

Scottish Parliament Political Parties Panel minutes: 23 October 2018 | Electoral

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Scottish Parliament Political Parties

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update Dates for 2019 meetings AOCB Actions First published: 12 June 2019 Last

updated: 12 June 2019 Meeting overview Date: 23 October 2018 Time: 11am Who was at

the meeting Who was at the meeting Scottish Liberal Democrats: Paul Moat (Chair)

Scottish Conservative and Unionist Party: James Tweedie Scottish Green Party: John

Hardy Scottish National Party: Scott Martin Scottish Government: Maria McCann James

Newman Liz Ure Scottish Boundary Commissions: Colin Wilson Electoral Management Board

for Scotland: Chris Highcock Scottish Assessors Association Kate Crawford Office of

the Secretary of State for Scotland, UK Government: Alastair Noble The Electoral

Commission: Alasdair Morgan, Electoral Commissioner Andy O'Neill, Head of Electoral

Commission, Scotland Martin McKeown, Senior Adviser Elections & s Roisin McDaid,

Senior Officer – Political Parties Liaison Lindsey Hamilton, Business Support Officer

(Minutes) Apologies: Dame Susan Bruce, Electoral Commissioner, Scotland Pete Wildman,

Scottish Assessors Association (Chair of Electoral Registration Committee) Julie

Pirone, Royal Mail Isabel Drummond-Murray, Scottish Boundary Commissions Matt

Edmonds, Scottish Conservative and Unionist Party Lorna Finlayson, Scottish Labour

Party Welcome and introductions Paul Moat (PM) welcomed everyone to the meeting and

introductions were made. Andy O'Neill (AON) gave apologies from those unable to

attend. Minutes of 15 June 2018 The minutes from the previous meeting were approved

and action points from those picked up as follows: Chris Highcock (CH) apologised for

not raising with Returning Officers the parties' desire to be informed of polling

place reviews at the HQ level but would rectify this as soon as possible. Maria

McCann (MMc) had promised Inclusion Scotland a flexible approach in regard to timing

of engagement with prospective candidates and encouraged candidates to get in touch

with Inclusion Scotland at an early stage. (AON) said that the Electoral Commission

had promised to help raise the profile of the Access to elected office fund and the

access charter and had discussed it at the last meeting of the Scottish Advisory

Group. The Commission would continue to highlight the initiatives in the future.

Scottish Government update (MMcC) apologised for the late circulation of the report

on ballot paper ordering for local government elections. The consultation analysis of

their earlier consultation on electoral reform and the Scottish Government response

had now been published. She said there were likely to be two Bills arising from the

consultation; Electoral Reform and Franchise and would include some technical

matters, such as transferring oversight of some of the Electoral Commission

responsibilities to the Scottish Parliament. A further update would be provided at

the next meeting. (MMcC) said the Franchise Bill would likely include provisions to

extend the franchise for Scottish Parliament and Local Government elections to

everyone resident in Scotland and would be brought forward following a separate

consultation on prisoner voting. This is in line with the recommendation made in the

Scottish Parliament's Equalities and Human Rights Committee's report on prisoner

voting to consult widely on any proposed change. She encouraged everyone to respond

to the consultation once published. Liz Ure (LU) introduced the paper circulated

prior to the meeting on candidate ordering for local government election ballot

papers. Following responses to the consultation on electoral reform, undertaken

between December 2017 and March 2018, Scottish Government proposed exploring a move

to a system of randomisation for local government election ballot papers. The current proposal would be to have a single fixed version of the ballot paper for each ward, with the order of candidates being determined by the drawing of lots to avoid alphabetical bias. She said they were keen to hear all views, particularly from the parties most directly affected and it was proposed to test the suggested changes prior to introduction. There was a discussion on the merits of this (and other) options as well as the drawbacks and how each might impact on parties, voters and administrators. (MMcC) thanked the members for their input. (AON) said the Electoral Commission expected to be instructed to undertake a consultation exercise to look at the impact of any change on voters. Scotland Office update Annual Canvass Reform - Alastair Noble (AN) spoke about the Consultation jointly published by the UK, Scottish and Welsh Governments which proposed measures to reform the annual canvass and closed 30 November 2018. The UK Government was taking forward some statutory instruments which will affect legislation on elections. One of these will exempt disability-related expenses for candidates from electoral spending limits. The statutory instrument (SI), as drafted, will cover candidates standing for general Parliamentary elections across the UK; including by-elections. It was envisaged that the SI will be in force for local government elections in May 2019, similar provision was already in place for Scottish Parliament and Scottish local Government elections. Another SI to be laid would make regulations to amend legislation relating to European Parliament elections to amend the legislation in the light of the UK's exit from the European Union. These have now been cleared by the Sifting Committees in the UK Parliament which concluded that it was appropriate for the instrument to be subject to the negative procedure, i.e. without the need to be debated. Boundary Review – (AN) said they received (in September) the final report of the Boundary Commission for Scotland as part of the review of UK Parliament constituencies. The other Commissions had also submitted their recommendations to the UK Government and the reports were laid before Parliament and made publicly available on 10 September. Following this, under the Parliamentary Constituencies Act 1986, the Government was required to bring forward draft Orders in Council to give effect to the recommendations contained in the reports. The Orders were currently being drafted. The Orders must be approved by both Houses of Parliament for the recommendations to be adopted. If the Orders were accepted by both Houses, the recommendations would take effect at the next UK Parliamentary General Election. Scottish Boundary Commissions update Colin Wilson (CW) thanked (AN) for covering the update on the 2018 Review of UK Parliament constituencies and said he would address the Local Government Boundary Commission for Scotland. Scottish Ministers had agreed to adopt the Commission's recommendations to amend the boundary between Glasgow City council area and North Lanarkshire council area at Cardowan. An Order would now be drafted for the Scottish Parliament to implement the boundary changes. Following the commencement of The Islands Act the Commission had begun work on the Islands review to allow the use of 1, 2, 3 or 4 member wards. He reported that the Commission had met with the CNES, Orkney and Shetland Islands councils for initial discussions but the review would officially start later this year. The Commission expected to begin the Island review of Argyll and Bute, Highland and North Ayrshire council areas in 2019. The Commission would also consider the need for interim reviews in advance of 2011 local government elections. He said the Commissions websites were currently being updated to make information easier to find. In response to (SM)'s question about areas where reviews were not accepted, (CW) said the first step would be to look at which wards were out of step as there was a rolling timetable in place to consider those. EMB update on

electoral registration and electoral administration matters Chris Highcock (CH) confirmed that the new Convener of the Electoral Management Board (EMB) was now in post, appointed 1 July 2018 and progressing work to support EROs and ROs around consistency of approach and best practice in support of the voter. There were some general concerns to address due to the recent high level of turnover in Returning Officers and their deputies which has eroded the experience and capacity of electoral administrations. The priority is to address this, ensuring that there are the skills and resources available to deliver an electoral event. Although the next scheduled election is not due until 2021, ROs needed to plan for that specific while maintaining preparedness for any unscheduled event election which may be called prior to this date, including by-elections. (CH) reminded everyone that the period of the 5 yearly review of polling arrangements commenced on 1 October and local authorities would be consulting formally with electors and other stakeholders. The reviews would need to be completed within the next 18 months but most authorities are undertaking them within the coming six months. In response to (PM)'s question about the calling of a 'snap' election, (CH) said elections teams were always ready to deliver an electoral event but conceded that a UK Parliament 'snap' election which had to be run on the new boundaries would be challenging as a degree of effort would be required to address inconsistencies in boundaries and polling arrangements. Electoral Commission update Consultation on Code of Conduct for Electoral Observers – Martin McKeown (MMcK) said research indicated the scheme had largely worked well over the last ten years but a number of changes had been identified which would improve it. The consultation paper asked specific questions in relation to our proposals and closed on 31 October; feedback on the operation of the scheme would be welcomed. Police Scotland Training Event – (MMcK) said there had been a high turnover in officers filling the role of SPOC for electoral events across the divisions of Police Scotland and it had been decided to hold a training event on 29 October hosted by the Commission with Police Scotland and the Electoral Management Board. This would be an opportunity to bring people together, set the background to elections and to focus on integrity and malpractice issues. (CH) said the list of SPOCs was available on the EMB website and said he would circulate a link. Protecting the debate: Intimidation, Influence and Information of candidates – (MMcK) said the Electoral Commission published its' response to the consultation on 15/10 in which we support creating electoral sanctions for intimidating candidates and campaigners; simplifying the law on undue influence and making imprints on digital campaign material a legal requirement. Review of party descriptions – Roisin McDaid (RMcD) said the Electoral Commission had begun a review of party descriptions, starting with the Northern Ireland register, to ensure that the identity of the party was clear from its registered descriptions. This followed from the Commission's earlier clarification of the definition of party description. Upon completion of the NI register review, a review would commence on the GB register. She said a letter would go out shortly to each of the parties informing them and giving some more information on the review. Parties were encouraged to speak to the Commission if they had any questions or concerns about the process. Any parties affected by the review would have an opportunity to make representation to the Commission. Consultation on Codes of Practice on Election Spending – (RMcD) said the Commission had issued two draft codes; one for candidate spending and the other for political party spending at a UKPGE, setting out what is and isn't included in the categories of spending for elections that are listed in the legislation and give guidance on the cases and circumstances when spending will be regarded as for the purposes of a candidate's

election. The aims in preparing the codes were to provide guidance for candidates about what items of spending counted towards the spending limits and were to be reported and to provide clarity to political parties and candidates about when spending should be in a candidate return and when it should be in a political party return. The draft codes would apply primarily to UK Parliamentary elections (unless there was a combined regulated period). She encouraged parties to respond to the consultation which closed on 4 December 2018. It was noted that the Commission was in discussion with Scottish Government on how similar codes might be developed for Scottish Parliamentary and Scottish Local Government elections. (MMcC) noted that Scottish Government was considering how codes for these elections could be developed. Modernising guidance project – (AON) said the Electoral Commission was working closely with the contractor (Numiko) who is building the new website and had produced a proof of concept using the nominations guidance. Work was now starting on the RO guidance and guidance on spending and donations. The aim was to put draft guidance in the new format out for comment next year, after the May 2019 polls so it could be tested with users. Dates for 2019 meetings As dates could not be agreed at the meeting, (AON) said he would circulate further options to members. AOCB As there was no other competent business, the meeting was adjourned. Actions Action items Owner(s) Deadline Indicate to Returning Officers the desire of parties to have polling place reviews shared. Chris Highcock As soon as possible Further update at next meeting on transfer of oversight of the Electoral Commission to the Scottish Parliament Maria McCann At next meeting Circulate link to SPOC list on EMB website Chris Highcock 24 October 2018 Circulate suggested dates for 2019 meetings Andy O'Neill 30 November 2018