Scottish Parliament Election
6 May 2021

Background and the Role of the Returning Officers and the EMB

Electoral Integrity Briefing

Friday 12 February 2021

Outline

- Key Principles in Elections
- Roles and Responsibilities
- A Covid Election
- Key Facts
- Key Dates
- Campaign
- Postal Votes
- Polling
- Count
- Integrity

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Key Principles in Elections

- Two key principles held in tension

- Promote participation…but not at the expense of security/integrity
- Ultimate objective is a result that will be trusted as accurate
- Background is always <u>secrecy of the vote</u> – so an individual can vote without threats, intimidation etc.

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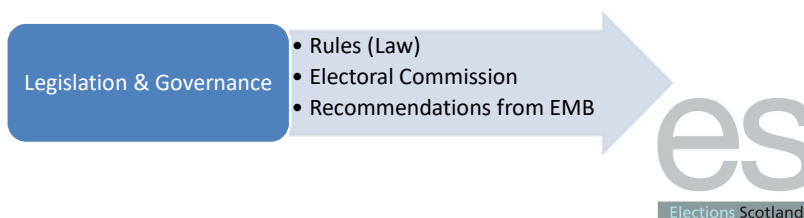
A Safe Election?

- **Secrecy of the ballot**
- **Every paper accounted for**
- **Voting free from influence / treating etc**

- **Safety = free from the virus and minimising any risk of infection!**
- **Major public events**
- **Large gatherings**

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An Election: 2 "Who"s and 2 "How"s

Who can vote?	Who do they vote for?	How do they vote?	How did they vote?
• Registered Electors	• Nominated candidates	• Polling Places • Postal • Proxy	• Counting the votes

Legislation & Governance
- Rules (Law)
- Electoral Commission
- Recommendations from EMB

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- Integrity challenges at each stage
  - False registration?
  - Personation?
  - False nominations?
  - Undue influence at polling?
  - Postal voting fraud?
  - Counting irregularities?

Accessibility
- Everyone entitled to vote should be able to vote….
- BUT

Integrity
- ONLY those entitled to vote
- only ONCE
- without pressure or threat
- only THEIR votes counted
- and each vote counts equally

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- Also now infection control at each
  - Physical distancing
  - Enhanced hygiene
  - Growth in postal votes
  - Controlled polling
  - Count events

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Roles and Responsibilities

- Returning Officers
  - Constituency and Regional
- Electoral Registration Officers (EROs)
- Electoral Management Board for Scotland (EMB)
  - Coordination and Best Practice
  - Directions
  - www.emb.scot
- The Electoral Commission
  - Guidance, Regulation, Reporting
- Police Scotland
- Candidates, Agents, Campaigners
- Media

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A Covid Election

- Overall Reliance on **Physical Distancing and Hand Hygiene**
- Likely increase in postal votes
  - Integrity issues
- Controlled Polling
  - Ceiling on voters per station
  - Range of measures: distancing, one way, ventilation, signage, pencils, screens, hygiene etc
- Count
  - Friday & Saturday NOT overnight and will take longer.
  - Security of boxes overnight
  - Controlled access

Find out how we're making it safe to vote at your polling station

edinburgh.gov.uk/elections

Coronavirus Factors

- 8 by-elections in October and November
  - Valuable lessons
  - 11 more in March
- Supplementary Guidance for nominations, polling and count
  - Electoral Commission Guidance
- Risk Management high priority

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Scottish Parliament Election 2021 – Key Facts

- Legislation – new legislation (Coronavirus)
- 73 constituencies – 1 MSP each
- 8 Regions – 7 MSPs each
  - Two ballot papers for each voter (Lilac and Peach)
- 32 Constituency Returning Officers / 8 Regional Returning Officers - Chief Executives of the local Council
  - Responsible for nominations (who to vote for), polling, postal votes (how to vote), counting the votes (who did they vote for)
  - National coordination from EMB
- 15 EROs who are responsible for the Electoral Register (the "Who can Vote")
- Includes 16/17 year olds and all legal residents (new franchise)
- 31 different count locations
  - Aberdeen and Aberdeenshire share P&J Live

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Key Dates for 6 May

Event	Date
Publication of Notice of Election	15 March
Poll cards issues	16-17 March
Nomination period	16 March – 31 March
Notice of Poll	31 March
First Issue of postal votes	14 – 16 April
Polling Day	6 May
Verification and Count	7 and 8 May…..

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The Campaign

- Spending Limits
  - Level playing field
- Campaign Material
  - Imprints
- Posters on lamp posts
  - Check rules with Local RO
- Entitled to copies of the register of electors for electoral purposes (only)
- Freepost delivery of election material (refer to Royal Mail)
- Use of rooms for the purpose of public meetings
- Do's and Don'ts
  - Encourage & Help (only!)
  - **Code of Conduct for handling postals**

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Polling

- 7am – 10pm
- List of polling places (buildings) from RO
  - **Changes due to use as vaccination centres or testing**
- Each *station* will have 2 boxes - **Constituency** and **Region**
- Secrecy of the ballot is a fundamental principle of our democracy!
  - Background to "no selfies"
- Behaviour of "tellers" - **DISCOURAGED UNDER COVID CONDITIONS**
- **Covid Direction – limiting numbers to reduce queues and congestion**
- **MASKS, VENTILATION, ONE WAY, HAND SANITISER etc**
- **Pencil**

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Postal Voting

- Very important element of the election
  - 15-20% of electoral roll; 25-50% of counted votes
  - **Likely to grow…..40% due to Covid**
- Confidence in the system depends on integrity of campaigners
- Must be seen to be fair, no question of interference
- Date of Birth and Signature
- Issued around 15 April
- Returned and kept secure until opening sessions
- Opening Sessions – open to observers
  - Requirement for secrecy and experience of 2014
- Some integrity issues - investigated

Counting……before Covid!

The Count - Process

- **Friday 6 May and Saturday 8 May**
  – Boxes need security overnight
- **Verification** – does the number of papers in the box match the number issued at polling stations?
  – Including unused and spoilt
  – Report made available to observers
- **Count –** how many for each candidate
  – Total for each, plus rejects should = verification figure
- **Constituency** and **Region** generally counted simultaneously
- Constituency declarations by CRO, Regional declarations by RRO

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The Count – Behaviour etc

- Behaviour in Count Hall
  – Requirement for secrecy
  – Instructions from RO to be obeyed
  – Escalation protocol with respect to Public Order
  – **Physical Distancing**
- Agents have an important role in scrutiny
  – Represent the elector in the hall
  – Verify that things are being done correctly…
  – **HOW DO WE DO THIS UNDER CORONAVIRUS?**

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Integrity concerns from Returning Officers

- From recent experience….
- Postal Voting
  - Process
  - Observers
- Polling
  - Process
  - Personation
- Transport of boxes to count
- Count itself

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Integrity Lessons from recent elections

- Objective remains: **trust in the process, the people and the result**
- Increased political engagement and increased scrutiny from the public and campaigns
  - Must do the right thing and be seen to do the right thing
- Ignorance Gaps gave opportunity for conspiracy theories
  - Work to educate and inform voters
  - Explain checks and balances
  - Your vote is secure.

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Integrity issues continued

- Personation – some confusion in approach
  - Protocol
  - Deliver count but preserve evidence
  - Material provided to Police only with Court Order
- Social Media conspiracies
- Threats to candidates
- Overall well run and no concerns with respect to integrity

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Impact of Coronavirus

Adding complexity to every stage of the process

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