren Seddon
Subject: Consultation on moving to full transparency

Hi all

Some positive news. The NIO have just called to advise that the Secretary of State has today written to the parties in Northern Ireland to ask for their views on moving to full transparency on donations and loans. Decision seems to have only been made this morning.

Waiting to get copy of press release from NIO

[REDACTED]

[REDACTED]

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SECRETARY OF STATE TO SEEK VIEWS FROM NI POLITICAL PARTIES ON FUNDING
TRANSPARENCY

The Secretary of State, Rt Hon James Brokenshire MP, is writing to Northern Ireland's political parties on next steps for the reform of the transparency of political donations and loans. The move follows earlier consultation and previous comments by the Secretary of State that progress should be made on the issue.

The parties' views will be sought on ending the current arrangements, which require full confidentiality.

Secretary of State for Northern Ireland James Brokenshire said:

"The political and security context in Northern Ireland has changed significantly since the last consultation on this issue and I know that political parties have been reflecting carefully on their previous positions.

"Voters in Northern Ireland will also welcome more information about how their political parties are funded.

"I would now like to seek views on whether the time is now right to move towards full transparency on donations and loans and to implement a change to the rules as soon as possible, bringing Northern Ireland into step with the wider UK."

Following consultation in 2010, the UK Government proposed amending the Political Parties, Elections and Referendums Act 2000 to provide for the Electoral Commission to publish information relating to Northern Ireland donations and loans without revealing the identities of donors or lenders. This led to provisions in the Northern Ireland (Miscellaneous Provisions) Act 2014. The NIO is now seeking views from the political parties on whether the time is now right to move to full transparency.

ENDS



Northern
Ireland
Office

Sir John Holmes
The Electoral Commission
3 Bunhill Row
London
EC1Y 8YZ

4 January 2017

Dear Sir John,

Donations and Loans to Northern Ireland Political Parties

I am writing regarding progress towards introducing transparency in relation to donations and loans to Northern Ireland political parties.

You will know that, following consultation in 2010, the UK Government proposed amending the Political Parties, Elections and Referendums Act 2000 to provide for the Electoral Commission to publish information relating to Northern Ireland donations and loans without revealing the identities of donors or lenders. A number of legislative steps need to be taken before this policy is implemented. As a first step, relevant provision was included in the Northern Ireland (Miscellaneous Provisions) Act 2014 and the NIO has since been working closely with the Electoral Commission to draft secondary legislation which will give full effect to the policy.

I am however conscious that it is almost seven years since the last consultation on this issue. Northern Ireland has changed significantly in recent years and I know that some political parties have been reflecting on their previous positions regarding donations and loans.

With this in mind, I have written to the Northern Ireland political parties to seek their views on whether the time is now right to move towards full transparency. I know that the Commission fully supports transparency in relation to Northern Ireland political donations and loans and you will have a close interest in the views expressed by the NI political parties. I have therefore asked my officials to keep Commission officials fully informed on any further progress on this issue in the coming weeks and months.

na

**RT HON JAMES BROKENSHIRE MP
SECRETARY OF STATE FOR NORTHERN IRELAND**

From: [REDACTED]
Sent: 19 December 2016 10:43
To: Ailsa Irvine; Press; Ann Watt; Craig Westwood
Subject: FW: Today at the NI Assembly

Morning

In case you're not aware there is an emergency debate taking place in the Northern Ireland Assembly on the mismanagement of the Renewable Heat Incentive. For those that aren't familiar here is some background on it from the BBC: <http://www.bbc.co.uk/news/uk-northern-ireland-38307628>

All of the parties outside of the Executive have backed a vote of no confidence in the First Minister (see below) and that vote will take place this morning. Sinn Féin have called on the First Minister to step aside and said an independent investigation should be set up. The First Minister and the DUP have made clear that she has no intention to resign or step aside.

In theory if the First Minister is removed from office it could set the wheels in motion for a fresh election or a period of suspension. However given that it's only been six months since the last election I think this is unlikely but worth being mindful of.

The media spotlight is firmly on the DUP. It is alleged that many of those who are due to benefit from the scheme have links to the DUP. It is possible that questions could emerge about these links and if donations have made to the party. Again I suspect this isn't likely over the Christmas period but for those that are on call I thought it might be helpful to have a media line if needed. Ann finishes today and I finish on Wednesday and we wont back until 4 January. However if there are any issues please do ring either of us.

In the event of any queries over Christmas I would suggest we just remind journalists that the current legislative framework prohibits the Electoral Commission from publishing any information on donations and loans received by political parties in Northern Ireland. (Ann/Warren/ Craig – do you think this is sufficient?)

From: [REDACTED]
Sent: 19 December 2016 08:44
To: Cahir Hughes; Ann Watt; Warren Seddon; [REDACTED]; Public Affairs Team
Subject: Today at the NI Assembly

Good morning All,

At 10.30am this morning, a motion tabled by the SDLP with support from the Ulster Unionists, Alliance Party, Greens and TUV will be taken to exclude the First Minister (Arlene Foster) from Office under Section 30 of the Northern Ireland Act 1998.

This relates to the mismanagement of the Renewable Heat Incentive which has cost £400million

more than expected.

The First Minister is expected to deliver a statement first which outlines how she and her party will try and find a solution to ensure the money is not lost (to the taxpayer).

Proposed motion :

That this Assembly, in accordance with section 30 of the Northern Ireland Act 1998, resolves that the First Minister no longer enjoys the confidence of the Assembly and that she be excluded from holding office as a Minister or junior Minister for a period of six months because of her failure to observe the terms of paragraph (g) of the Pledge of Office and the first paragraph of the Ministerial Code of Conduct, in that she failed to observe the highest standards of propriety and regularity in relation to the stewardship of public funds surrounding the Renewable Heat Incentive Scheme.

Sinn Fein have not (as yet) supported the motion and has asked for an independent inquiry to be set up.

Three hours has been set aside for the debate.

The proceeding can be watched here: <https://niassembly.tv/live-stream-1/>

Regards,

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[REDACTED]

From: [REDACTED]
Sent: 06 February 2017 10:32
To: [REDACTED]
Subject: FW: BBC Nolan Show request

Hi [REDACTED]

Apologies for not getting to you sooner – our answers to your questions below.

Regards

From: [REDACTED]
Sent: 31 January 2017 11:57
To: [REDACTED]
Subject: BBC Nolan Show request

Hello [REDACTED]

As discussed, here are some questions on The Detail story that we will also be covering.

1. The Electoral Commission has previously stated that there is a public appetite for more information on how our political parties and politicians are funded. Have the Electoral Commission suggested to the UK Government to introduce the legislation that will allow it to publish information on the donations received by political parties and Northern Ireland? What is the latest representations you have had from the UK Government on this?

We have welcomed the recent announcement by the Secretary of State for Northern Ireland that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency over the issue of donations and loans. We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. We will await the outcome of this consultation with the parties and have advised the NIO that we are ready to work closely with them to progress this issue.

2. The Electoral Commission have responsibility to monitor and take all reasonable steps to ensure compliance with the rules on candidate expenses and donations under and pursuant to the Representation of the People Act 1983. Under the current legislation what does the commission do when it becomes aware of breaches of this legislation – specifically a shortfall of declared donations or funding when compared to the overall spend of a candidate?

The Electoral Commission has no powers to investigate potential breaches of the Representation of the People Act (1983). Decisions on the investigation and prosecution of such offences are a matter for the PSNI and the PPS, and allegations on non-compliance are for them to consider. In those instances where we become aware of a potential offence which falls outside of our regulatory remit, in line with our enforcement policy, we notify the relevant authority of potential offences where we consider it

appropriate to do so.

3. How would the Commission classify any irregularities such as this?

As investigating irregularities under the Representation of the People Act (1983) falls to the police, it would not be appropriate for the Commission to comment on PSNI matters.

4. If they are not rectified within the 28 day period, has the Commission referred any of the issues around the return of candidates electoral return forms to the PSNI for investigation?

The Commission does not comment on our specific regulatory interactions with the police.

5. If not, why has this not happened?

The Commission does not comment on our specific regulatory interactions with the police.

6. What powers would the Commission consider necessary to enforce the current law around the electoral return forms?

In our report on the 2016 Northern Ireland Assembly election we repeated our recommendation that investigative and sanctioning powers at major elections for offences relating to candidate spending and donations should be extended to the Electoral Commission. As with any significant reform to the regulatory framework, these kinds of changes would require a lead in time to allow the relevant governments across the UK to restructure the law, and then allow sufficient time for campaigners, the Commission and law enforcement authorities to adjust prior to implementation. We will continue to work towards this objective.

7. What advice did you give prospective MLAs and their parties before the May 2016 Assembly elections?

Ahead of the May 2016 Assembly election we produced guidance for candidates on campaign spending and donations. The guidance provided candidates and their agents with information on what their requirements were in relation to reporting their spending and donations. A link to this guide was included in the nomination packs of each candidate. We also produced guidance for political parties and non-party campaigners. All of this guidance has been updated for the March 2017 election and is available on our website.

In addition to this we also ran a number of seminars for candidate and agents across Northern Ireland in March 2016 in partnership with the Electoral Office for Northern Ireland. The seminars included a presentation on the rules for candidates on campaign spending, donations and reporting. We also provided support and advice to candidates as requested before and after polling day as they completed their forms.

8. The forms for May 2016 Assembly election show that Stormont's 108 MLAs spent over half a million pounds (£577,180.98) between them on their election campaigns. However the latest data obtained by The Detail shows that a quarter of the elected MLAs in May's election submitted inaccurate financial information about their campaigns- leaving over £94,000 unaccounted for. Can the Electoral Commission provide us with any general comment on these findings?

As investigating irregularities under the Representation of the People Act (1983) falls to the police, it would not be appropriate for the Commission to comment on PSNI matters.

Best,

[Redacted]

Producer

BBC Nolan Show

[Redacted]

Ann Watt

From: Ann Watt </O=ELECTORAL COMMISSION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AWATT>
Sent: 24 February 2017 09:30
To: Executive Team; Lisa Camps; John Franks; Louise Edwards; [REDACTED]
Cc: Northern Ireland Office
Subject: FW: Donaldson Belfast Telegraph

Link to Jeffrey Donaldson's Belfast Telegraph article on the DUP's Leave campaign. Ends with a call for all the other NI parties to reveal their donors.

From: [REDACTED]
Sent: 24 February 2017 09:27
To: Ann Watt
Subject: Donaldson Belfast Telegraph

<http://www.belfasttelegraph.co.uk/opinion/news-analysis/jeffrey-donaldson-dup-has-shown-commitment-to-transparency-other-parties-must-reciprocate-35477983.html>

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From: [REDACTED]
Sent: 05 January 2017 15:03
To: External Communications circulation group
Subject: FW: Media statement: Transparency of donations and loans to Northern Ireland political parties

Hi all and Happy New Year

Please see below statement we issued to the media in Northern Ireland earlier today. This is in response to the announcement by the Secretary of State for Northern Ireland that he has written to the political parties here seeking their views on whether the time is now right to move towards full transparency. Full text of his announcement is here:

<https://www.gov.uk/government/news/secretary-of-state-to-seek-views-on-funding-transparency>

As always if you would like any more information please get in touch with Ann or myself

Regards
[REDACTED]

Media Statement

5 January 2017

Transparency of donations and loans to Northern Ireland political parties

The
Electoral
Commission

“We welcome the announcement by the Secretary of State for Northern Ireland that he has written to the political parties in Northern Ireland seeking their views on whether the time is now right to move towards full transparency.

“We have consistently called for increased transparency on how political parties are funded in Northern Ireland, most recently in our report on the Northern Ireland Assembly election published in September 2016. Such a move will only help to increase public confidence in the democratic process.

“We look forward to hearing the outcome of this consultation and are ready to work closely with the NIO to progress this issue.”

Ends

For further information please contact [REDACTED]

Notes to editors

1. The Electoral Commission is an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the UK's democratic process. We regulate party and election finance and set standards for well-run elections and are responsible for the conduct and regulation of referendum held under the Political Parties, Elections and Referendums Act (2000).
2. In September 2016 we published our independent statutory report on the administration of the Northern Ireland Assembly election held on 5 May 2016. The Electoral Commission's report on the election is available to view [here](#).

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From: [REDACTED]
Sent: 29 September 2016 09:34
To: [REDACTED]
Bcc: [REDACTED]
Subject: Press release: Electoral Commission releases expenditure returns for Northern Ireland Assembly Election campaign

The
Electoral
Commission

Press Release

Thursday 29 September

Electoral Commission releases expenditure returns for Northern Ireland Assembly Election campaign

The Electoral Commission has today published the campaign expenditure returns of political parties which campaigned at the 2016 Northern Ireland Assembly election.

Political parties that contested the election were required to submit a campaign expenditure return to the Commission. Ten parties in Northern Ireland reported spending a total of £343,558 on campaigning during the regulated period, which ran from 5 January 2016 to polling day on Thursday 5 May 2016. Seven parties submitted nil returns.

Ann Watt, Head of the Electoral Commission in Northern Ireland said:

“The publication of these returns today provides the public with important information on how

much our political parties spent at the Northern Ireland Assembly election. However, we are still unable to publish any information on the donations received by these parties which may have helped to fund their election campaign”.

“There continues to be a desire from the public for more information on how our political parties are funded. That is why in our recent report on the Northern Ireland Assembly election we called on the UK Government to put in place the necessary legislation to allow us to publish information on the donations and loans received by political parties. Such a move will only help to improve transparency and confidence in the democratic process”.

The table below shows the expenditure from the ten political parties who reported campaign expenditure. Details of all of the submitted returns are available on the Commission’s [website](#).

Table 1: Spending by political parties at the 2016 Northern Ireland Assembly election

Party Name	Expenditure
Ulster Unionist Party	£95,855
Democratic Unionist Party - D.U.P.	£89,439
Sinn Féin	£53,243
SDLP (Social Democratic & Labour Party)	£51,736
Alliance - Alliance Party of Northern Ireland	£37,554
Northern Ireland Labour Representation Committee	£7,545
Traditional Unionist Voice - TUV	£3,703
Green Party	£3,283
Progressive Unionist Party of Northern Ireland	£1,000
Cross-Community Labour Alternative	£200

Three parties submitted their return to the Commission late and two parties did not submit a return. These parties are now being considered in line with the Electoral Commission’s Enforcement Policy which is available on our website [here](#). We publish details of all sanctions on a monthly basis [here](#)

Registered non-party campaigners were also required to submit a campaign expenditure return to the Commission. One non-party campaigner (UNISON: The Public Service Union) submitted a return to the Commission with a total spend of £2,795

Ends

For more information please contact:

Out of office hours 07789 920414

Email

Notes to editors

1. The Electoral Commission is an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the UK’s democratic process. We regulate party and election finance and set standards for well-run elections.

2. The Political Parties, Elections and Referendums Act (2000) introduced controls on campaign expenditure by political parties contesting Northern Ireland Assembly elections. Parties with expenditure up to and including £250,000 must deliver a report to the Commission within three months of the election. Parties with expenditure over £250,000 must deliver an audited report to the Commission within six months of the election. No party spent over this amount in Northern Ireland
3. The Commission has also published details of party expenditure under £250,000 at the Scottish Parliamentary and National Assembly for Wales election. You can find more information on this [here](#)
4. Non-party campaigners must register with the Commission before they can spend more than £10,000 at the Northern Ireland Assembly election and are required to submit an expenditure return if they campaigned and spent over £10,000 in Wales, Scotland or Northern Ireland.
5. For the 2016 Northern Ireland Assembly election the regulated period ran from 5 January 2016 until polling day (5 May 2016)
6. Figures in this press release are rounded to the nearest £.

Senior Officer (Communications and Electoral Administration)

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Cahir Hughes

From: [Redacted] >
Sent: 22 February 2017 16:23
To: [Redacted]
Bcc: [Redacted]
Subject: Media statement from the Electoral Commission



Media Statement

22 February 2017

The Electoral Commission has had no discussions with the DUP on the issue of publishing donor information. The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment.

Ends

[Redacted]
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[REDACTED]

From: [REDACTED]
Sent: 01 June 2017 11:39
To: [REDACTED]
Subject: RE: Big favour to ask

Yes – think that's more accurate

[REDACTED]

From: [REDACTED]
Sent: 01 June 2017 11:36
To: [REDACTED]
Subject: RE: Big favour to ask

Hi [REDACTED]

Does this explain it better?

While an examination of the central party accounts provides an insight into how political parties spend their money, it is not the whole picture as it does not reflect the financial position of the organisations' local branches which may report financial information separately.

Parties can choose to submit separate accounts for their financial activities at Westminster, Stormont or their local branches but there is no obligation to do this. For example, the Ulster Unionist Party confirmed it included its financial information relating to its Westminster group in 2015 in its central party accounts for that year.

These separate groups are known as accounting units and have a lower threshold to meet before they must report financial information to the Electoral Commission. This happens when the group's income or expenditure exceeds £25,000 in one year.

Just four parties declared the number of accounting units they have in their latest central party annual accounts. The Ulster Unionist Party said it has 41, followed by the SDLP with 20. Sinn Féin and the Alliance Party have 16 and 15 respectively.

The finances of these groups are not directly managed by the party's headquarters, and only donations and loans over £1,500 are required to be declared compared to £7,500 for central party accounts.

Aside from those parties who submitted accounts for their Westminster and Stormont operations in 2015, a financial statement was also submitted by the East Belfast Ulster Unionist Association and branches which reported a consolidated income of £41,710 from four groups - £32,150 of which was attributed to property rentals.

The document listed the party's Strandtown Hall headquarters, in East Belfast, as a fixed asset with a value of £175,825. The group also reported an additional £190,129 in investments.

Best wishes,

[REDACTED]

From: [REDACTED]
Sent: 01 June 2017 11:25
To: [REDACTED]
Subject: RE: Big favour to ask

Hi [REDACTED]

Checked the figures and they are correct

From: [REDACTED]

Sent: 31 May 2017 16:53

To: [REDACTED]

Subject: Big favour to ask

Hi [REDACTED]

I hope you're well. I'm advised you're working from home today. It looks like we are finally publishing the political finance story this week, alongside a story Niall is doing about Aggregate IQ. If you remember, you gave me advice on some wording I had about local accounting units. My editor is a little nervous incase we have misunderstood or misinterpreted anything so is there any chance you could do me a big favour and run your eye over the following few pars and tell me if I have got anything wrong? I think you've already given me the all clear on the first two pars and you don't need to worry about the third par. I've put in bold the pars I would be eternally grateful to you if you could look at them. I realise I'm asking a lot but it would help put my editor's mind at ease! If you could come back to me before 1pm tomorrow that would be amazing!

While an examination of the central party accounts provides an insight into how political parties spend their money, it is not the whole picture as it does not reflect the financial position of the organisations' local branches which may report financial information separately.

Information around party income and expenditure at individual constituency level is not usually in the public domain unless the party publishes it of its own accord or the local group – known as an accounting unit - spent or received more than £25,000 in one year, in which case it must submit accounts to the Electoral Commission.

Just four parties declared the number of accounting units they have in their latest central party annual accounts. The Ulster Unionist Party said it has 41, followed by the SDLP with 20. Sinn Féin and the Alliance Party have 16 and 15 respectively.

The finances of these groups are not directly managed by the party's headquarters, and only donations and loans over £1,500 are required to be declared.

Just one constituency-level accounting unit submitted accounts to the Electoral Commission for the year ending December 2015.

This was the East Belfast Ulster Unionist Association and branches which reported a consolidated income of £41,710 from four groups - £32,150 of which was attributed to property rentals.

The document listed the party's Strandtown Hall headquarters, in East Belfast, as a fixed asset with a value of £175,825. The group also reported an additional £190,129 in investments.

Before 2015, the last time a local-level accounting unit from another political party posted accounts was in 2011 when the DUP's Lagan Valley Westminster Association declared an income of £37,127.

It also reported land and property assets with a net value of £149,895 which hints at the potential for more property assets to be held by political parties at local group level.

Thanks,

[REDACTED]
Journalist



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[REDACTED]

From: [REDACTED]
Sent: 17 May 2017 11:29
To: [REDACTED]
Subject: Donations

Hi [REDACTED]

As discussed

“The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on your query.

However we can confirm that we are not currently conducting any investigations in respect of donations to the DUP”.

[REDACTED]

[REDACTED]

Senior Officer (Communications and Electoral Administration)

The Electoral Commission, Northern Ireland
Ground Floor, 4 Cromac Place
The Gasworks
Belfast BT7 2JB

[REDACTED]

electoralcommission.org.uk
yourvotematters.co.uk

[Twitter](#) | [Facebook](#) | [Blog](#)

[REDACTED]

From: [REDACTED]
Sent: 16 May 2017 15:08
To: [REDACTED]
Subject: RE: Irish News query

Hi [REDACTED]

[Our guidance to political parties on donations and loans in Northern Ireland](#) includes information on checking if you can accept a donation (see page 5):

The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment specifically on your query.

However we can confirm that we are not currently conducting any investigations in respect of donations to the DUP.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 16 May 2017 13:46
To: [REDACTED]
Subject: Irish News query

Hi [REDACTED]

It's [REDACTED] here from Irish News. Wondering if there's any line or guidance on this?

Regarding the DUP's Brexit campaign donation, The Irish Times has a piece claiming that the DUP is legally required to know the source of a donation over £500 (see end of this story):

<http://www.irishtimes.com/opinion/what-connects-brexit-the-dup-dark-money-and-a-saudi-prince-1.3083586>

But the DUP has said it does not need to know the true source of its £425k donation.

- I'm wondering what is the law on this?
- Has the DUP adequately explained to the Electoral Commission where the money came from? If so, what was the explanation that sufficed?
- If not, is the Electoral Commission examining this matter in relation to the DUP donation? ..and any other details you can give.

Thanks,

[REDACTED]

[REDACTED]



[REDACTED]

From: [REDACTED]
Sent: 11 May 2017 12:50
To: [REDACTED]
Subject: FW: Enquiry from BBC Nolan Show

Hi [REDACTED]

Hope you're keeping well. I unwittingly just sent you an email with comments below that were only for internal consumption. I tried to recall it but if you have seen it can you just ignore it and use the below as our response.

Apologies

Hi [REDACTED]

I understand you were in touch with colleagues in our London office following the Observer article. They've asked me to go back to you and our response is below.

If you need any further information let me know

From: [REDACTED]
Sent: 09 May 2017 13:01
To: [REDACTED]
Subject: BBC Questions

Hello

As discussed, we have a few questions in relation to an Observer article on Sunday
<https://www.theguardian.com/technology/2017/may/07/the-great-british-brexit-robbery-hijacked-democracy>

- **What is the current status of the Electoral Commission's investigation into whether donations – including services – accepted by Leave.EU was impermissible?**

In respect of Leave.EU, we currently have an on-going investigation into their spending return and you can see our press release on this here: <http://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-referendums/electoral-commission-statement-on-investigation-into-leave.eu?>

The Commission does not comment on on-going investigations. We will publish the outcome of our investigation on our website when it has concluded.

- **What is the focus of that investigation?**

Please see our statement above.

- **Leave.EU told the Observer that the Electoral Commission had looked into allegations of "co-ordination" between campaigns – namely Leave.EU, BeLeave, Veterans for Britain and the Democratic Unionist Party –**

and given Leave.EU a “clean bill of health”. Is this correct? [All of these groups had paid a Canadian company called AggregateIQ for services.]

Under the EU Referendum legislation, there must be a common plan or arrangement between campaigners in order for the working together rules on allocation of reportable campaign spending to apply. Campaigners on the same side of the argument can liaise and discuss campaigning approaches without meeting the threshold of working together within the meaning of the legislation. The Commission has to establish evidence that shows an offence beyond reasonable doubt for there to be any potential regulatory sanction. The Commission published the spending returns of organisations such as ‘Veterans for Leave’ which are all available to see on our [website](#) Our on-going review of EU Referendum campaigner spending returns continues.



You may also be interested to know that in our report that examined the campaign regulation at the EU Referendum, we also made recommendations on how the rules around joint campaigning could be made clearer. There’s more information in our press release: <http://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-referendums/governing-legislation-must-be-changed-to-underpin-future-referendums,-says-electoral-commission?>

- If so, was the Democratic Unionist party given a “clean bill of health” also?

The Commission has not seen evidence to suggest that the DUP may have broken the joint campaigning rules.

- Was the Democratic Unionist Party investigated by the Electoral Commission surrounding any donations or spending in relation to the EU referendum?

See our answer above.

- Are there any investigations by the Electoral Commission into the role AggregateIQ / Cambridge Analytica played during the referendum campaign? If so what is the basis of the investigation?

Details of the investigation being carried out by the Electoral Commission are contained in the statement above. You may already be aware that the Information Commissioner’s Office have said they are looking at the activities of at least one of the companies you mention:

<https://www.theguardian.com/technology/2017/mar/04/cambridge-analytics-data-brexit-trump> You may want to contact them directly to find out more about their investigation.

[REDACTED]

From: [REDACTED]
Sent: 10 May 2017 15:21
To: [REDACTED] Louise Edwards; Ann Watt; [REDACTED]
Cc: [REDACTED]
Subject: RE: Enquiry from BBC Nolan Show

Hi all

Just checking that everyone is happy with this – Irish News have also been in touch this afternoon

From: [REDACTED]
Sent: 10 May 2017 10:23
To: Louise Edwards; Ann Watt; [REDACTED]
Cc: [REDACTED]
Subject: RE: Enquiry from BBC Nolan Show

Hi Louise / Ann / [REDACTED]

[REDACTED]

Ann / [REDACTED] – please can you sign off response to the Nolan Show below.

Once you have signed it off, [REDACTED] will send it to the journalist.

[REDACTED]

From: [REDACTED]
Sent: 09 May 2017 13:01
To: [REDACTED]
Subject: BBC Questions

Hello

As discussed, we have a few questions in relation to an Observer article on Sunday
<https://www.theguardian.com/technology/2017/may/07/the-great-british-brexite-robbbery-hijacked-democracy>

- **What is the current status of the Electoral Commission's investigation into whether donations – including services – accepted by Leave.EU was impermissible?**

In respect of Leave.EU, we currently have an on-going investigation into their spending return and you can see our press release on this here: <http://www.electoralcommission.org.uk/i-am-a-journalist/electoral-commission-media-centre/news-releases-referendums/electoral-commission-statement-on-investigation-into-leave.eu?>


The Commission does not comment on on-going investigations. We will publish the outcome of our investigation on our website when it has concluded.

- What is the focus of that investigation?

Please see our statement above.

- Leave.EU told the Observer that the Electoral Commission had looked into allegations of “co-ordination” between campaigns – namely Leave.EU, BeLeave, Veterans for Britain and the Democratic Unionist Party – and given Leave.EU a “clean bill of health”. Is this correct? [All of these groups had paid a Canadian company called AggregateIQ for services.]

Under the EU Referendum legislation, there must be a common plan or arrangement between campaigners in order for the working together rules on allocation of reportable campaign spending to apply. Campaigners on the same side of the argument can liaise and discuss campaigning approaches without meeting the threshold of working together within the meaning of the legislation. The Commission has to establish evidence that shows an offence beyond reasonable doubt for there to be any potential regulatory sanction. The Commission published the spending returns of organisations such as ‘Veterans for Leave’ which are all available to see on our [website](#) Our on-going review of EU Referendum campaigner spending returns continues.



You may also be interested to know that in our report that examined the campaign regulation at the EU Referendum, we also made recommendations on how the rules around joint campaigning could be made clearer. There’s more information in our press release: <http://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-referendums/governing-legislation-must-be-changed-to-underpin-future-referendums,-says-electoral-commission?>

- If so, was the Democratic Unionist party given a “clean bill of health” also?

The Commission has not seen evidence to suggest that the DUP may have broken the joint campaigning rules.

- Was the Democratic Unionist Party investigated by the Electoral Commission surrounding any donations or spending in relation to the EU referendum?

See our answer above.

- Are there any investigations by the Electoral Commission into the role AggregateIQ / Cambridge Analytica played during the referendum campaign? If so what is the basis of the investigation?

Details of the investigation being carried out by the Electoral Commission are contained in the statement above. You may already be aware that the Information Commissioner’s Office have said they are looking at the activities of at least one of the companies you mention:

<https://www.theguardian.com/technology/2017/mar/04/cambridge-analytics-data-brexit-trump> You may want to contact them directly to find out more about their investigation.

From: [REDACTED]
Sent: 10 May 2017 10:18
To: Louise Edwards; [REDACTED]
Cc: [REDACTED]; Ann Watt
Subject: RE: Enquiry from BBC Nolan Show

[REDACTED]

Just to confirm I'll send this once signed off and yes Ann will need to see as well

[REDACTED]

From: Louise Edwards
Sent: 10 May 2017 07:57
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Enquiry from BBC Nolan Show

Hi

[REDACTED]

In terms of the DUP questions, how about this?

4. The Commission has not seen evidence to suggest that the DUP may have broken the joint campaigning rules.

5. See our answer to 4.

[REDACTED]

[REDACTED]

Louise

From: [REDACTED]
Sent: 09 May 2017 16:55
To: [REDACTED] Louise Edwards; [REDACTED]
Cc: [REDACTED]
Subject: RE: Enquiry from BBC Nolan Show

[REDACTED]

[REDACTED]

[REDACTED]

Sent: 09 May 2017 16:29

To: [REDACTED] Louise Edwards; [REDACTED]

Cc: [REDACTED]

Subject: Enquiry from BBC Nolan Show

Hi all, as mentioned to some of you, below is an enquiry from the BBC Nolan Show. I have populated some of the answers.

Grateful for PFR input in formulating responses to this enquiry.

Cahir – are you ok to be the lead person in terms of getting back to this journalist? So if he contacts us directly, we'll give him your contact details and you'll send the response when it has been signed off.

Ben has asked to see the response before it goes. So once PFR colleagues have filled in proposed answers, we'll send to Ben and possibly Ann will need to see too?

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [REDACTED] 57
Cc: Ann Watt; [REDACTED]
Subject: RE: NI Assembly election report

Thanks [REDACTED]

From: [REDACTED]
Sent: 08 May 2017 15:54
To: [REDACTED] Tom Hawthorn
Cc: Ann Watt; [REDACTED]
Subject: RE: NI Assembly election report

Hi [REDACTED]

Just to confirm, I've looked at the "**Donations and loans to political parties in Northern Ireland**" Section, plus the related text box near the beginning of the document, and it looks clear to me

Thanks [REDACTED]

From: [REDACTED]
Sent: 08 May 2017 15:07
To: Tom Hawthorn
Cc: Ann Watt; [REDACTED]
Subject: RE: NI Assembly election report

Thanks Tom – in terms of graphs/charts etc In working with Katie on getting this up on the website but think the social media stuff would be a good addition as well

From: Tom Hawthorn
Sent: 08 May 2017 14:30
To: [REDACTED]
Cc: Ann Watt; [REDACTED]
Subject: RE: NI Assembly election report

Thanks [REDACTED] – mentioned earlier when I saw you, but I think this is a really good approach, just the right level of detail. I've made a few comments which hopefully are straightforward, and the only thing I've added is a section on the first page to highlight the key points we want to get across (in case people can't even manage to read the other 11 pages..). I know Katy has also commented, and Kate is going to look specifically at the sections on future work on transparency.

For when it goes to Ailsa, I wondered if it would help to emphasise the need to be brief, and that we'll link to other more detailed analysis (particularly on public opinion) on the website? We could also work on some charts/infographics using the data in the report that we could push out on social media when we release the report – Katy did something similar with Lisa for the fraud data analysis in March.

Thanks again, and well done for turning this round so quickly,

Tom

Tom Hawthorn
Head of Policy

The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

[electoralcommission.org.uk](#)
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From: [REDACTED]
Sent: 05 May 2017 10:48
To: Ailsa Irvine
Cc: Ann Watt; Tom Hawthorn
Subject: NI Assembly election report

Hi [REDACTED]

Here is the link to the report on the Northern Ireland Assembly election:

<http://skynet/dm/Programmes/May%202017/May%202017/Northern%20Ireland%20Assembly%20election%20March%202017%20report%20-%20briefing%20paper.docx>

Ann/Tom – Ailsa is reviewing this on Tuesday morning so please do make any further changes you want before then

Thanks

[REDACTED]

[Redacted]

From: [Redacted]
Sent: 05 December 2016 12:17
To: Ann Watt
Subject: FW: Northern Ireland guidance on reporting donations and loans

Ann

As below – think you were already in touch with them about this?

[Redacted]

From: [Redacted]
Sent: 05 December 2016 10:38
To: [Redacted]
Subject: Northern Ireland guidance on reporting donations and loans

The Northern Ireland (Miscellaneous Provisions) Act became law on 13 March 2014. The Act changes the rules on confidentiality of donations and loans to Northern Ireland political parties and regulated donees. Your website states that the current rules will apply until secondary legislation is passed. Would you please provide and update on the current position of the secondary legislation.

Thanks

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

From: [REDACTED]
Sent: 24 May 2017 15:31
To: [REDACTED]
Subject: Re: Disclosure of donation reports

Minutes will be up tomorrow or Friday apparently. I'll let you know.

[REDACTED]

Sent from my iPhone

On 24 May 2017, at 12:42, [REDACTED] <[REDACTED]> wrote:

[REDACTED],

Thanks for sending on the clarification regarding this legislation.

While it's in my head, can you tell me when the commission's board meeting minutes for March and April are due to be put up online? - <https://www.electoralcommission.org.uk/our-work/who-we-are/the-commissioners/commissioner-meetings>

[REDACTED]

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From: [REDACTED]

Sent: 23 May 2017 15:25

To: [REDACTED]

Subject: Disclosure of donation reports

Hi [REDACTED]

As discussed earlier [Section 71e of the Political Parties, Elections and Referendum Act 2000 sets](#) out the duty not to disclose the contents of donation reports in Northern Ireland. Section 1 states that **a person who is or has been a member or employee of the Commission** must not disclose **any** information which relates to a donation received by a Northern Ireland recipient and has been obtained by the Commission in the exercise of their function. Confirming or not confirming a donation has been checked in Northern Ireland would be a breach of the law and the person who contravenes it would be guilty of an offence.

As you can see the legislation is clear that it only applies to Commission staff or members

[REDACTED]

[REDACTED]

Senior Officer (Communications and Electoral Administration)

The Electoral Commission, Northern Ireland

Ground Floor, 4 Cromac Place

The Gasworks

Belfast BT7 2JB

[REDACTED]

electoralcommission.org.uk

yourvotematters.co.uk

[Twitter](#) | [Facebook](#) | [Blog](#)

[REDACTED]

From: [REDACTED]
Sent: 22 February 2017 16:34
To: [REDACTED]
Subject: RE: Media statement from the Electoral Commission

Yes – the prohibition on publishing applies only to the Commission. It would be a matter for the DUP if they choose to publish themselves

[REDACTED]

From: [REDACTED]
Sent: 22 February 2017 16:27
To: [REDACTED]
Subject: Re: Media statement from the Electoral Commission

Thanks [REDACTED]

Does the DUP have the right to unilaterally release details of the donation itself?

On Wed, Feb 22, 2017 at 4:22 PM, [REDACTED] wrote:

Media Statement

22 February 2017

The
Electoral
Commission

The Electoral Commission has had no discussions with the DUP on the issue of publishing donor information. The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment.

Ends

[REDACTED]

Senior Officer (Communications and Electoral Administration)
The Electoral Commission
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Direct line: [REDACTED]
Twitter: [REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 29 March 2017 13:31
To: [REDACTED]
Subject: RE: BBC Nolan Question

Hi [REDACTED]

We issued a statement last month confirming we had no discussions with the DUP on publishing donor information. See below

[REDACTED]

Media Statement

22 February 2017

The Electoral Commission has had no discussions with the DUP on the issue of publishing donor information. The Commission is legally bound to retain confidentiality about donations to political parties in Northern Ireland. Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment.

Ends

From: [REDACTED]
Sent: 29 March 2017 13:28
To: [REDACTED]
Subject: BBC Nolan Question

Hi [REDACTED]

Can I get an answer on this today if possible? We're running this in the morning alongside [REDACTED]

Did the Electoral Commission ever have any discussions with the DUP about publishing donor information before the party revealed their £435,000 donor for the EU Referendum campaign?

Best

[REDACTED]

<http://www.bbc.co.uk>

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Please note that the BBC monitors e-mails sent or received.

Further communication will signify your consent to this.

[REDACTED]

From: [REDACTED]
Sent: 15 February 2017 09:52
To: [REDACTED]
Subject: RE: Spending on the recent EU referendum

Hi [REDACTED]

Answers to you queries are below. If you need any further information let me know.

Thanks

[REDACTED]

From: [REDACTED]
Sent: 13 February 2017 16:13
To: [REDACTED]
Subject: Spending on the recent EU referendum

Hi [REDACTED]

Nice to speak to you earlier.

As I mentioned I am researching a piece around spending on the recent EU referendum and have few queries that I thought I might put to you because some of them pertain to the requirements for parties in the North.

As I mentioned I am researching a piece around spending on the recent EU referendum and have few queries that I thought I might put to you because some of them pertain to the requirements for parties in the North.

1. Your media handbook on the referendum [states that](#) "Registered campaigners who are not also registered political parties" must report all loans and donations over £7,500 (...). Is this because parties are not allowed to receive such donations or because any such donations would be accounted for in their quarterly "[donations to parties](#)" statements? If it's neither of those you might let me know what the rules are on this.

Any donations or loans over £7,500 received by a political parties would have to be reported to the Commission as part of their quarterly return.

2. Having spoken to your London office last week it is my understanding that, in general, Northern Irish parties are required to report donations of £7,500 and over to the Electoral Commission (as is required of other UK parties) but that the EC cannot, under law, publish details of those donations. I wanted to find out a) if I have understood that correctly and b) if there was any exception to this rule (in other words are there **any** circumstances under which donations to NI parties are published? Are there any such exemptions around referendums?

Political parties in Northern Ireland are required to report donations to the Commission but, as required by law we are currently prohibited from publishing this information. The requirement for information on donations and loans to political

parties in Northern Ireland to be kept confidential is set out in the Political Parties, Elections and Referendum Act 2000. The Electoral Commission has consistently said that in the interests of transparency more information on how parties are funded should be made public.

Under PPERA the Commission may disclose material relating to Northern Ireland donation reports for the purposes of any civil or criminal proceedings.

3. I am aware that there have been calls for changes to the publication of donations to NI parties. Were this to happen in future could the commission expect to publish NI donations retrospectively or is that highly unusual? (is there any kind of precedent for this?)

The Northern Ireland (Miscellaneous Provisions) Act 2014 changed the rules on confidentiality of donations and loans to Northern Ireland political parties. It provided permanent anonymity for donors/lenders that made donations/loans before 1 January 2014 and provides a power, via secondary legislation, to allow the Commission to publish some details about political donations reported after 1 January 2014. These changes mean that in the future we may be able to publish aggregated information on donations and loans received before 1 January 2014 and more detailed information about donations and loans received from 1 January 2014. The information we could publish would be set-out in secondary legislation. However the current rules will apply until such secondary legislation is passed.

4. Does [this list](#) of registered campaigners cover all entities which registered (in other words, is it a comprehensive and exhaustive list of all individuals, political parties, organisations and groups that registered with the Electoral Commission ahead of the EU referendum)? If not can you let me know please?

Any organisation or individual who campaigned and intended to spend over £10,000 at the referendum was required to register with the Commission as a campaigner. Any organisation or individual who spent less than £10,000 was not required to register. We produced guidance on campaigning and registered for EU referendum campaigners which provided more information:

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/194568/Campaigning-and-registering-for-EU-referendum-campaigners.pdf

5. Looking at the same [list](#) I noted that the Conservative party was not listed as a registered campaigner. Why is that given that they obviously did campaign?

As outlined above if an organisation did not intend to spend over £10,000 then they did not have to register as a campaigner for the referendum.

6. Has a date been announced for EU referendum spends of £250,000 or more (or, if there's no set date, is there any indication of roughly when this might be published)?

We intend to publish this information soon. We will issue an operational note to the media in advance to advise the date of publication.

7. As regards [General Election](#) and [NI Assembly Election](#) spends by political parties: does the data published by the Electoral Commission (linked above) cover all aspects of the listed parties' campaign spend or is there other spending that wouldn't show up here?

The expenditure incurred by political parties for promoting their party is included in these spending returns. Separate rules apply to candidates who must record and return details of their expenditure and donations to the Chief Electoral Officer for Northern Ireland. These are available for public inspection at the Electoral Office for

Northern Ireland (they are not available to view online).

You may be interested in a recent report by The Detail which has looked into candidate expenditure: <http://www.thedetail.tv/articles/ni-assembly-election-2016-candidate-expenditure-and-donations>

It would be great to get a response to these queries tomorrow or early Wednesday if possible. If you need to clarify anything my mobile is the best way to get me - the number is below. I will be at my desk from 10am tomorrow.

If any of the links I have sent don't work let me know and I will send them separately.

Thanks for your time,

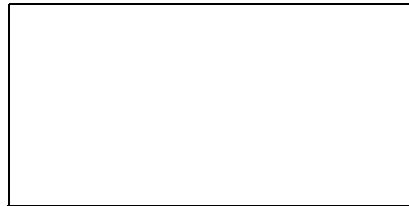
[Redacted]

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[REDACTED]

From: [REDACTED]
Sent: 23 February 2017 10:27
To: [REDACTED]
Subject: RE:

Hi [REDACTED]

The duty not to disclose contents of donation reports is set out in Section 71e of the Political Parties, Elections and Referendum Act 2000 (<http://www.legislation.gov.uk/ukpga/2000/41/section/71E>).

Whether parties or donors choose to make this information available is a matter for them. In that event, the Commission remains bound by this legal requirement for confidentiality and would therefore be unable to comment.

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 23 February 2017 08:45
To: [REDACTED]
Subject:

Hi [REDACTED]

Would it be possible to get a short statement re the legislation surrounding the publication of the identity of donors to political parties NI - addressing specifically that the legislation bars the commission from naming them but not political parties themselves ? Thanks

Sent from my iPhone

Cahir Hughes

From: Cahir Hughes </O=ELECTORAL
COMMISSION/OU=LONDON/CN=RECIPIENTS/CN=CHUGES>
Sent: 18 August 2016 13:21
To: Ann Watt; Roisin McDaid
Subject: NI election report

Ann/Roisin

Here is the link to the latest version of the NI Assembly report:

<http://skynet/dm/Programmes/May2016/May%202016/2016%20NI%20Assembly%20election%20report%20draft.docx>

Roisin – can you check chapter 4 as this covers a lot of PEF issues. There is also the donation and loans recommendation in chapter six. Bob has reviewed it and is happy with it.

Cahir

Cahir Hughes

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