

Our ref: SC/VOT1/1.AABD
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Dear Madam

Re: Tom Brake MP, Baroness Jones of Moulsecomb, Ben Bradshaw MP, Caroline Lucas MP, Fiona Mactaggart and Molly Scott Cato MEP v The Commissioner of the Police for the Metropolis

This is a letter before claim in accordance with the pre-action protocol for judicial review with regard to proposed judicial review proceedings concerning the 2016 EU Referendum and potential criminal offences referred by the Electoral Commission to the Metropolitan Police (MPS).

Proposed claim for judicial review

- 1) The Commissioner of the Police for the Metropolis.

The claimants

- 2) Tom Brake MP, Baroness Jones of Moulsecomb, Ben Bradshaw MP, Caroline Lucas MP, Fiona Mactaggart and Molly Scott Cato MEP.

Details of the claimants' legal advisers

- 3) Ms Saimo Chahal QC (Hon)
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The details of the matter being challenged

- 4) The proposed claim challenges the delay in investigation and the concomitant failure to reach a decision as to charge by the Metropolitan Police Service in the investigation of criminal offences referred by the Electoral Commission (EC) to the MPS on 11 May 2018 and 17 July 2018 in relation to the conduct of the 2016 Referendum on leaving the European Union.

The details of any Interested Parties

- 5) Electoral Commission, National Crime Agency (NCA), the Director of Public Prosecutions (DPP), Ms Elizabeth Bilney, Mr David Halsall & Mr Darren Grimes.

The issues

- 6) The issues raised are set out below and followed by a summary of relevant background facts, alongside policies and the legal framework.
 - (a) On 11 May 2018, the EC announced that it had referred **Ms Elizabeth Bilney** to the MPS as it had reasonable grounds to suspect that criminal offences had been committed¹. This followed the EC issuing its final determinations to Leave. EU on 8 May 2018, with the EC report on its investigation into Leave.EU being published on 11 May 2018.
 - (b) On 17 July 2018 the EC announced that it had referred **Mr David Halsall** and **Mr Darren Grimes** to the Metropolitan Police on the basis that it had reasonable grounds to suspect that criminal offences had been committed.² The announcement also stated that the EC had shared its investigation files with the MPS in relation to whether “any persons have committed related offences which lie outside the Commission’s regulatory remit”. This followed the issuing of the EC’s final determinations to Vote Leave, Darren Grimes and veterans for Britain. The EC report into the same was also published on that date. Vote Leave appealed the

¹ <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/party-and-election-finance-to-keep/leave.eu-fined-for-multiple-breaches-of-electoral-law-following-investigation>

² <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/party-and-election-finance-to-keep/vote-leave-fined-and-referred-to-the-police-for-breaking-electoral-law>

findings but discontinued the appeal on 29 March 2019.

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- (c) The background to the offences has been examined in depth by the EC, with all relevant evidence reported to have been handed to the MPS.
- (d) The electoral offences found to have been breached parallel the criminal offences under the same statute and it is of note that the EC was working to the criminal standard of proof. Bob Posner, counsel to the EC, described the evidence as “clear and substantial”⁴.
- (e) It follows that the MPS has been in possession of the core “significant evidence” relating to the commission of criminal offences in respect of all of the above individuals for a period of almost eleven months, or more.
- (f) There is a duty upon the MPS as the investigator to pursue the investigation expeditiously and make *effective early investigations to ensure that the key evidence required to make informed decisions in cases is obtained as soon as possible*.
- (g) In turn, ‘*the police will then authorise the case to be referred in accordance with this Guidance at the earliest practical opportunity*’.
- (h) There is a compelling public interest in both the prompt investigation and the prompt decision as to charge in relation to the potential prosecution of these offences. The question of whether or not there was criminal offending at the heart of the 2016 referendum process impacts significantly upon Parliamentary and public decision making which flows from that. The progress of the criminal investigations has been of note to the courts⁵ and regularly raised in Parliament.⁶

³ <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/referendums-to-keep/media-statement-vote-leave>

⁴ <https://www.electoralcommission.org.uk/i-am-a/journalist/electoral-commission-media-centre/party-and-election-finance-to-keep/vote-leave-fined-and-referred-to-the-police-for-breaking-electoral-law>

⁵ Wilson [2019] EWCA Civ 304 <https://www.ukineuchallenge.com/wp-content/uploads/2019/03/272204-Judgment-Court-of-Appeal.pdf>

⁶ <https://www.independent.co.uk/news/uk/politics/brexit-met-police-vote-leave-investigation-government-influence-spending-cambridge-analytica-a8586571.html>; On 6 March 2019 Labour MP Anna McMorrin raised the issue of the investigations in PMQs: <https://www.bbc.co.uk/news/uk-politics-47470387>

- (i) Moreover national events impacted by the result of the 2016 referendum, not least negotiations for the departure of the United Kingdom and local, EU and potentially national elections, continue without an outcome from the criminal investigations. Unsurprisingly, the public interest is reflected in the ongoing national (and international) interest in the outcome of the investigations by the EC.
- (j) It is now three years since the referendum. The failure to resolve questions of potential criminality in that electoral process also leaves any future electoral process vulnerable to abuse by the suggestion of impunity. A charging decision is therefore imperative to protect the rule of law, public confidence and the sanctity of the democratic process.
- (k) It is of note that a further critical referral has been made by the EC to the NCA in November 2018 in which there were reasonable grounds to suspect the commission of criminal offences, involving significant sums of money. In particular, the concerns centre upon the sum of £8m, which included loans of £6m to Leave.EU, a registered campaigner in the EU Referendum. The financial transactions investigated by the EC included companies incorporated in Gibraltar and the Isle of Man. These jurisdictions are beyond the reach of the EC for the purpose of obtaining information for use in criminal investigations or proceedings, and hence a referral was made. Whilst that referral is not in the possession of the MPS, there is now a weight of evidence upon which the EC has relied to consider there are reasonable grounds to suspect a range of criminal offences which undermine the integrity of the 2016 referendum process.
- (l) For national decision makers and the public to be left for so long without resolution of any potential criminality in the referendum process undermines the purposes of the criminal law which relates to elections. At least part of that timescale is caused by delay and a failure to act, either promptly or at all, by the MPS. This is particularly acute since findings by the Electoral Commission have already been made of unlawful conduct, beyond reasonable doubt, in respect of electoral offences which mirror the relevant criminal offences set out at (a) and (b) above.

(m) It follows that in the circumstances of the present matters, the delay and concomitant failure to reach a prosecutorial decision for almost eleven months, or more, is exceptional, unjustified and in breach of the proposed defendants' respective duties.

Background Facts and the EC Referrals

7) The below sets out a factual summary of the offences which the EC found to have been committed and referred for investigation to the MPS. For ease of reference, the offences detailed below are arranged by individual/group rather than being set out in a strictly chronological order. It is anticipated that the facts are in any event well known to the MPS, if not the CPS, given the ongoing investigation.

Leave.EU and Ms. Elizabeth Bilney

8) Leave.EU is an organisation which campaigned for a Leave vote in the 2016 European Union referendum and was registered as a campaigner for that referendum on 15th February 2016. Elizabeth Bilney was registered with the Electoral Commission as Leave.EU's responsible person.

9) In April 2017, following a complaint made by Stephen Kinnock MP and statements/press releases by Leave.EU and associated individuals; the Electoral Commission opened an investigation into Leave.EU's reported referendum spending. Following this investigation, the Electoral Commission was satisfied beyond reasonable doubt that Ms. Bilney, as Leave.EU's responsible person, had committed four offences related to referendum expenditure and that Leave.EU as an organisation had committed one offence.

10) The EC determined that Ms. Bilney had committed the following offences:

- i. an offence contrary to Schedule 2 paragraph 5(9)(b) of the EU Referendum Act 2015 ('EURA') in that she failed, without reasonable excuse, to submit a pre-poll regulated transaction report that was complete and accurate. This related to three regulated transactions, namely loans, made by Mr. Aaron Banks to Leave.EU. These loans were the only reported source of funding for Leave.EU's referendum campaign. The pre-poll regulated transaction report in respect of these loans was not complete and accurate as:

- (a) it was found that the nature of the loans was incorrectly reported, with the loans being reported as lump sums when in reality they were a loan facility which could be drawn on as and when required;
 - (b) an incorrect start date was given for the loans of £3,000,000 and £2,000,000;
 - (c) the loan repayment dates were incorrectly reported as being 31st December 2017 rather than 31st December 2016;
 - (d) that the report did not correctly report the provider of the loans in that it failed to identify Rock Services Ltd who provided the loans on behalf of Mr. Banks as a co-provider; and
 - (e) that it failed to report that the loan agreements were varied on 17th May 2016 altering the repayment date and reducing the rate of interest payable to 0%.

- ii. An offence contrary to section 122(4)(b) of the Political Parties, Elections and Referendums Act 2000 ('PPERA') in that she failed, without reasonable excuse, to deliver a referendum campaign spending return that was complete and accurate in respect of the transactions and payments reported. This concerned two failures, first, her failure to include services provided by an American political strategy firm, Goddard Gunster, a proportion of which were made use of during the regulated period which commenced on 15th April 2016 and which should have been accordingly reported to the Electoral Commission and, secondly, her failure to include management fees charged to Leave.EU by Better for the Country Limited, Leave.EU's outsourced campaigning body.

- iii. A further offence contrary to section 122(4)(b) PERA in that she failed, without reasonable excuse, to deliver a referendum campaign spending return that was complete in respect of the required invoices or receipts for all payments over £200. Ms. Bilney failed to provide receipts for 97 payments over £200 amounting to a total of £80,224 and understated the apportioned value of 15 payments amounting to £129,720.

- iv. An offence contrary to section 118(2)(c)(i) PERA in that she incurred spending on referendum activity that exceeded the statutory limit, and that she knew or ought to have known that the spending

when incurred was in excess of that limit. As Leave.EU was not designated as Leave's lead campaigner, s. 118(1) and Sch. 14(1)(2)(c) PPERA imposed a £700,000 spending limit on Leave.EU's activities during the regulated period. Leave.EU reported spending of £693,094, which is £6,906 under the spending limit. However, by taking into account the apportioned payments to Goddard Gunster and management fees paid to Better for the County Limited outlined above, the Electoral Commission was satisfied beyond reasonable doubt that Ms. Bilney, as Leave.EU's responsible person, knew or ought reasonably to have known that these expenses would be incurred in excess of Leave.EU's £700,000 spending limit.

- 11) Leave.EU was also found to have committed the same offence under section 118(2)(c)(i) PPERA regarding their campaign overspend.
- 12) As a result of the above, the EC imposed £70,000 of fines on Leave.EU, the maximum amount allowed by statute.
- 13) The EC published its report regarding the same on 11th May 2018. It confirmed that information had been passed on to the MPS in line with the EC's Enforcement Policy.
- 14) In addition, the EC was also satisfied that it had reasonable grounds to suspect that an offence had been committed under sections 123(2)(a) and (b)(i) PPERA which require that spending returns must be accompanied by a declaration to the Commission by the responsible person stating that they have examined the return and, to the best of their knowledge or belief, that it is complete and correct as required by law. Civil sanctions do not attach to this offence; it can only be pursued via a criminal prosecution.
- 15) The MPS have been in possession of the Electoral Commission's information regarding the above offences for just over a year. To date the MPS have not charged Ms. Bilney with any of the above offences.
- 16) By way of background you will note that this firm acted for the complainants to the Electoral Commission who were whistleblowers from inside the campaign and/or with inside knowledge, who submitted, with the benefit of legal advice, very detailed witness statements with exhibits comprising internal emails and messages from the Vote Leave and

BeLeave campaigns. Moreover this factual evidence was accompanied by a 50 page legal opinion given by Clare Montgomery QC, Helen Mountfield QC and Ben Silverstone, leading experts in criminal and electoral law, who clearly set out the criminal offences under PPERA that were revealed by the evidence. The EC went on to interview the whistleblowers at length, requested some further information, and we understand that they then interviewed the suspects. The decision to find that electoral offences had been committed and refer to the police was made within months of this evidence and opinion being provided. None of the complainants have heard anything at all from the police since. The purpose of conducting such a detailed investigation and providing such carefully prepared evidence was to ensure that the Electoral Commission did not need to carry out substantial further investigation although clearly it was open for them to do so at their discretion if necessary. This too renders the matter exceptional and delay in reaching a charging decision difficult to comprehend.

Darren Grimes

- 17) Mr. Darren Grimes was registered as a permitted participant in the 2016 European Union Referendum on 15th March 2016. In that capacity, Mr. Grimes campaigned for a Leave vote in that referendum. In addition, in May 2016, Mr. Grimes co-founded an unincorporated association, 'BeLeave' which campaigned for a Leave vote and incurred expenditure under a common plan with 'Vote Leave', the lead campaigner for the Leave campaign. BeLeave was not a permitted/registered participant.
- 18) The Electoral Commission determined that Mr. Grimes had committed two offences regarding referendum expenditure:
 - i. that Mr. Grimes and 'BeLeave' committed offences under section 117(3) and 117(4) PPERA respectively, in that Mr Grimes incurred spending on behalf of BeLeave that exceeded the statutory limit for a non-registered campaigner. While Mr. Grimes, as a registered participant, could incur referendum spending of up to £700,000, 'BeLeave' which was not a permitted participant was limited to incurring maximum referendum spending of £10,000. Contrary to s. 117 PPERA, 'BeLeave' incurred spending of over £675,315.18 on the referendum campaign. The EC found that Mr Grimes knew that BeLeave was not a permitted participant and that he incurred the

spending on their part knowing or ought reasonably to have known that he was doing so.

- ii. that Mr. Grimes committed an offence under section 122(4)(b) in that he failed, without reasonable excuse, to deliver a referendum spending return as an individual registered campaigner that was a complete statement of all his referendum spending. While Mr. Grimes post-referendum spending return was submitted in the name of 'Darren Grimes/BeLeave' it was submitted in his capacity as an individual campaigner. As such, the return was not a complete return as it inaccurately included £675,315.18 which was in fact incurred by 'BeLeave'.

19) The EC published its report regarding Mr. Grimes' offences on 17th July 2018. As with Ms. Bilney, the EC was satisfied that it had reasonable grounds to suspect that an offence had been committed under sections 123(2)(a) and (b)(i) PPERA. Civil sanctions do not attach to this offence; it can only be pursued via a criminal prosecution.

20) The MPS have been in possession of the EC's information regarding the above offences for almost eleven months. To date the MPS have not made any public statement or any decision to refer the matter to the CPS or to charge Mr. Grimes with any of the above offences.

Mr David Alan Halsall and Vote Leave

21) Vote Leave was designated as the lead campaigner for a Leave vote in the European Union referendum on 13th April 2016. Mr. Halsall was registered as Vote Leave's responsible person on 18th April 2016. The EC determined that Mr. Halsall committed three offences related to referendum expenditure and that Vote Leave committed two offences related to the same. With regard to Mr Halsall, the EC determined that he:

- i. committed an offence contrary to section 122(4)(b) PPERA in that he failed, without reasonable excuse to deliver a referendum spending return for Vote Leave that was a complete statement of all payments made. As stated above, Vote Leave and Mr. Grimes' unincorporated association 'BeLeave' incurred expenditure under a common plan. Vote Leave's lawyers drafted BeLeave's constitution. Vote Leave provided BeLeave's infrastructure and

designed and provided content for its website. Vote Leave secured all of BeLeave's funding and, crucially, had significant influence over how that money was spent by BeLeave by directing that it was all spent on AggregateIQ, the Canadian digital targeting experts used by Vote Leave. The only other donor, Anthony Clarke was directed to donate to BeLeave instead of to Vote Leave and informed in advance of said donation that it would be spent on services from AIQ. The BeLeave spending of £675,315.18 on Aggregate IQ was incurred under a common plan. As such it ought to have been reported by Mr. Halsall as being incurred by Vote Leave.

- ii. committed a further offence under section 122(4)(b) PPERA in that he failed to deliver a referendum campaign spending return that was complete in respect of the required invoices or receipts for all payments over £200 for eight payments, in the same manner as outlined above regarding Ms. Bilney.
- iii. committed an offence under section 118(2)(c)(i) PPERA in that he incurred spending which he knew or ought reasonably to have known was in excess of the statutory spending limit for Vote Leave, namely that the joint spending with BeLeave on Aggregate IQ of £675,315.18 ought to have been reported as Vote Leave spending and, had it been so reported, would have resulted in an overspend of £449,079.

22) As regards Vote Leave, the EC determined that

- i. Vote Leave committed an offence under section 118(2)(c)(ii) PPERA in the same terms as Mr. Halsall regarding the campaign overspend.
- ii. Vote Leave committed an offence under Schedule 19B paragraph 13(1) PPERA in that it failed, without reasonable excuse, to comply with a requirement imposed by the Commission to produce documents by a specified date. The Commission issued an investigation notice against Vote Leave under Schedule 19B on 21st February 2018. Vote Leave were given a deadline of 6th March 2018 to comply with this deadline and to produce the documents specified. Vote Leave failed to comply with this deadline.

- 23) The EC published its report regarding Mr. Halsall's offences on 17th July 2018. As with Ms. Bilney and Mr. Grimes, the EC was satisfied that it had reasonable grounds to suspect that an offence had been committed under sections 123(2)(a) and (b)(i) PPERA. Civil sanctions do not attach to this offence; it can only be pursued via a criminal prosecution.
- 24) The MPS have been in possession of the Electoral Commission's information regarding the above offences for almost eleven months. To date the Metropolitan Police Service have not made any public statement or any decision to refer the matter to the CPS or to charge Mr. Halsall with any of the above offences.

David Banks and Veterans for Britain

- 25) Veterans for Britain are an organisation which campaigned for a Leave vote in the 2016 European Union referendum and were registered as a permitted participant on 19th April 2016. Mr. David Banks was registered as Veterans for Britain's responsible person.
- 26) In the course of investigations into expenditure into a possible common plan between Veterans for Britain and Vote Leave, the EC determined that Mr. Banks committed an offence under section 122(4)(b) PPERA. He failed, without reasonable excuse, to deliver a referendum spending return that included an accurate report of relevant donations received. The spending return included details of a £100,000 donation which was reported as a cash donation which was received and accepted on 20th May 2016. This was inaccurate for two reasons. Firstly, the loan was provided on 29th June 2016 and not 20th May 2016. Secondly, the donation was reported as a cash donation when instead it should have been reported as having been paid by Vote Leave directly to Aggregate IQ for services provided to Veterans for Britain.

Better for the Country Limited (BFTC) and Leave.EU.

- 27) Whilst not directly impacting upon this proposed claim against the MPS, it is important to be aware that further serious allegations of criminality have been referred to the NCA by the EC involving payments made for the purposes of meeting expenses incurred by BFTC (including on behalf of Leave.EU) in the 2016 referendum. The Commission has reasonable

grounds to suspect a number of criminal offences and have referred the matter to the NCA.

- 28) Following an investigation launched by the EC on 1st November 2017, it concluded that it had reasonable grounds to suspect that various criminal offences may have been committed. It referred these to the NCA on 1st November 2018.
- 29) The cumulative impact of these various allegations of potential criminality in respect of a referendum which took place almost three years ago is substantially damaging to the integrity of the electoral process and it is in the public interest that there be no further delay taken as to charging decisions.

Criminal Offences

- 30) The offences against election law identified by the EC reports, as set out above are closely aligned to the criminal offences under the same statute (PPERA 2000). Those provisions are well known to the MPS and are not set out here again.
- 31) Further it is to be noted that in *R (The Good Law Project) and Electoral Commission and ors [2018] EWHC 2414 (Admin)*, the Court found that the Electoral Commission had misinterpreted “*referendum expenses*” in section 111(2) of PPERA giving rise to the commission of further potential offences.

Relevant Guidance and Legal Framework

Investigations

- 32) The relevant police guidance on investigations identifies the need to proceed at all stages without delay and to proceed through each stage promptly and effectively.
- 33) The Criminal Procedure and Investigations Act 1996 (CPIA) s.23 provides for the making of the Code of Practice in relation to criminal investigations. The CPIA Code of Practice⁷ places responsibility on the “investigator” to carry out the investigation in accordance with the code [2.1 provides]:

⁷ http://www.xact.org.uk/userfiles/downloads/sys/Disclosure_code_of_practice.pdf

“an investigator is any police officer involved in the conduct of a criminal investigation. All investigators have a responsibility for carrying out the duties imposed on them under this code, including in particular recording information, and retaining records of information and other material”

34) The “Charging (The Director's Guidance) 2013 - fifth edition, May 2013 (revised arrangements)” includes the following (emphasis added):

3. Police duty to investigate offences

*The police will undertake effective early investigations to ensure that **the key evidence required to make informed decisions in cases is obtained as soon as possible...***

5. Requirement on police to refer cases to prosecutors

*If following assessment a police decision maker considers there is sufficient evidence to charge a suspect and the case is one which this Guidance requires to be referred to a prosecutor to determine whether the suspect is to be charged the case shall be so referred. . . . **The police will then authorise the case to be referred in accordance with this Guidance at the earliest practical opportunity.***

6. Prosecutors' duty to assess the evidence provided by the police

In making charging decisions and providing early advice, prosecutors will assess the evidential material provided in accordance with this Guidance. Prosecutors will be proactive in identifying and, where possible, rectifying evidential deficiencies and in bringing to an early conclusion those cases that cannot be strengthened by further investigation or where the public interest clearly does not require a prosecution.

7. Early Investigative Advice

Prosecutors may provide guidance and advice in serious, sensitive or complex cases and any case where a police supervisor considers it would be of assistance in helping to determine the evidence that will be required to support a prosecution or to decide if a case can proceed to court...

..Where a case is referred to CPS at an early stage the prosecutor may determine the information to be provided

by the police, the stage at which the evidence will be reviewed and the test to be applied..

29. Area consultations

Consultations with Area prosecutors will take place in the most serious, sensitive and complex cases. ...Such consultations should take place without delay and the police should be informed when the written advice or decision will be provided..."

- 35) The College of Policing, Authorised Professional Practice on Investigations⁸ further records the need to avoid delay:

"Auditable decision making

This means:

- *making decisions in a timely and proportionate way*
- *recording what has been done and why it was necessary*
- *the reasons for taking particular investigative actions and what the outcome was*
- *providing an audit trail that can be followed in the event of review, scrutiny or new material coming to light.*

Investigators should be able to justify why a decision was made and be confident that others will be able to understand why they took it...

If new information subsequently comes to light, the original investigative actions can be reviewed, documents and exhibits can be located and the investigation can progress without delay." (emphasis added)

- 36) The MPS has had ample time to investigate the potential offences and reach decisions. Media reports suggest that the volume of documentation has been relied on as a reason for the delay. We are aware as set out above that the documentation provided to the Electoral Commission comprised detailed witness statements and exhibits with legal advice and that the Electoral Commission then carried out further investigation. This material should therefore assist rather than hinder the MPS and this is not a good reason for any delay.

⁸ <https://www.app.college.police.uk/app-content/investigations/managing-investigations/>

37) It is undisputed that the threshold for the courts' intervention in police and prosecutorial decision making is high. The proposed Claimants note the series of decisions to that effect (for example, *R v DPP, ex parte C* [1995] 1 Cr App R 136 and *R (Soma Oil and Gas Ltd) v Director of the Serious Fraud Office* [2016] EWHC 2471 (Admin)). This is however not a challenge to a decision, but a challenge to the delay in the investigation and in reaching a prosecutorial decision or a decision to refer to the CPS and as such different considerations apply. In the alternative, the investigation delays and failure to make prosecution decisions following the EC determinations and referrals clearly fall within the exceptional category open to review by the courts for the reasons set out above

The details of the action that the defendant is expected to take

38) The Defendant is expected to:

- i. complete its investigation and issue a prosecutorial decision and/or pass the file to the CPS for consideration in relation to all matters referred by the EC forthwith and, given the ongoing delay, within 14 days.

39) In the event that such decisions are not made:

- ii. confirm the reasons for the delay in the investigation process;
- iii. confirm whether it has completed its investigation sufficient for consideration of criminal charges and if not, the reason(s) why and the date upon which it will be completed;
- iv. provide details of the investigation process to date, including whether it has commenced investigations into any of the individuals referred to it by the EC;
- v. If it has not commenced investigations into those individuals, why not and the date upon which that investigation will be commenced;
- vi. outline any remaining steps required to be taken in the investigation;
- vii. confirm whether any area consultations have taken place;
- viii. confirm whether the CPS is or has been involved in the investigation process;
- ix. confirm whether any prosecutorial decisions have been made.

ADR proposals

- 40) Given the subject matter of the present case, it is not suited to ADR.

The details of any information sought and documents considered relevant and necessary

- 41) The Claimants seek the following information and documentation:
- i. A chronology of the investigation;
 - ii. List of categories of evidence/disclosure and unused material passed from the EC to the MPS All further disclosure requests from the MPS, names of the individuals and/or bodies from whom such requests have been made and the dates of the same;
 - iii. Pursuant to such requests, the dates when responses were received by the MPS;
 - iv. A complete list of all individuals and bodies which are the subject of investigation;
 - v. Whether suspects have been interviewed and the dates of interviews; Whether the CPS have been consulted and on what dates?;
 - vi. Whether there has been contact between the MPS and any other government departments, including the Prime Minister's Office and if so, on what dates and for what purpose?;
 - vii. Whether there has been contact between the MPS and any international Governments or body and if so, on what dates and for what purpose?;

11. The address for reply and service of court documents

- 42) Bindmans LLP as above

12. Reply date

- 43) The Claimants request a response within 14 days of the date of this letter i.e. no later than **4pm on 3rd July 2019**.

44) In the event that the MPS is not willing to take the action requested above and in recognition of the public importance of the matters raised in this claim and public interest that they be resolved, the proposed Claimants will have no option but to issue a claim for judicial review.

Yours faithfully

Bindmans LLP
Bindmans LLP

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