

Scotland's Democratic Future:

Exploring electronic voting, the challenges & opportunities

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Aim of presentation

- Provide some context for today's discussion
 - Scotland's electoral process
 - Who does what
 - What we do
 - Changes in the devolutionary settlement
- EC thoughts on modernising elections
 - What occurred in the past
 - Some thoughts to consider for the future

Scotland's electoral process

Different electoral systems used in Scotland

- **Scottish Parliament:** 129 Members, Additional Member System (First Past the Post and closed party lists - modified d'hondt)
- **Local Government in Scotland:** 32 Councils, 1227 Councillors, 3 or 4 multi-member wards, Single Transferable Vote
- **House of Commons:** 650 Members, [59 from Scotland] First Past the Post
- **European Parliament:** 73 UK Members elected in June 2014, Proportional Representation (regional list, pure D'Hondt) except in Northern Ireland (3 Members, Single Transferable Vote)

Voter Registration

- Foundation of the electoral system
- c4.1 million entries currently on the electoral register in Scotland
- Commission research estimated across the UK that 13-15% not registered – research suggests this made up of 17-24 year olds, private renters and home movers
- Registration by Individual electoral registration since Sept 2014 in Scotland

Roles and responsibilities

- Administering elections is the responsibility of the 32 individual local government **Returning Officers**
- Electoral registration is undertaken by **Electoral Registration Officers**
- Legislation for elections is the responsibility of the **Scottish Parliament** (SP and Council) and **UK Parliament** (UKPGE and EPE)
- Overall co-ordination role belongs to the **EMB**
- Guidance, awareness and reporting is the role of the **EC**

The Electoral Commission

The Electoral Management Board (EMB) for Scotland

- Established 2009
- Statutory role from 2011
- The Board has “the general function of co-ordinating the administration of local elections in Scotland.”
- Aims for consistency, co-ordination, single point of contact, economies of scale.
- Voter at the centre

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Some other major players

- Police Scotland
- COPFS
- Royal Mail
- Boundary Commissions
- Parties, candidates and agents
- The media
- Various suppliers (printers, EMS suppliers)

- And most importantly the voter

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Electoral Commission role in elections

- Set and monitor performance standards for local election officials
- Provide detailed guidance for local election officials **and** candidates and agents
- Public awareness work to make sure people know how to cast their vote (election date, polling station opening hours, how to fill in ballot papers)
- Report on how every major election is conducted
- Administer observers scheme
- Keeping Electoral Law under review
- Recommend changes to governments and parliaments/assemblies

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EC Core Functions

- register political parties (c451 GB, c32 NI)
- register 3rd Parties (c52)
- make sure people understand and follow the rules on party and election finance
- publish details of where political parties get money from and how they spend it

Objectives

1. Transparency and integrity in party and election finance
2. Well-run elections, referendums and electoral registration
 - So that people trust the process and have confidence in the result
 - We put the voter first

Changing devolutionary settlement

- Scotland Acts 1998 & 2016 & LEA(S) Act 2011
- Elections 50:50 or 2/3rd and 1/3rd
- Registration is 50:50
 - Digital Portal reserved
 - Consistency in process to help voter is important

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So where are
we currently

- High levels of public confidence that elections well run
- Confidence in registration system high
- A desire to see online voting exists, higher in younger voters
- Important not to lose that confidence

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Some thoughts on modernising elections

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Why modernise elections

- Improves the electoral process in the interests of the voter
- Could increase accessibility and reduce rejected votes
- Does it increase turnout?
- Could create greater voter choice in the way they exercise their vote
- A desire for change

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What done in the past

- Pilots 2002 to 2007 in England
- Commission evaluated the pilots
- Pilots covered such things as:
 - All postal
 - Voting in places other than polling places
 - Advance voting
 - Electronic remote voting

E-voting pilots 2002-2007

- Tested a number of solutions, including:
 - remote Internet voting,
 - remote telephone voting,
 - kiosk voting and networked “vote anywhere” polling stations.

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Pilots in Scotland

- 4 undertaken, all-postals at by-elections
- Commission evaluated the pilots
- Less opportunity to pilot than in England

E-counting in Scotland

- Introduced in 2007 because of STV
- Used at 2007, 2012 and 2017 Council elections
- Lessons for future
 - Time to plan
 - Review transparency
 - Overall responsibility for management of project should lie with the EMB

Future pilots in Scotland?

- Lack of opportunity
- Develop an 'off the shelf pilot package'
- Need prior agreement of ROs
- Are there limitations in piloting at a single by-elections?
- Alternative opportunities to pilot (National Parks/Crofters Commission/School elections/Scottish Youth Parliament, others?)

E-voting in the future

- Lessons from the 2002-07 pilots to consider:
 - Whatever is rolled out must be secure, reliable and be fully tested
 - Can command the confidence of the voter
 - The necessary costs must be able to be met by the public purse

E-voting in the future

- Lessons from the 2002-07 pilots to consider:
 - Be transparent to ensure stakeholder acceptance of the technology
 - Allow ROs to make informed choices regarding procurement and use of technology
 - Needs to be accredited and certified to provide independent assurance

E-voting in the future

- Lessons from the 2002-07 pilots
 - Good project and risk management needs to be in place,

And

- Consider and take into account the broader context within which the debate on the use of internet voting is currently being conducted, including the potential for cyber attacks

Final thoughts

- Welcomes opportunity to contribute to debate
- Want to assist Scottish Government explore the new digital opportunities
- We recognise the shift to use of digital in society and an expectation for future use
- However, it's ultimately about the voter and we need to maintain their trust and confidence in the electoral system
- E-voting may have a part in increasing voter participation and providing choice in means of voting but it needs to be properly assessed before decisions taken on future use
- Central to any decision is that voters must have trust in the electoral system.

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