

Made on behalf of Vote Leave Limited

Witness, Name and initials:

Elliott, M. J.

First witness statement of this witness

Dated : 13<sup>th</sup> day of March 2018

Exhibits : MJE1

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT

CO/4908/2017

B E T W E E N:-

**THE QUEEN on the application of  
GOOD LAW PROJECT**

Claimant

-and-

**THE ELECTORAL COMMISSION**

Defendant

-and-

**VOTE LEAVE LIMITED**

-and-

**DARREN GRIMES**

Interested Parties

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**WITNESS STATEMENT OF MATTHEW JIM ELLIOTT**

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I, Matthew Jim Elliot, company secretary of Vote Leave Limited, will say as follows:

**Background**

1. I was the founder of Vote Leave Limited ('Vote Leave'), and during the EU Referendum campaign, I was its Chief Executive. I am now company secretary of Vote Leave, company no. 09785255. I make this witness statement to provide some information which I hope is useful to the Court in understanding the background to Vote Leave's approach to reporting spending and donations to the Electoral Commission, and providing examples of donations between other registered campaigns.
2. Vote Leave is now a skeleton organisation. The company exists only to deal with regulatory inquiries and hopes and intends to shut down as soon as possible, given

its purpose ceased with the Referendum in June 2016, and I am advised that under company law a company should not continue on the register when its purpose has ceased. Other than myself as company secretary, there are just three directors of the company, all of whom are volunteers working without any remuneration. The other remaining directors are: Alan Halsall, the Responsible Person; Jon Moynihan; and Daniel Hodson. Very brief biographies of Vote Leave's current directors are at page 1 of my exhibit MJE1 attached to this statement.

### **Guidance from the Electoral Commission on reporting of spending and donations**

3. On September 21<sup>st</sup> 2015, William Norton of Vote Leave, together with representatives of Labour for Britain and Conservatives for Britain, met with the Electoral Commission to seek guidance on how spending and donations were to be approached and reported to the Electoral Commission. In attendance at that meeting for the Electoral Commission were Vicky Fox (Head of Guidance), Adrian Fryer (Senior Advisor Policy), and Kevin Molloy (Guidance Advisor. Attached at pages 2 – 3 is a copy of the meeting note taken by Mr. Norton from that meeting.
4. Vote Leave also sought guidance from the Electoral Commission, both before and after the date of the EU Referendum, on the reporting of referendum spending and donations, in particular with regard to campaigns 'working together.' In that regard, attached at pages 4 – 6 is a transcript of emails exchanged between Vote Leave's finance director, Antonia Flockton, and Kevin Molloy of the Electoral Commission between May 12<sup>th</sup> 2016 and May 20<sup>th</sup> 2016. Also attached, at pages 7 – 8 is a copy of an email from Kevin Molloy of the Electoral Commission to Victoria Woodcock of Vote Leave dated June 2<sup>nd</sup> 2016.
5. For completeness, I attach at pages 9 – 31, a copy of the Electoral Commission's guidance document entitled 'Working together for EU referendum campaigners.'

### **Separate campaigns run by Vote Leave, BeLeave, and Veterans for Britain**

6. I understand that GLP raise questions as to whether Vote Leave, BeLeave, and Veterans for Britain truly ran distinct campaigns during the EU Referendum. In that regard, I thought it may assist the Court in having examples of the campaign materials used by the different campaigns, and I attach those at pages 32 – 34. I can confirm distinct campaigns were run.

### **Approach of other campaigns and donors during the EU Referendum**

7. A research assistant has helped me by sourcing and compiling information, in order to illustrate the approach to spending and donations during the EU Referendum by other campaigns and donors, in particular the advertising agency DDB UK Limited and its related agency 'adam&eveDDB.' Those materials are attached at pages 35 – 43 of my exhibit.
8. The footnotes on the relevant pages in the exhibit identify the source of the information cited, including where search terms were used on the Electoral Commission website at: <http://search.electoralcommission.org.uk/Search/>.

9. In summary, the materials show that the advertising firm adam&eveDDB played a role in the EU Referendum campaign, on the 'remain' side, having:
- a. Helped name and launch the 'remain' campaign group Britain Stronger in Europe, in October 2015;
  - b. Supplied advertising services to multiple independent campaigns;
  - c. Registered as an independent campaign by way of the company DDB UK Limited, less than a month before the EU Referendum vote, declaring nearly £250,000 in campaign spending;
  - d. As a registered campaign, received the entirety of its donations from other campaign groups or donors to other campaign groups.
10. Pages 35 – 36 provide an overview of the materials enclosed thereafter, with reference to the 'Figures' which are reproduced at pages 38 – 43.

STATEMENT OF TRUTH

I believe that the facts set out in this Statement are true.

  
Signature

Matthew Jim Elliott

March 13<sup>th</sup> 2018

Date