

Vijay Rangarajan
Chief Executive
Electoral Commission

By email: pef@electoralcommission.org.uk

25 September 2025

Dear Vijay,

LABOUR TOGETHER: PUBLISH THE MCSWEENEY FILES

I am writing on behalf of the Conservative Party, further to my letter to you of 20 September, which asked for a new investigation into the failure of Morgan McSweeney and the members' association, Labour Together to publish donations. New evidence has come to light which suggests that the Electoral Commission was misled, which would be a criminal offence if proven.

Alongside this, the Parliamentary Standards Commissioner (as the lead regulator for political donations to MPs)¹ has been asked to investigate the failure of Keir Starmer to report donations, or donations in kind, from Labour Together. It is important that the Standards Commissioner has access to all the previous evidence that the Electoral Commission holds, so it can be pieced together alongside the new evidence that has now been revealed. There is a web of contradictions and mistruths that need to be exposed.

In that light, it is notable the Electoral Commission in 2021 did not publish a full investigation report when it fined Labour Together £14,250 for (a) failure to deliver donation reports within 30 days of accepting donations, (b) inaccurate reporting of a donation, and (c) failure to appoint responsible persons within 30 days of accepting donations. The Commission merely published a short monthly update.²

I would note that where substantive investigations have previously taken place, involving fines, full reports have been published – including where my own party has unfortunately made mistakes.³ It is therefore regrettable that Labour Together has not received the same level of accountability and transparency over the enforcement action that previously was taken.

I note that the Electoral Commission's *Enforcement Policy* states⁴:

¹ As noted in House of Commons Library, *Donations to Members of Parliament*, December 2009, ([link](#)).

² Electoral Commission, *Monthly update – concluded investigations (September 2021)*, September 2021, ([link](#)).

³ e.g. Electoral Commission, *Investigation: Conservative and Unionist Party campaign spending returns for the 2014 European Parliamentary Election, 2015 UK Parliamentary General Election, and the 2014 parliamentary by-elections in Clacton, Newark and Rochester and Strood*, March 2017, ([link](#)); Electoral Commission, *Report of investigation into the Conservative and Unionist Party - recording and reporting of payments*, December 2021, ([link](#)).

⁴ Electoral Commission, *Enforcement Policy*, September 2023, ([link](#)).

“In certain instances, we will publish a more detailed investigation report, and/or media statement when a case concludes. When deciding whether to do so, we will take into account relevant factors, including:

- whether there is significant public interest in the case.*
- whether it is a particularly complex case that requires further explanation to the public.*
- whether publishing the details would help those we regulate to better understand PPERA requirements.*
- if a media statement was issued at the commencement of the investigation.”*

I believe it is strongly in the public interest that this is now published, given it directly relates to (a) a potential investigation by the Parliamentary Standards Commissioner, (b) the conduct of the current Prime Minister and (c) the conduct of the Prime Minister’s Chief of Staff. Members of the Cabinet, including the Home Secretary and the Local Government Secretary (in charge of criminal law and electoral law respectively) are also embroiled in this controversy. There has been significant and ongoing media reporting of the issue.

In particular, it would be pertinent to publish the full details of what Labour Together’s lawyer wrote to the Electoral Commission, when he reportedly claimed that the failure to declare donations was “human error and administrative oversight”⁵; the new publication of the internal legal advice infers that it was not.⁶

I observe that the Electoral Commission has previously declined to publish the investigation report under a Freedom of Information Act request in 2023, but the Commission confirmed that such information is held.⁷ In that decision, the Commission argued that “we consider it likely that disclosure could also lead to a significant impact on the voluntary cooperation of organisations and individuals involved in this case, and others regulated by the Commission. We consider that this would cause significant detrimental impact to our ability to conduct investigations effectively in future, as well as on our wider regulatory work.”

I would suggest that the public interest has significantly changed since then, and new evidence has come to light on how the Electoral Commission may have been knowingly misled. It would be open to the Commission to publish the investigation report, but make redactions to protect the name of individual whistleblowers from within the Labour Party or Labour Together.

In considering this issue, I would note Electoral Commission’s *Strategy and Policy Statement* to which the Commission should have due regard. This 2024 statement, introduced further to the Elections Act 2022, has been issued subsequent to the previous decisions not to publish the investigation report. The Statement notes:⁸

“The Commission should be fully accountable as a public body with such important responsibilities relating to our democratic processes. The Commission should, as appropriate, provide transparency around its decision making including but not limited to its Report required under section 4B(4) of PPERA in relation to this Statement. The Commission

⁵ Letter from Gerald Shamash of Edwards Duthie Shamash to the Electoral Commission, cited in the *Sunday Times*, 12 November 2023, ([link](#)).

⁶ Information now published at www.themcsweeneyfiles.com

⁷ Electoral Commission, *Response to FOI-173-23*, December 2023, ([link](#))

⁸ DLUHC/Electoral Commission, *Electoral Commission strategy and policy statement*, February 2024, ([link](#)).

should work closely with the Speaker's Committee on the Electoral Commission, as well as the UK Parliament, to ensure public and democratic accountability" (para 15).

"The Commission must have regard to the importance of improving confidence in the fairness of its decision-making. This includes providing, where appropriate, those it regulates with a clear explanation of the rationale for the size of the sanctions it imposes in individual cases" (para 18).

"Where appropriate, the Electoral Commission should cooperate with other regulators (such as the Information Commissioner's Office and Ofcom) and public bodies and executive agencies (such as Companies House), to deliver its functions" (para 19).

This will be guiding to the Electoral Commission when assessing the public interest, and considering how it could assist the Parliamentary Standards Commissioner.

In conclusion, I believe the Electoral Commission must publish its McSweeney files. We need full transparency and accountability over the Prime Minister and his Chief of Staff's cover-up on political donations. These secret donations were instrumental in the installation of Keir Starmer as Labour Party leader.

In addition to considering this request as correspondence (further to your duties under Schedule 19B of PPERA and the associated *Enforcement Policy* guidance), please also consider this as a formal request under the Freedom of Information Act 2000.⁹

I am placing a copy of this letter in the public domain. I look forward to your response.

Yours sincerely,



Kevin Hollinrake MP

Chairman of the Conservative & Unionist Party

⁹ Disclosure will be in the public interest for the reasons outlined above. Further to your duty to assist under Section 16, please redact the minimal necessary personal information under Section 40 to facilitate substantive disclosure. Further to the previous Section 30/31 exemptions exercised in FOI-173-23, I would propose that the public interest does not now justify a blanket non-disclosure. It would be open to the Commission to redact elements of particular sensitivity (e.g. names) if that might undermine future investigations. The fact that this will assist other investigations is a public interest argument for disclosure under Sections 30 and 31. The Commission's *Enforcement Policy* has tests for publication that should be considered as public interest arguments for disclosure.