

Rt Hon Liam Byrne MP  
House of Commons  
London  
SW1A 0AA

24 October 2017

Dear Mr Byrne,

## **Social media advertising**

In your email you asked whether there was Russian-backed political spending on Facebook advertising at the EU referendum or the 8 June general election. You have also asked about any related investigation.

The Commission is the regulator of political and campaign finance, and our regulatory remit is around the funding of and spending by parties, non-party campaigners and referendum campaigners. We do not regulate the contents of campaign adverts, but whether those placing the adverts have complied with the rules in the Political Parties, Elections and Referendums Act 2000 (PPERA). Parliament has provided the Commission with appropriate investigatory powers into possible criminal offences under PPERA. We have limited scope to issue a fine and can seek forfeiture of impermissible donations. Where appropriate the police and Crown Prosecution Service take forward prosecutions.

The enabling of or receipt of impermissible donations by registered campaigners or political parties campaigning, either from the UK or overseas, would be a serious breach of the law. Anyone who believes they have evidence suggesting impropriety in campaign funding should provide it to the Commission and the police immediately.

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The rules under PPERA apply to online campaigning. We are in contact with Facebook. If there is sufficient evidence that the political finance rules may have been breached, the Commission and/or the police will fully and properly investigate.

It is also part of our role to consider necessary changes to electoral laws and make recommendations to government and legislatures on that. Our report on the regulation of campaigners at the EU Referendum made a number of recommendations about how the regulatory framework at referendums can be strengthened. We have also made a number of recommendations to government in relation to the regulatory framework for a UK general election. We anticipate that, when appropriate, government will enable draft legislation for the UK Parliament to consider.

If the emergence of further information about campaigning spending, including through Facebook, requires additional changes to the law, we will make further recommendations.

I hope you find this reply helpful. If you require any further information, or would like to meet to discuss this matter, please contact Cary Mitchell in our Public Affairs team on 020 7271 0555 or [cmitchell@electoralcommission.org.uk](mailto:cmitchell@electoralcommission.org.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bob Posner', written in a cursive style.

**Bob Posner**  
**Director of Political Finance and Regulation & Legal Counsel**