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European Parliament  
Rue Wiertz  
Brussels

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Dear Claire Bassett,

### **Criteria for deeming an election illegitimate**

Following on from my letter in October 2017, and in light of recent revelations about Cambridge Analytica, I am writing to you now regarding the criteria the Electoral Commission has for deeming an election to be illegitimate?

This is not a question I take lightly but one that must start to be considered given the growing body of evidence surrounding foul play by the Leave campaign and the latest revelations about the underhand tactics used by Cambridge Analytica during elections. Last time I wrote I asked for an update of any investigation the Electoral Commission is undertaking into the Leave campaigns and today reiterate that ask.

As well as seeking an update of the investigation under the existing criteria I am also interested in whether the investigation now also covers the role that Cambridge Analytica played in reportedly helping the Leave.EU campaign. Noting especially that:

- 1) The alleged “close” working relationship (including sharing databases) between AggregateIQ (Canadian), which Vote Leave hired, and Cambridge Analytica (American), retained by Leave.EU [2]. The worrying aspect of this allegation is of course the suggestion that two separate campaigns worked closely together but then filed their expenditure separately – something which is against the law in the UK.
- 2) The fact that Alexandar Nix, the CEO of Cambridge Analytica has both openly stated in February 2016 Nix in a piece for Campaign magazine [3] that: “We [Cambridge Analytica] have already helped supercharge Leave.EU’s social media campaign by ensuring the right messages are getting to the right voters online.” This seemingly contradicts many later statements where he and Cambridge Analytica say they played no role in the Brexit referendum.
- 3) Given the Channel 4 News undercover reporting [4] revealed that Cambridge Analytica prided themselves on ‘ghosting’ so no one could trace their involvement in elections, what role they had in the suggested use of twitter accounts that were established, or were in the pay of, the Russian government as part of an international disinformation campaign during the referendum [5].
- 4) Noting that the CEO, Alexander Nix, was also filmed offering to set ‘honey-traps’ and give bribes to discredit political opponents.

- 5) Whether you can say for certain, given the suggestion that millions of people's personal information was used by Cambridge Analytica in the US elections, that British citizen's data was not used illegally during the referendum campaign to target voters.

It seems that there is growing evidence that may call into the legitimacy of the whole referendum process. As the independent body set up in the UK to regulate party and election finance and sets standards for well-run elections can you:

- 1) Clarify whether you are including the latest revelations into Cambridge Analytica in any existing or new investigations
- 2) What criteria you would use to deem an election to be illegitimate
- 3) What steps you would then take if you were to deem an election illegitimate.

Thank you in advance and I look forward to hearing from you in the near future.

Yours sincerely,



Molly Scott Cato MEP

[1] <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/news-releases-referendums/electoral-commission-statement-on-investigation-into-leave.eu>

[2] <https://www.theguardian.com/technology/2017/may/14/robert-mercier-cambridge-analytica-leave-eu-referendum-brexit-campaigns>  
<https://www.theguardian.com/commentisfree/2017/oct/21/russia-free-pass-undermine-british-democracy-vladimir-putin>

[3] <https://web.archive.org/web/20180108024617/https://www.campaignlive.co.uk/article/big-data-better-donald-trump/1383025>

[4] <https://www.youtube.com/watch?v=mpbeOCKZFfQ>

[5] <https://www.independent.co.uk/news/uk/home-news/david-jones-pro-brexit-ukip-twitter-account-russia-fake-bot-troll-trump-disinformation-followers-a7920181.html>