



Rt.Hon Sir Keir Starmer QC MP
Leader of the Opposition
House of Commons
London
SW1A 0AA

18th March 2022

Dear Sir Keir,

THE ELECTIONS BILL

Thank you for your letter to the Prime Minister dated 23 February on amendments to the Elections Bill in the House of Lords. I have been asked to reply as the Minister for this Bill in the Lords, on behalf of Her Majesty's Government. This letter also serves as a Ministerial reply to the letter from Lisa Nandy to my Ministerial colleague, Michael Gove, of 14 March.

Since you raised these matters on the floor of the Commons and since it relates to a Bill before the Lords, I will be placing this letter in the Libraries of both Houses.

Supporting the rights of British citizens who live overseas

Your letter references the provision in the Elections Bill to extend the period that British expatriates are allowed to vote from the existing 15 year period that was enacted by the last Labour Government. Scrapping that arbitrary time limit was a Conservative manifesto commitment from 2019 (and indeed, in 2015 and 2017).

We want all British citizens abroad to remain part of our democracy. British expatriates continue to have strong links with the United Kingdom. Decisions on foreign policy, defence, pensions and trade will directly affect their lives. Now that we have left the EU, it is more important than ever to strengthen our ties with the British expatriate community.

Allowing full voting rights for citizens living overseas is a mainstream democratic practice. Countries which give their overseas citizens full voting rights in national elections include France, Italy, the Netherlands, Portugal, Spain, South Africa, India and the United States.

Our 'votes for life' policy is supported by Labour International, the international branch of the Labour Party. As they have said: "As a democratic party, Labour should acknowledge that many British people living and working abroad still have close connections with the UK and are directly or indirectly affected by decisions and actions of the government in the UK."¹

¹ Motion: 'Votes for Life and Thanks to Harry Shindler LIM68', March 2021; source: Labour International, *LI Policy – Motions passed, CLP Policy Repository*, June 2021.



Labour International solicits political donations from overseas citizens to put “the aims and values of the UK Labour Party... into action in Britain.”²

Under the law, foreign donations are banned. They will remain so. But British citizens living overseas electors are not foreigners. They are nothing to do with Putin’s cronies – and it would be insulting to suggest otherwise.

It is a long-standing principle, originally recommended by the Committee on Standards in Public Life in 1998 (under the last Labour Government, and reflected in the Political Parties Elections and Referendums Act 2000), that individuals must be on the UK electoral roll to make political donations.

If you can vote for a party, then you should be able to donate to it and fully participate in the democratic process.

Since the adoption of universal suffrage, taxation has never been the basis for enfranchisement in our elections. Does the Labour Party really think students should lose the right to vote in local elections because they are exempt from paying council tax?

Your letter states that there would be no checks on donations. This is factually wrong. Political parties, candidates, third party campaign groups and regulated donees would need to continue to check that a donor was permissible. Reportable donations will continue to be overseen and published by the Electoral Commission. This regime of checks is effective, as evident by the fact that the Labour Party had to return an illegal donation of £6,000 in March 2021 from Alexander Ryazantsev.³

Your and Ms Nandy’s letters state that the Bill would enfranchise those who have never lived in the United Kingdom. This is factually wrong. As is currently the case, overseas British citizens will be required to prove their identity and establish a verifiable connection to a past residence in the UK before they can be added to the electoral register.

Labour’s plans to allow foreign money to flood into UK politics

I note that rather than supporting British expats’ rights to vote, the Labour Party want to give full voting rights to all foreigners who live in Britain.⁴ The Labour Government in Wales has already done this in relation to the franchise for local and devolved elections. The Scottish Government has done the same in Scotland.

² Labour International website, *Donate to our funds*, accessed March 2022.

³ *Sunday Telegraph*, ‘Labour hands over £6,000 donation from director of Everton Football Club because it breached electoral law’, 21 March 2021; and Electoral Commission, *Closed Investigations: April 2020 to March 2021*.

⁴ Labour Party, *Manifesto 2019*, p.82.



This has given foreign Russian citizens resident in Wales and Scotland the right to make unlimited donations to the Labour Party and the SNP.⁵

Labour's Shadow Minister in the Lords has now tabled an amendment to Election Bills that would grant all foreign nationals with leave to enter or remain the right to vote in all local and Parliamentary elections in the United Kingdom – and therefore donate.⁶ It is the Labour Party which would open the gates to a flood of foreign citizen money into British politics.

The Labour Party would treat long-standing British citizens (living overseas) worse than those who have no British citizenship.

Clamping down on shell companies and preventing foreign interference

Your and Ms Nandy's letter references the regime for corporate donations. The law is already clear that if a company wants to donate to a party or campaign they must be registered as a company under the Companies Act 2006, incorporated in the UK, and carrying on business in the UK (for parties registered in Northern Ireland, permissible donors also include certain Irish sources meeting prescribed conditions).

The Electoral Commission produces guidance which helps campaigners understand if a donor is permissible. This includes detailed guidance on companies' requirement to be 'carrying on business'.⁷

The Conservative manifesto pledged to undertake measures to prevent any foreign interference in elections. The Elections Bill duly closes loopholes on foreign spending – making it harder for shadowy third parties to spend money campaigning at UK elections.

As outlined in the Corporate Transparency and Register Reform White Paper, the Government's reforms to Companies House will deliver more accurate information on the companies register by introducing identity verification of people who manage or control companies.

These will provide greater powers for Companies House to query and challenge the information it receives; introduce more effective investigation and enforcement powers; and enable better cross-checking of data with other public and private sector bodies. These measures will bear down on the use of UK companies and other corporate structures as vehicles for facilitating international money laundering (including illicit Russian finance),

⁵ Section 2 of the Local Government and Elections (Wales) Act 2021; Section 1 of the Scottish Elections (Franchise and Representation) Act 2020; to be read alongside Section 54 of Political Parties, Elections and Referendums Act 2000.

⁶ Amendment 155 by Baroness Hayman of Ullock, "Enfranchisement of certain foreign nationals at Parliamentary elections", *HL Bill 96-II Second marshalled list for Committee*, 11 March 2022.

⁷ Electoral Commission, *Donations and loans: guidance for regulated donees and regulated participants in Great Britain*, para 6.18 onwards.



corruption, terrorist financing and illegal arms movements. This will include new powers for the Electoral Commission to use such data to assist its ongoing statutory functions and checks. This will strengthen our political donation regime.

All of this will tighten our existing controls against foreign donations and spending.

We all need to be alert to the risks. Labour's largest corporate donor in recent years was from a Chinese Communist spy, giving almost £700,000 to Labour regulated donees and local Labour parties.⁸ During the 2019 general election, the Labour Party distributed propaganda from a disinformation campaign by hostile Russian actors.⁹

We cannot be complacent in that light. The Government is actively considering what further steps we can take to prevent foreign interference by hostile state actors, alongside additional measures to tackle Russian Government aggression and strengthen our sanctions regime. I hope the Labour Party will support the Prime Minister's strong actions in this area.

The tone of political debate on Russia

There are people in this country of Russian origin who are now British citizens. Many are critics of Putin and have condemned his invasion of Ukraine. It is discriminatory to tar them all with the same brush because of their family background or past nationality.

We should not conflate those of Russian origin with Putin's oligarchs, nor smear everyone who was born in Russia as responsible for the evil actions of the Putin regime.

Yours sincerely,

A handwritten signature in black ink, appearing to read "True", written on a light-colored background.

Lord True CBE
Minister of State
Cabinet Office

cc. Lisa Nandy MP

⁸ *The Sun*, 'Chinese "spy" Christine Lee exposed by MI5 gave £700k to Labour including to MP who employed her son', 14 January 2022.

⁹ *Hansard*, 16 July 2020, HCWS384; *Evening Standard*, 'Jeremy Corbyn defends citing leaked trade documents amid links to Russian disinformation', 7 December 2019.