

Our ref: RLC/EXP001/0003

Date: 13 February 2019

URGENT

Ms Cressida Dick, CBE, QPM
Commission of The Metropolitan Police
The Metropolitan Police
8-10 Broadway
Westminster
London
SW1H 0BG

Also by email: 

Dear Commissioner

**R (on the application of Susan Wilson & Others) -v- The Prime Minister
Court of Appeal Ref.: C1/2018/3034
Investigations into Leave.EU, Elizabeth Bilney, Vote Leave, David Halsall, & Darren
Grimes**

We act for Ms Susan Wilson and other claimants who are currently seeking judicial review of the Prime Minister's decision to notify the European Union of the UK's intention to withdraw from the EU. We attach for your information our client's Grounds of Appeal for Judicial Review.

Our clients' application for permission is currently being reviewed by the Court of Appeal, where a hearing is listed for 21 February 2019. This matter is therefore urgent.

On 11 May 2018, the Electoral Commission (EC) announced that it had referred Ms Elizabeth Bilney, as the responsible person for Leave.EU, to the Metropolitan Police¹ (**the Met**) on the basis that it had reasonable grounds to suspect that criminal offences had been committed.

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>

On 17 July 2018, the EC announced that it had referred Mr David Halsall, as the responsible person for Vote Leave, and Mr Darren Grimes to the Met², also on the basis that it had reasonable grounds to suspect that criminal offences had been committed. This announcement also stated that the EC *“has also shared its investigation files with the Metropolitan Police in relation to whether any persons have committed related offences which lie outside the Commission’s regulatory remit.”* It is not clear whether the ‘persons’ referred to in this statement are individuals other than Mr David Halsall or Mr Darren Grimes.

We understand from reports in the media that, as of early November 2018, the Met was completing a “scoping stage” and consulting with the Crown Prosecution Service in order to determine whether a full criminal investigation should be launched.

If possible, we should like to be in a position to update their Lordships in the Court of Appeal at the hearing on 21 February 2019 with regards to the progress of the Met’s enquiries. While we appreciate that The Metropolitan Police cannot discuss the operational detail of a live criminal investigation, we should be grateful if you would please address the following queries:

1. Is the Met still completing a “scoping stage”, or has this stage of the Met’s enquiries concluded?
2. If it has concluded, has an investigation been initiated into any of the individuals referred to the Met by the EC?
3. If the “scoping stage” has not concluded, please provide the date by which you believe the “scoping stage” will conclude.
4. Please detail the full list of individuals and corporate entities which are the subject of the Met’s enquiries in relation to these referrals. If it is not possible to disclose the names of each, we should be grateful if you would detail the number of individuals and corporate entities which are the subject of the Met’s enquiries.
5. Please detail the countries/jurisdictions in which you are making enquiries following the EC’s referrals. If it is not possible to provide a list of jurisdictions, we should be grateful if you would confirm the number of jurisdictions involved.

As mentioned above, our clients’ hearing is listed to take place on 21 February 2019. We should therefore be grateful to receive your response to this letter by **18 February 2019** at the latest.

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>

We look forward to hearing from you.

Yours sincerely



Croft Solicitors

