

Letter: Electoral Commission investigations in respect of Leave.EU | Electoral Commission Search Letter: Electoral Commission investigations in respect of Leave.EU You are in the Key correspondence section Home Key correspondence On this page Letter summary Read our letter in full First published: 16 November 2017 Last updated: 16 July 2019 Summary of the letter Date: 16 November 2017 To: Mr Arron Banks, Chairman, Leave.EU Email address: info@leave.eu From: Louise Edwards, Head of Regulation Format: Sent by email Full letter Dear Mr Banks Electoral Commission investigations in respect of Leave.EU Ms Bassett has asked me to respond to your letter of 9 November. As you note, the Electoral Commission currently has two investigations open in respect of Leave.EU, one relating to whether services were provided to Leave.EU and used during its campaign for the June 2016 referendum on the UK's membership of the EU, and the other relating to loans provided to Leave.EU for that referendum. Both are being progressed in line with the Commission's published Enforcement Policy and will reach proper outcomes based on full enquiry. How long an investigation takes will depend on the steps the Commission needs to take to determine whether or not offences have been committed. They can require substantial material to be reviewed, leading to further enquiry. Progress is likely to be slower if those we request information from initially fail to comply and the Commission is required to use its formal statutory powers to progress the investigation. In that respect I refer you to our correspondence of 30 June 2017. Investigations can take further time where the Commission needs to go back to organisations to ensure that full disclosure of requested material has been provided. In relation to our first investigation in respect of Leave.EU, the Commission will shortly set out to Leave.EU areas where it appears material has not been provided, notably relating to documents comprising the services provided by Goddard Gunster in late 2015/early 2016. We look forward to cooperation in disclosing this material to us. In relation to the second investigation, please note that investigations are not opened on the basis of questions asked in parliament or elsewhere by MPs. We will consider your requests for specific information – those numbered 1-4 in your letter – in accordance with our obligations under the Freedom of Information Act 2000. However, we can confirm now that no meeting with Mr Bradshaw MP was held in the run up to the announcement of this investigation. The Electoral Commission is an independent regulator of political finance in the UK. We apply the rules set out in the Political Parties, Elections and Referendums Act 2000 fairly and proportionately to all parties and campaigners. During and after the EU referendum we published guidance and offered an advice service to assist campaigners to comply with the rules. We also responded to allegations the rules had not been followed. This included my email to Leave.EU, copied to you, of 8 March 2017 about the leaflets published by the Government prior to the referendum. You will recall that I explained that other than the rules in section 125 PPERA, which were not engaged, the regulatory framework set out in PPERA does not apply to the Government. Since the June 2016 referendum on the UK's membership of the EU, the Commission has published the conclusions of investigations into campaigners for both the 'leave' and 'remain' outcomes. More investigations are ongoing, again into campaigners on both sides. For example, you can expect the conclusions of our publicly announced investigations in respect of Vote Leave's and Britain Stronger In Europe's referendum spending returns to be published in due course. We will continue to investigate, and to publish the conclusions, where evidence causes us to suspect the campaign finance rules were broken. Related content Letter: Coronavirus and its impact on the May polls Read our letter to Chloe Smith MP (Minister for the Constitution and Devolution) from March

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