

From: [FOI](#)
To: [REDACTED]
Subject: FOI 008-19 EC staff correspondence - response
Date: 28 February 2019 11:21:52

Dear [REDACTED],

Our Ref: FOI 008-19

Thank you for your email to the Electoral Commission dated 15 January 2019.

The Commission aims to respond to requests for information promptly and regrets it has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

- 1. Please outline whether the Electoral Commission has received or undertaken correspondence from Carole Cadwalladr.**
- 2. Please provide all correspondences with Carole Cadwalladr. You subsequently clarified this to relate to between dates 24 June 2016 and 17 January 2019.**
- 3. Regarding the Cameron Government's use of public funds directly ahead of a referendum in order to influence that referendum.**
 - a. Please indicate whether the Electoral Commission has held advice on the legality of that enterprise.**
 - b. If it has, please provide all materials composed by the Electoral Commission.**
 - c. Please indicated whether and where this advice was delivered.**
 - d. If the Electoral Commission hasn't compiled this advice, why on earth not?**
- 4. Is the Electoral Commission's chairman, who says he doesn't like the Leave campaigns and is sure it contained foreign meddling, still having meetings with:**
David Miliband
Mark Malloch Brown
Mark Sedwill
John Bercow

Our response is as follows:

We hold the information you have requested.

- 1. Please outline whether the Electoral Commission has received or undertaken correspondence from Carole Cadwalladr.**

The Commission does hold correspondence with Carole Cadwalladr.

We have not outlined the information identified. Under the terms of the FOIA 2000 a public authority is not required to create data in order to comply with the Act.

2. Please provide all correspondences with Carole Cadwalladr between 24 June 2016 and 17 January 2019.

We have previously disclosed correspondence with Carole Cadwalladr in response to requests under the Act covering the period to 24 March 2018, which you can find in these previous responses:

[FOI 064/18](#)

[FOI 093/18](#)

[FOI 097/18](#)

We have released correspondence not covered by those previous requests to you via Objective Connect. Please find the steps below which details how to access the information.

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 accessing your information. Please find below details on how to access the specific area we have set up for your documents.

1. Click on the link in the email.
2. 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.
3. With your username and password, enter both details at the login screen and click 'login'.
4. You will now see your personal page, which will show the Share '**FOI 008-19**'.
5. By clicking on the name of the share, you will then find the folder 'supporting documentation'.
6. Within this folder you will find your documents. You may view any of these documents by selecting it.
7. In addition you may download a copy to your personal computer by selecting the 'download' option and then 'save as'.

3. Regarding the Cameron Government's use of public funds directly ahead of a referendum in order to influence that referendum.

- a. Please indicate whether the Electoral Commission has held advice on the legality of that enterprise.**
- b. If it has, please provide all materials composed by the Electoral Commission.**
- c. Please indicated whether and where this advice was delivered.**
- d. If the Electoral Commission hasn't compiled this advice, why on earth not?**

The Commission has previously responded to requests for information of a similar nature to this. We believe they adequately provide our response to your request. You can view those responses at the two links below:

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0015/251700/FOI-134-18-Redacted.pdf

http://www.electoralcommission.org.uk/__data/assets/pdf_file/0015/251700/FOI-134-18-Redacted.pdf

4. Is the Electoral Commission's chairman, who says he doesn't like the Leave campaigns and is sure it contained foreign meddling, still having meetings with:

David Miliband

Mark Malloch Brown

Mark Sedwill

John Bercow

We have advised you on a number of previous occasions that the work carried out by Sir John Holmes, in his position as the Chair of the Electoral Commission is published online.

The meetings of the Chair are published here:

<https://www.electoralcommission.org.uk/our-work/who-we-are/the-commissioners>

Section 40(2): Personal Data:

You will notice that some details from the documents we are disclosing are redacted.

Section 40(2) provides for an exemption where the information requested constitutes personal data as defined by the Data Protection Act 2018 (DPA), and where release of the information requested would breach one of the data protection principles. The information contained in the requested information falls within the description of personal data as defined by section 1 of the Data Protection Act 2018 (DPA) because the information relates directly to an identifiable living individual.

We have also relied upon section 40(2) in some instances in removing names and contact details of junior staff within the Electoral Commission. This is because they would not reasonably expect their information to be released.

Section 21: Information accessible to the applicant by other means:

Section 21 provides for an exemption where the information is reasonable accessible to the applicant by other means. You are able to access the information requested under questions 3 and 4, and part of question 2, by visiting the Commission website, via the links provided to you.

Section 21 of the FOIA is an absolute exemption and therefore does not require us to consider whether or not it would be in the public interest for the information to be released.

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](https://ico.org.uk/information-requests/how-do-i-make-an-foi-request)

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

Yours sincerely,

[REDACTED]

[REDACTED]

Access to Information Officer (FOI and DPA)

The Electoral Commission

xxx@xxxxxxxxxxxxxxxxxxxxxx.xxx.xx

electoralcommission.org.uk

From: [REDACTED] on behalf of [FOI](#)
To: [REDACTED]
Bcc: [FOI](#)
Subject: FOI 070/18 EC Correspondence with DC April 2018 Acknowledgement
Date: 30 April 2018 19:03:00

Dear Carole Cadwalladr,

Our Ref: FOI 070/18

Thank you for your request under the Freedom of Information Act dated **26 April 2018**, concerning:

1) Any correspondence you've had with Dominic Cummings from April 19-26, this year.

I understand (from him) that he has sent you evidence/explanation of the deletions on the Vote Leave shared drive.

This is one email, I believe, and therefore it should be a matter of minutes to find/recover, I would be grateful if were able to expedite this request

The Commission aims to respond to requests for information promptly and within the statutory timeframe of twenty working days.

You may expect to receive a reply sent from the Commission by **25 May 2018**

Yours sincerely,

[REDACTED]
Information, Knowledge and Systems Manager

The Electoral Commission

3 Bunhill Row

London EC1Y 8YZ

xxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx.xx

electoralcommission.org.uk

yourvotematters.co.uk

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From: [FOI](#)
To: [REDACTED]
Subject: FOI 075/18 SCL and Cambridge Analytica Correspondence Acknowledgement
Date: 14 May 2018 12:32:53

Dear Carole Cadwalladr,

Our Ref: FOI 075/18

Thank you for your request under the Freedom of Information Act dated 12 May 2018, received by the Commission on 14 May 2018, concerning:

I'd like to request any communications you have that reference Cambridge Analytica and/or SCL. This is to include communications with directors/employees of:

- Cambridge Analytica/SCL**
- AIQ**
- Leave.EU**
- Vote Leave**

I'd also like to FOI any internal correspondence/documentation regarding the company

The Commission aims to respond to requests for information promptly and within the statutory timeframe of twenty working days.

You may expect to receive a reply sent from the Commission by Wednesday 06 June 2018.

Yours sincerely,

[REDACTED]
Information, Knowledge and Systems Manager

The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

xxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx.xx
electoralcommission.org.uk
yourvotematters.co.uk

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From: [FOI](#)
To: [REDACTED]
Subject: FOI 164/18 - Correspondence between the EC and Police/NCA
Date: 26 October 2018 10:10:59

Dear Carole Cadwalladr,

Our Ref: FOI 164/18

Thank you for your request under the Freedom of Information Act dated 26 October 2018, concerning:

1. Under the provisions of the Freedom of Information Act, could I please request any correspondence between the Commission and the Metropolitan Police/NCA regarding offences that may have been committed during the EU referendum? This should include, but not be limited to, the period from May to the present day.

The Commission aims to respond to requests for information promptly and within the statutory timeframe of twenty working days.

You may expect to receive a reply sent from the Commission by 21 November 2018.

Yours sincerely,

[REDACTED]

[REDACTED]

Access to Information Officer (FOI and DPA)

The Electoral Commission

xxx@xxxxxxxxxxxxxxxxxxxxxxx.xxx.xx

electoralcommission.org.uk

From: [REDACTED]
To: [FOI](#)
Subject: FOI request
Date: 26 April 2018 16:53:22

Dear sir/madam,

In the interests of openness and transparency and the terms of the Freedom of Information Act, 2000, could you kindly provide me with details of:

1) Any correspondence you've had with Dominic Cummings from April 19-26, this year.

I understand (from him) that he has sent you evidence/explanation of the deletions on the Vote Leave shared drive.

This is one email, I believe, and therefore it should be a matter of minutes to find/recover, I would be grateful if were able to expedite this request.

Many thanks, Carole

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From: [REDACTED]
To: [REDACTED]
Subject: FW: Press inquiry: urgent
Date: 16 April 2018 09:44:04

Hi Carole, my colleague [REDACTED] sent an email on Friday night and also sent it again on Saturday afternoon (see below). Hope the information is helpful.
Kind regards
[REDACTED]

From: [REDACTED]
Sent: 14 April 2018 12:23
To: Carole Cadwalladr
Subject: Re: Press inquiry: urgent
Hi Carol,

Thanks for your query.

On polling day for elections or referendums since the Scottish independence referendum in 2014, Facebook ran their 'I'm a voter' button initiative. On these occasions, Facebook asked for our consent to include a link to our neutral voter information website, as the best source of reliable information for voters on polling day. This website (which you can see at www.yourvotematters.co.uk) provides information and advice to voters including on how to cast their vote, how to find their polling station and how to contact the elections team at their local council.

The Commission welcomes the efforts of any organisation which directs people to accurate information about voting, so we were pleased to give our consent for this link, although consent was of course not required as this is a free-to-access public website. Advance notice of the initiative also enabled us to prepare for the potential increase in traffic to our website, so we could ensure a continuity of service for visitors to the site.

We welcome the support of a wide range of public, private and voluntary organisations in promoting voter registration and adding value to our own campaign activity; we provide resources for organisations to use and coordinate this through our Roll Call newsletter, which has over 1500 subscribers from local authorities, NGOs and other organisations. You can see that here.

Regards
[REDACTED]

From: Carole Cadwalladr [REDACTED]
Sent: 13 April 2018 17:14:51
To: Press
Subject: Press inquiry: urgent

Hi there,
Facebook says that discussed with the electoral commission the implementation of their 'voter megaphone' and said that it had worked with you on its implementation. This is the feature that reminds Facebook users to vote on election day. It was used in the 2015 and 2017 general elections and for the referendum.
Is that right? Can you tell me more what these discussions involved?
Do you understand who they showed the button to? Did you have any concerns about whether it might skew the vote in any way? What did Facebook tell you?
I am on deadline for tomorrow so I would appreciate a reply tonight if possible.

Can you please acknowledge receipt of this inquiry.
Many thanks, Carole

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From: [FOI](#)
To: [REDACTED]
Subject: RE: Freedom of Information Request - Third Party Notice (FOI 097/18)
Date: 31 July 2018 15:43:38

Dear Carole Cadwalladr,

I am contacting you with regards to my email below, dated 19 July 2018. Please respond to my email no later than the 1 August 2018 by 3pm. If I have not heard from you by then I will take your nil response as an agreement that the information previously attached can be disclosed under the Freedom of Information Act 2000.

Please note, redactions will be applied to staff names and email addresses. However your name will be unreacted, as the request asks for correspondence between the EC and the Guardian and its staff.

King regards,

[REDACTED]

Access to Information Officer (FOI & DPA)

The Electoral Commission

3 Bunhill Row

London EC1Y 8YZ

FOI@electoralcommission.org.uk

electoralcommission.org.uk

yourvotematters.co.uk

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From: FOI

Sent: 19 July 2018 16:44

To: [REDACTED]

Subject: Freedom of Information Request - Third Party Notice (FOI 097/18)

Importance: High

Dear Carole Cadwalladr,

FOI 097/18 – Communications between the Electoral Commission and The Guardian and its staff.

I am writing to you in connection with a request for information received by The Electoral Commission which is being considered under Freedom of Information (FOI) Act. Part of the information requested relates to you.

Please find attached the communication.

The FOI Act requires the Commission to disclose information in response to a request unless an exemption applies. There are two types of exemption in the FOI Act.

The first type is an 'absolute' exemption, whereby disclosure may be withheld if the information falls within the terms of the exemption in question. However, where the exemption in question is only covered by a 'qualified' exemption, we can only withhold the information if the balance of the public interest, in all the circumstances of the case, favours non-disclosure of the information.

In light of your interest in this information, we are informing you of this request. If you wish to notify us of any particular issues or considerations that you consider relevant to the question of disclosure of this information, please let me have written details of how, in your view, disclosure of the information would be harmful by 27 July 2018. This is to enable us to consider all relevant factors in taking a decision on whether the Freedom of Information Act 2000 requires this information to be disclosed.

If you have any queries about this letter, please contact me.

Yours sincerely,



Access to Information Officer (FOI & DPA)

The Electoral Commission

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xxx@xxxxxxxxxxxxxxxxxxxxxx.xxx.xx

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From: FOI
To: [REDACTED]
Subject: RE: FOI 070/18 EC Correspondence with DC April 2018 Acknowledgement
Date: 30 April 2018 19:22:00

Hi Carole,
Thank you for the further information I will pass it on to the team who are dealing with your request.

Kind regards,

[REDACTED]

From: Carole Cadwalladr

Sent: 30 April 2018 19:19

To: FOI

Subject: Re: FOI 070/18 EC Correspondence with DC April 2018 Acknowledgement

Hi [REDACTED],

Thanks very much for this.

I've had updated information that the correspondence is not from Dominic Cummings but from Matthew Elliott/Vote Leave/Vote Leave's lawyers.

It concerns the evidence published in the Observer about deletions on a shared Google drive.

Thanks very much, Carole

On 30 April 2018 at 19:03, FOI <xxx@xxxxxx> wrote:

Dear Carole Cadwalladr,

Our Ref: FOI 070/18

Thank you for your request under the Freedom of Information Act dated **26 April 2018**, concerning:

1) Any correspondence you've had with Dominic Cummings from April 19-26, this year.

I understand (from him) that he has sent you evidence/explanation of the deletions on the Vote Leave shared drive.

This is one email, I believe, and therefore it should be a matter of minutes to find/recover, I would be grateful if were able to expedite this request

The Commission aims to respond to requests for information promptly and within the statutory timeframe of twenty working days.

You may expect to receive a reply sent from the Commission by **25 May 2018**

Yours sincerely,

[REDACTED]

Information, Knowledge and Systems Manager

The Electoral Commission

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From: [Carole Cadwalladr](#)
To: [REDACTED]
Subject: Re: Press inquiry: urgent
Date: 16 April 2018 09:34:44

Hi [REDACTED]
Can I get a response today?
Thanks, Carole

On 13 April 2018 at 17:19, [REDACTED] wrote:

Hi Carole, I acknowledge receipt of your inquiry and shall liaise with colleagues before a response is provided.

Kind regards

[REDACTED]

From: Carole Cadwalladr [REDACTED]
Sent: 13 April 2018 17:15
To: Press
Subject: Press inquiry: urgent

Hi there,

Facebook says that discussed with the electoral commission the implementation of their 'voter megaphone' and said that it had worked with you on its implementation.

This is the feature that reminds Facebook users to vote on election day. It was used in the 2015 and 2017 general elections and for the referendum.

Is that right? Can you tell me more what these discussions involved?

Do you understand who they showed the button to? Did you have any concerns about whether it might skew the vote in any way? What did Facebook tell you?

I am on deadline for tomorrow so I would appreciate a reply tonight if possible.

Can you please acknowledge receipt of this inquiry.

Many thanks, Carole

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