



Molly Scott Cato
MEP for South West England and Gibraltar
European Parliament
Rue Wiertz
Brussels

14th May 2018

Dear Lord Hall,

BBC reporting of the Electoral Commission's decision to fine Leave.EU for breaching multiple counts of electoral law during the referendum

I am writing to complain about the way that some BBC news broadcasts and programmes have covered the Electoral Commission's conclusions on their investigation into Leave.EU. Their findings, based on a lengthy and thorough investigation, were clear: Leave.EU breached electoral law by exceeding its statutory spending limit and delivering incomplete and inaccurate spending returns. Furthermore, following the Electoral Commission's findings, Leave.EU CEO, Liz Bilney, faces a police investigation [1].

I would expect coverage of this important issue to focus on the threats to our democracy from such behaviour, questions about the subsequent legitimacy of the referendum result, and whether our institutions have enough power to respond robustly to breaches of electoral law.

Instead, to take World at One on Friday 11th May as one example [2], the story was presented as 'Leave.EU launching a scathing attack on the Electoral Commission, with Arron Banks describing the findings as a 'shambles' and accusing it of 'a politically motivated attack on Brexit and on those who voted to leave the EU.'

To put it another way, I would expect BBC coverage of this story to lead with the conclusion of the formally constituted body on an attempt to subvert our democracy and their strong response. The suggestion that such illegal activity would lead to a heavy fine and police investigation should act as a disincentive and strengthen our democracy. Instead the story was led by the very sources of that subversion, especially Arron Banks, who was given an opportunity to frame the story as one of the vigilante challenging the establishment and to portray the Electoral Commission as politically motivated. The way in which the BBC has reported this story effectively legitimises Aaron Bank's challenge to the Electoral Commission – a body tasked with upholding electoral law and investigating breaches of it.

Most worryingly, by presenting the shocking abuse by Leave.EU in this way the BBC has presented these breaches of electoral rules as a political debate with two sides. This not only undermines the rule of law, it also threatens our constitution and weakens democracy.

As the evidence mounts of a Leave campaign mired in deception, manipulation and electoral fraud, it is vital that our public service broadcaster defends the constitution and our electoral law - and the statutory institutions whose role it is to defend them.

With best wishes,

Molly Scott Cato

A handwritten signature in blue ink that reads "Molly Scott Cato". The signature is written in a cursive, flowing style.

Molly Scott Cato MEP

[1] <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-donations/leave.eu-fined-for-multiple-breaches-of-electoral-law-following-investigation>

[2] <https://www.bbc.co.uk/programmes/b0b1p5pm>