HOUSE OF COMMONS LIBRARY

BRIEFING PAPER

Number 8272, 27 March 2018

EU referendum and alleged breaches of election law (Emergency Debate)

By Neil Johnston and John Woodhouse

1. Overview

Tom Brake MP secured the leave of the House for an emergency debate on security of elections and referendums (HC Deb Monday 26 March 2018, c549-50) This followed continued coverage over the weekend of the use of personal data by Cambridge Analytica for political campaigning, and allegations of breaches of rules on referendum spending limits during the 2016 referendum on the UK's membership of the EU.

The debate is scheduled as the first item of business after questions and statements on Tuesday 27 March 2018.

The Cambridge Analytica case relates to data protection and possible illegal use of personal data. It has at the same time raised concerns about transparency in electoral campaigning.

The Information Commissioner's Office (ICO) leads on data protection enforcement. Its current enforcement powers are set out in the *Data Protection Act 1998* – see Parts V and VI and Schedule 9 (Powers of entry and inspection).

The Information Commission's Office has produced guidance for political parties and MPs (who are data controllers in their own right) on political campaigning. It states that:

> The *Data Protection Act* requires that processing of personal information must be fair. Fairness generally requires an organisation to be transparent and tell individuals how it intends to use their personal data including who the information will be shared with. This is commonly provided by a privacy notice given to individuals at the time their data is collected.
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> Privacy notices should be written in clear straightforward language that individuals will understand.

Even before the current controversy relating to Cambridge Analytica, the Information Commissioner was investigating the use of data analytics for political purposes. Details of the investigation are available from its website.

The Electoral Commission is currently also investigating digital campaigning – the use of data held by parties, campaigners and social media companies for targeting, how political ads are used on social media, and the use of bots – in the light of the Commission's experience in general elections and the EU referendum.[1] The Electoral Commission's investigation has a particular focus on campaign finance.

The Electoral Reform Society (ERS) is critical. It points out, "the main legislation regulating political parties' campaigning activity and finance dates back to 2000 – before Facebook (2004) or Twitter (2006) existed, let alone had any role in political campaigns."[2]

The ERS also points out that the Electoral Commission has just announced investigations into the main political parties in relation to financial reporting during the 2017 General Election. It says that "if the main political parties can't even get the basic accounting bit right, how on earth can the Electoral Commission keep track of all this additional more opaque activity?" [3]

2. What is regulated during elections and referendums?

2.1 Finance

The main regulation during an election or referendum is on finance.

Spending limits apply during the regulated period of an election or referendum. However, different regimes apply depending on whether you are a candidate, political party, third-party campaigner or a referendum participant.

Donations and loans can only be received from permissible sources. A permissible source is an individual registered on a UK electoral register, including overseas electors, or a UK-registered organisation (including other political parties, companies, trade unions,

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1 Rob Posner, *'Responding to the rise of digital campaigning'*, Electoral Commission blog post, 31 October 2017

2 ERS, What Cambridge Analytica tells us about our out-dated campaign laws, 22 March 2018

3 ERS, What Cambridge Analytica tells us about our out-dated campaign laws, 22 March 2018

unincorporated associations). The rules in Northern Ireland are slightly different – permissible sources also include Irish based voters and organisations.

Candidate spending

The regulation on individual candidates' spending is principally in the contained in the *Representation of the People 1983* (as amended) – the RPA 1983.

There is no public regulator for electoral conduct at the campaign level. If an individual candidate breaks the rules on election spending limits or commits an offence set out in the RPA 1983 these are matters for the police.

The Electoral Commission has no formal role in this. Every police force in the UK has an identified Single Point of Contact Officer (or SPOC) for electoral fraud and these will liaise with the Special Crime and Counter-Terrorism Division (SCCTD) of the Crown Prosecution Service. Allegations of electoral malpractice are dealt with by the SCCTD and not local CPS areas.

Party spending, donations and loans

Separate rules regulate national party spending during a regulated period of an elections. These are principally governed by the *Political Parties, Elections and Referendums Act 2000* (PPERA) as amended and are regulated by the Electoral Commission.

Centralised party campaigning was not covered by the 1983 election law or its predecessors. To fill this gap, PPERA was passed in 2000 and introduced regulation of political parties and national campaigns. This was based on recommendations contained in a 1998 report on party funding by the Committee on Standards in Public Life.

The Commission also regulates donations and loans to regulated individuals (holders of elective office). PPERA 2000, as passed gave the Electoral Commission limited powers of investigation and sanctions and most PPERA breaches had to be referred for criminal prosecution. However, the Commission's powers were enhanced by the *Political Parties and Elections Act 2009* (PPE 2009).

The Commission summarised the 2009 changes as follows:

> As a result of PPE we are now able to:
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> - Require information (through a disclosure notice) from anyone where we suspect there has been a breach of the law;
> - Require witnesses to attend for interview;
> - Take action if we do not receive co-operation with these requirements;
> - In certain circumstances, enter premises (through an inspection warrant that must be obtained from a Justice of the Peace)
>
> We are also now able to impose a variety of flexible sanctions including:
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> - Fines ranging from £200 to £20,000
> - Compliance and restoration notices, by which we can require particular actions to be taken to achieve compliance or rectify non-compliance
> - Stop notices, by which we can require that a particular action or intended action be stopped

Some of the offences in PPERA (as amended) can still only be dealt with through criminal investigation and / or prosecution by the police. These generally relate to deliberate intent to mislead or get around the law. There are general pages on enforcement sanctions on the Commission's website, which includes a table of offences and sanctions that shows

which breaches must be dealt with by criminal prosecution, as well as a full list of the breaches that the Commission can investigate and sanction.

Some cases can be dealt with either by civil sanction or by prosecution. The criminal standard of proof ('beyond reasonable doubt') continues to apply to most PPERA offences, including those for which civil sanctions are now available. The Commission states that:

> Where we are satisfied beyond reasonable doubt that an offence or contravention has been committed, we will consider what further action to take. In most cases this will involve deciding whether to impose a sanction. If appropriate we may decide to refer the matter to the police or relevant prosecuting authority at this stage.

Third Party spending

Part II of the *Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014* amended the provisions of third party campaigning created by PPERA.

The regulation of third party spending applies when a non-party organisation campaigns for or against one or more candidates. Campaign activity must pass the 'purpose test'. That means if the activity will only be regulated if the activity can be reasonably regarded as intended to influence voters. The Electoral Commission guidance states that this means influencing voters to vote for or against:

- one or more political parties
- political parties or candidates that support or do not support particular policies or issues or
- categories of candidate, for example, candidates in a certain age group.

Referendum spending

Referendum campaign spending and donations received by registered campaigners are regulated under PPERA as amended by the *European Union Referendum Act 2015*. The regulated period for the 2016 referendum was 15 April 2016 – 23 June 2016.[4] Pre-polling report on donations was required to cover the period 1 February 2016 – 22 June 2016.

Referendum spending is expenditure on certain campaigning activities that are intended to, or are otherwise in connection with, promoting or bringing about a particular outcome in the referendum.

During the 2016 EU referendum any organisation or individual spending up to £10,000 did not have to register with the Electoral Commission. Anyone spending over £10,000 had to register with the Commission and comply with its donations and expenditure rules. Registered campaigners are also known as permitted participants.

The spending limit for registered campaigners (not including political parties or the two lead campaign groups) was £700,000. The Commission was statutorily responsible for the designation of the two lead campaign groups, Vote Leave Ltd and The In Campaign Ltd. The lead Campaign groups were each allowed a higher spending limit of £7,000,000

Spending limits for political parties were based on the proportion of the vote received by the party at the most recent general election, for the EU referendum this was the 2015 General Election. A political party campaigning in the referendum had to register with the Commission which outcome they were campaigning for.

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[4] *The European Union Referendum (Date of Referendum etc.) Regulations 2016*

Campaigner type	Vote share in the 2015 general election (if relevant)	Spending limit
Lead campaign organisation		£7.0m
Conservative Party*	36.9%	£7.0m
Labour Party**	29.0%	£5.5m
UKIP	12.6%	£4.0m
Liberal Democrat Party	7.9%	£3.0m
All other permitted participants		£0.7m

* The Conservative Party was unable to make use of the spending limit as it did not, as a party, register which outcome it favoured.

**The Labour Party figures were adjusted to take account of Co-op candidates.

Reported spending during for the 2016 referendum was as follows:

- Campaigners that registered to campaign for the UK to remain in the EU reported spending £19,309,588.
- Campaigners that registered to campaign for the UK to leave the EU reported spending £13,332,569.
- The two designated lead campaigners reported total spending of £13,510,049 - The In Campaign Ltd reported spending £6,767,584; and Vote Leave Ltd reported spending £6,742,466.
- Political parties that registered to campaign at the EU referendum reported spending of £9,030,300.
- 58 other registered campaigners reported spending of £10,101,809.[5]

2.2 Campaign material

There is little regulation of election or referendum campaign literature in the United Kingdom regardless the media chosen to share the material. The main area of difference is the requirement for imprints (see below). Candidates must also not make false statements about a candidate. Section 106 of the RPA 1983 prohibits the making or publishing a false statement of fact about the personal character or conduct of a candidate at an election. This restriction does not apply at a referendum as there are no candidates in a referendum.

[5] Electoral Commission, *Report on the regulation of campaigners at the referendum on the UK's membership of the European Union held on 23 June 2016*, March 2017.

Election or referendum material is published material that can reasonably be regarded as intended to influence voters to vote for or against a political party, or a category of candidates, or for a particular outcome in a referendum.

Campaigners, parties and individual candidates are responsible for the content of their own campaigns and how they target their resources.

Campaign material is subject to the general restrictions of criminal and civil law regardless of whether it is in digital or traditional print formats. It should observe the wider law on copyright, libel, contempt, and obscenity. Under the *Public Order Act 1986*, it is an offence to publish or distribute threatening, abusive or insulting material that is intended to stir up racial hatred or which is likely to stir up racial hatred. Campaigners must also respect planning law in relation to placing of posters and banners.

The Electoral Commission does not have a remit to fact check election and referendum claims. The Electoral Commission made this point during the Scottish independence referendum: "We do not think that any role in policing the truthfulness of referendum campaign arguments would be appropriate for the Commission. It would be very likely to draw the Commission into political debate, significantly affecting the perception of our independent role." There is some information on this in the briefing Referendum campaign literature.

2.3 Imprints

On printed material such as leaflets and posters, you must include the name and address of the printer and the promoter. It shows who is responsible for its production and helps to ensure that there is transparency about who is campaigning.

Digital material is not currently covered by the rules relating to imprints. The Electoral Commission recommends that as best practice, digital material is also marked with an imprint where practical.

The Commission has also recommended that the rules be changed so that online campaign material must include an imprint in the same way that paper-based campaign literature/advertising must, in electoral law, contain an imprint.

In its report on the regulation of campaigners at the 2016 referendum the Commission noted:

> The use of social media at the EU referendum as a campaigning tool was extensive. It therefore remains important that all campaign material should be required to include an imprint so that the campaigner's identity is clear to voters, regardless of whether it is paper-based or non-printed material.[6]

The Chief Executive of the Electoral Commission, Claire Bassett, recently gave evidence to the Public Administration and Constitutional Affairs Committee (PACAC). It was the Commission's annual oral evidence session before PACAC members and Sir John Holmes (Chair) and Bob Posner (Director of Political Finance and Regulation and Legal Counsel) were also in attendance. The transcript is available on the Committee's webpages.

She was asked by the committee about whether digital advertising should be submitted to the Electoral Commission in advance of publications. She stated that:

> Imprints would be a better solution, to be honest. That is something we first called for in 2003, for digital imprints. We saw it work in the Scottish independence referendum and that would be a really good starting place. It would mean not only

[6] Electoral Commission, *Report on the regulation of campaigners at the referendum on the UK's membership of the European Union held on 23 June 2016*, March 2017.

> could we have that information but, much more importantly, the voter would be able to see. Looking at a tweet and following that through, or looking at a Facebook post and seeing where that has come from. That is a greater way of achieving transparency.

The Electoral Commission is not responsible for policing the rules on imprints.

3. Current issues

3.1 Big data

Political campaigners have always relied on sources of information for targeting their resources, these may be from mailing lists and canvassing returns. In a modern era of digital campaigning this also includes targeting of social media campaigns based on user information.

This is a legitimate tool for a political party campaigning in elections or a referendum participant. The concern is that this is becoming less transparent.

Campaigners must ensure they have collected personal data in line with data protection legislation and any spending incurred during a regulation period is properly declared.

Claire Bassett told PACAC:

> I think the important thing is to be clear that there is nothing illegal about the use of bots, both chatbots and normal bots. They are used by legitimate campaigners already. They are used to amplify messages and they are used for responding and engaging with the people they are trying to engage with. They are part of the environment we are in now.

Sir John Holmes, also speaking at the PACAC evidence session, highlighted the issue:

> I think the first thing to say is that using data itself is not, of itself, a problem. People have always done it. Of course, there is a lot more data around and there are a lot more powerful tools to use it, but the use of data itself, the targeting, for example, is not a problem and we can capture that, up to a point at least, by the spending rules and what people are spending money on, whether it is hardware or software or particular databases that they have to buy or companies they employ. There are ways in which we can get at that. That is our approach to it, not to say this is a purely dark art that should be banned but to say this is something that is legal and legitimate but we want to know what is happening and we want to know what is happening through our normal spending rules. That is how we would approach it.

In October 2017, the Electoral Commission launched an investigation into the electoral aspects of big data. Writing in a blog piece, Bob Posner gave some details:

> Utilising our experience of regulating the Scottish Independence Referendum, the EU Referendum and the recent general elections, we are considering the use of digital campaigning alongside our electoral system. We are taking a wide definition of digital campaigning for these enquiries, including the use of data held by parties, campaigners and social media companies to target campaign messages, how political ads are used on social media, and the use of automated bots.
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> Should our enquiries provide us with evidence that the existing campaigning rules about political finance may have been broken then we will undertake our own investigations as set out in our Enforcement Policy. As is our normal practice if we believe other, criminal, offences may have been committed, then these will be referred to the police for investigation. Where we feel that a wider change to the law is required, or action needed by others, then we will report to the UK Government and to Parliament as we are required to do. We will also make direct recommendations to Scottish and Welsh government and respective legislatures, where they have remit to consider changes to the law.

> We will not be looking at the content of political campaign messages or advertisements, including mis-information; despite some misconception, this is not within the remit of the Electoral Commission. That does not mean that government and parliament may not wish to consider such matters.[7]

In May 2017, the Information Commissioner announced a announced a formal investigation into the use of data analytics for political purposes. She published an update on the investigation in December 2017:

> The overall goal of this investigation is to provide insight into how personal information is used in political campaigns. The Data Protection Act 1998 requires organisations to process personal data fairly and transparently and I doubt very much that the public understands what goes on behind the scenes in a political campaign let alone the potential impact on their privacy.
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> I've promised to provide an update on this investigation.
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> It will come as no surprise to hear that this has proven a complicated undertaking. But it's not one that we shy away from.
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> It's a complex and far-reaching investigation, involving over 30 organisations including political parties and campaigns, data companies and social media platforms. Among those organisations is AggregateIQ, a Canadian-based company, used by a number of the campaigns
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> ...
>
> Our investigation will describe for the public, civil society, academics, decision makers and political campaigners the realities of the data driven political campaign. Are the rules for the use of personal data in political campaigns clear? What data sources are used for profiling the electorate for micro targeting? Are there no-go areas in the context of data analytics and social media in elections?
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> We hope our work will be an important component in a wider ethical discussion about the appropriate balance between the use of new technologies to mobilise the electorate and individual rights.

The ICO has also issued a number of short statements on the Cambridge Analytica case.

3.2 Spending – reporting

One of the issues arising from this is whether spending that is aimed at campaigning should be regulated all year or only at election time, in particular relating to the investment on digital tools.

The Electoral Commission was recently asked about this when it gave evidence to PACAC:

> ***Bob Posner:*** Yes. If you go back to when the regime came in in 2000, and the debate before that in the late 1990s, I think the Neill Committee, there was a debate at the time among politicians about whether you regulate year round, all the time, or whether you just link into the days before elections.
>
> As Claire says, the regime is the regime. The decision back then was you have a lead-up period and you do not try to regulate all year round. I think it is a valid debate to consider the way campaigning works these days, or in recent years, where it seems to be fairly constant, or whether potentially there would be benefit in extending it beyond the fairly short regulated periods. It is a matter for Parliament.
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> ***Claire Bassett:*** Overlaying all of those issues, the introduction of digital campaigning has really shifted the dynamic of what things cost and when you invest in buying. With databases and purchasing of those, all of that feeds into that.

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[7] Rob Posner, *'Responding to the rise of digital campaigning'*, Electoral Commission blog post, 31 October 2017

Another difficulty highlighted in when does highly targeted online campaigning by nationals parties start to become local campaigning (that would come under a local candidate's spending return). Again the Commission was asked about this by PACAC:

> **Chair [Bernard Jenkin]:** Before we move onto enforcement tools, how clearly do you think political parties now understand how they should divide national spending from local spending?
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> ***Bob Posner:*** The law has not changed. It is true that over time certain practices emerged that perhaps are not ideal. Again, candidate spending limits are really quite tight and party spending limits seem to have headroom in them so one can understand how that has happened. Following the 2015 general election, and in the lead-up particularly to the 2017 general election, we issued clarification around some of those practices as to whether we consider that to be party spending or candidate spending. I know that political parties found that very helpful during the 2017 general election and were, by and large, able to comply with that.
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> There is greater clarity now, to answer the question, than there was. We are also working on codes of practice for candidate and party spending, which we will set out in further detail, again, to help political parties and campaigners. They will need to be submitted to the Government and laid before Parliament for them to get an opportunity to see if they are satisfied with those.

Another issue raised by PACAC was the detail required in spending returns to aid transparency:

> **Dame Cheryl Gillan:** Do you have a specific category for recording the spending on digital campaigning now in both referendums and elections?
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> ***Sir John Holmes:*** One of the issues is whether the breakdown of expenses is sufficiently detailed. From what we demanded from the parties, and one of the recommendations we are making, is that it should be much more broken down, particularly in this area, so that we can see exactly what is being done.
>
> Having said that, we can still operate to find out what we can through the spending rules, for the fact that parties have to tell us what they are spending. If you go back to Claire's point about databases or software you may have bought, if they are being used in an electoral campaign, that is reportable during the election campaign. Other spending is also reportable. There are ways of getting at that. We can ask the parties, if we wish to, what they have been doing beyond just the actual spending line, we can go behind that, and we are beginning to do that.
>
> There are ways we can track it. We cannot police the whole of the internet, we understand that, but there are ways we could track it. We have some recommendations which would make it easier to track, for example, imprints on online material, as there are on written material at the moment, and we have been making that recommendation for some time. We hope that will be taken forward. Another recommendation would be that staffing costs for parties should be included in the expense returns. They are not at the moment, because that is where a lot of the expense may be incurred, in terms of software, social media activity, and that is not currently covered.

This issue was highlighted in the Commission's report on campaign regulation after the 2016 referendum:

> We are aware of the desire for more meaningful transparency about what campaigners spend on social media, both by way of direct campaigning and by undertaking research via social media, but this must be balanced with proportionate and workable regulation. However, it is important going forward that social media spending is clearly identifiable and we are actively considering with others the implications of using these platforms for campaigning; including how the regulatory framework should adapt to this in the interests of voters.

3.3 Russian meddling

In recent months, the issue of Russian meddling in elections and referendums has been repeatedly raised.

Against a background of increasing concern about Russian propaganda activities, in September 2017 the House of Commons Culture Media and Sport committee launched an inquiry into fake news. It is currently taking oral and written evidence.

Parliament's Intelligence and Security Committee scrutinises the intelligence services and other intelligence activity.[8] The Committee was constituted for the new Parliament recently and met for the first time on 23 November, indicating that Russian activities against the UK would be one of its investigations this year.[9]

The Government answered a question in the House of Lords on 4 December (PQ HL3305) stating that so far no evidence has emerged of interference in election in the UK:

> Asked by Baroness Armstrong of Hill Top, on 16 November 2017
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> To ask Her Majesty's Government what assessment they have made of reports of interference by Russian sources with the referendum in the UK on 23 June 2016.
>
> Answered by: Lord Young of Cookham on 04 December 2017
>
> As the Prime Minister made clear in her Mansion House speech, Russia makes aggressive use of cyber capability to mount sustained campaigns of espionage and disruption.
>
> To date, we have not seen evidence of successful interference in UK elections or referendums. We take any allegations of interference in UK democratic processes by a foreign government extremely seriously.

The Election's remit on foreign based activity is limited. Claire Bassett told PACAC that:

> I think that if you have significant overseas activity, as I said earlier, there is a remit issue that we are UK-based with powers that only apply in the UK, so we cannot do anything about something that is based in Russia and only happens from Russia. Again, that is where transparency I think would help, but we have to be clear that there is little we can do about that. We can engage with the security services, which is what we do if we think there is an issue but, more broadly, in terms of should bots be outlawed, that is a bigger question for internet regulation.

4. Other recent Parliamentary activity

Urgent Question, 19 March 2018

On 19 March Damian Collins, Chair of the Digital, Culture and Media Sport Committee tabled an Urgent Question on the alleged breach of Facebook data by Cambridge Analytica and the ICO's powers to act. The Secretary of State replied:

> (…) The Information Commissioner, as the data regulator, is already investigating as part of a broader investigation into the use of personal data during political campaigns. The investigation is considering how political parties and campaigns, data analytics companies and social media platforms in the UK have used people's personal information to micro-target voters. As part of the investigation, the commissioner is looking at whether Facebook data was acquired and used illegally. She has already issued 12 information notices to a range of organisations, using powers under the Data Protection Act 1998. It is imperative that when an organisation receives an information notice, it must comply in full. We expect all organisations involved to co-

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8 Commons Briefing Paper *The Intelligence and Security Committee*

9 Intelligence and Security Committee press release, 23 November 2017

operate with this investigation in whatever way the Information Commissioner sees fit. I am sure that the House will understand that there is only so far I can go in discussing specific details of specific cases.

The appropriate use of data is important for good campaigning. Canvassing someone's voting intention is as old as democracy itself. Indeed, we do it in the House every day. But it is important that the public are comfortable with how information is gathered, used and shared in modern political campaigns, and it is important that the Information Commissioner has the enforcement powers she needs. The Data Protection Bill, currently in Committee, will strengthen legislation around data protection and give her tougher powers to ensure that organisations comply. The Bill gives her the powers to levy significant fines for malpractice, of up to 4% of global turnover, on organisations that block the investigations by the Information Commissioner's Office. It will enhance control, transparency and security of data for people and businesses across the country.

Because of the lessons learned in this investigation and the difficulties the Information Commissioner has had in getting appropriate engagement from the organisations involved, she has recently requested yet stronger enforcement powers. The power of compulsory audit is already in the Bill, and she has proposed additional criminal sanctions. She has also made the case that it has become clear that, in order to deal with complex investigations such as these, the power to compel testimony from individuals is now needed. We are considering those new proposals, and I have no doubt that the House will consider that as the Bill passes through the House.

Data, properly used, has massive value, and social media are a good thing, so we must not leap to the wrong conclusions and shut down all access. We need rules to ensure transparency, clarity and fairness, and that is what the Data Protection Bill will provide…

Public Bill Committee debate on the Data Protection Bill [HL] 2017-19

On 20 March 2018, Liam Byrne raised Cambridge Analytica during debate on the Data Protection Bill:

(…) we would benefit from some clarification from the Minister. The story that broke this morning was that the Information Commissioner had, in effect, to go to court to get her warrant to investigate what Cambridge Analytica was up to. There was some speculation as to why Facebook was able to exercise some contractual rights and turn up at the offices of Cambridge Analytica to conduct an inspection. The reports are that, as the situation played out, the Information Commissioner had to tell Facebook legal officers to stand down and to stop what they were doing. As it happened, Facebook wisely decided to follow the Information Commissioner's orders.

A matter of great concern is that the Information Commissioner has to go through what sounds like a laborious process to get the warrant needed to conduct an investigation that is obviously in the public interest. When we secure, for example, emergency injunctions to stop the publication of material that people do not want published, or when magistrates issue search warrants, most of us with experience of this at a local level would observe that such warrants are often issued in a much faster and less high-profile way than the process the Information Commissioner appears to have to go through.

In effect, Cambridge Analytica has had 48 hours' notice of the Information Commissioner's concerns…We know that warrants have to be sought and judicial oversight is important, but the process appears slightly cumbersome. I wonder whether the Minister can tell us whether she is satisfied that the process and the powers that we will equip the Information Commissioner with are as smooth and slick as the new enforcement environment requires. [columns 222-4].

For the Government, Margot James replied:

I remind the right hon. Gentleman that, in this case, the Information Commissioner is acting under the existing powers in the Data Protection Act 1998, but she is pursuing

> warrants where she has to get them to continue her investigation. She has issued 12 information notices—I might have said this earlier—pertaining to Cambridge Analytica, and she plans to issue another six this week. One of those notices has been challenged, but she is now issuing a demand for access and she is getting where she needs to get. She was very surprised to read that Facebook had decided to plough into the offices of Cambridge Analytica when it was itself under investigation. She must have thought that an extraordinary course of action, but as soon as she intervened, Facebook desisted and removed itself from the offices of Cambridge Analytica to enable her to undertake her inquiries.
>
> That is of course all happening under the existing legislation. The Bill will provide new powers, including the ability to serve assessment notices, backed up by warrants if they are not complied with. [column 223].

There is a Library Briefing Paper (CBP 8214, 1 March 2018) on the Data Protection Bill.