

Engender Parliamentary Briefing

Scottish Elections (Representation and Reform) Bill

Stage 1 Debate

24th June 2024

BACKGROUND

Engender supports the Scottish Elections (Representation and Reform) Bill's intentions to increase the participation of marginalised groups in Scotland's democratic processes. However, the Bill should be strengthened at Stage 2 to maximise its impact on the representation and participation of women (and others who experience barriers to participation) in elections.

We believe this Bill is a positive start, but Parliament should consider bolder action in the future to enable greater diversity in political representation.

For more detailed information on our views on the Bill, please see:

- Engender's response to the Scottish Government's Consultation on Electoral Reform;¹
- Engender's response to the Standards, Procedures and Public Appointments Committees Call for Views² and supplementary evidence.³

We ask MSPs to raise the following key issues:

- **Improve Candidate Safety:** Incorporate the recommendations of the Jo Cox Civility Commission into the Bill. In particular, the recommendation that any costs associated with candidate safety be exempt from election spending limits.
- **Collect diversity data:** Call for the Bill to include a duty on the Scottish Government to survey candidate diversity and experience at all future elections to both the Scottish Parliament and local councils.
- **Financial support:** Encourage Scottish Government to explore how an initiative like the Access to Elected Office Fund could be introduced in future to support other groups who may experience financial barriers to participation in politics,

¹ Engender (2023) Engender response to the Scottish Government Consultation on Electoral Reform. Available at: <https://www.engender.org.uk/content/publications/Engender-response-to-the-Scottish-Government-Consultation-on-Electoral-Reform-V2.pdf>.

² Engender (2024) Response to the Scottish Parliament Standards, Procedures and Public Appointments Committee Call for Views on the Scottish elections (Representation and Reform) Bill <https://www.engender.org.uk/content/publications/Engender---Scottish-Elections-Representation-and-Reform-Bill---Call-for-Views---March-2024.pdf>.

³ Engender (2024) Supplementary Evidence to the Scottish Parliament Standards, procedures and Public Appointments Committee on the Scottish Elections (Representation and Reform) Bill <https://www.engender.org.uk/content/publications/Engender-Supplementary-Evidence-on-Elections-Bill.pdf>.

including women – in particular women on low incomes, women who are carers and BME women.

- **Learning from Wales:** Consider incorporating provisions similar to Sections 27, 28 and 30 of the Elections and Elected Bodies (Wales) Bill, which aim to increase the accessibility and diversity of elections across Wales.

SPECIFIC CONSIDERATIONS

1. Making elections work for women

Despite women making up 51% of the population, men remain significantly overrepresented in public life. Our 2023 Sex and Power report reveals that only five of the 38 areas of public life examined demonstrate gender parity in leadership.⁴

Whilst 45% of MSPs are women – an increase of 10% between 2016 and 2021 – women comprise only 35% of local councillors. We also lack access to robust data on other protected characteristics of our elected representatives. However, what we do know indicates that underrepresentation is even greater for disabled women, BME women, women who are carers and women on low incomes.

These democratic deficits mean that, too often, the voices of those most impacted by decision-making processes are not heard. This results in policies and services that do not meet communities' needs and risk alienating communities.

Recent research from the Global Institute for Women's Leadership⁵ demonstrates that higher levels of women's representation are linked to "a stronger sense among voters that government is responsive to their needs" and policy outcomes which benefit the most vulnerable in society.

2. Candidate Safety

Women often reference experiences of toxic levels of abuse and harassment as a reason for leaving public life.⁶ Women in politics are at an increased risk of receiving sexist abuse - a risk which is heightened further for Black and minoritised politicians⁷- and are currently facing unprecedented threats to their personal safety. This creates a chilling effect on diversity, sending a signal that electoral politics is not safe for women, particularly for women of colour and other marginalised groups.

⁴ Engender (2023) Sex & Power in Scotland 2023. Available at:

<https://www.engender.org.uk/resources/SP2023finalNEW-1.pdf>.

⁵ Dr Minna Cowper-Coles (2021) Women political leaders: the impact of gender on democracy. For Global Institute for Women's Leadership and Westminster Foundation for Democracy. Available at: <https://www.kcl.ac.uk/giwl/research/women-political-leaders-the-impact-of-gender-on-democracy>.

⁶ Elect Her (2022) Walking Away: Why Women are leaving their positions as councillors. Available at: <https://www.engender.org.uk/content/publications/4.-walking-away.pdf>.

⁷ Hamer E, Southern R (2021) Women and minority MPs are particularly at risk of experiencing certain forms of abuse on Twitter. LSE Politics and Policy. Available at: <https://blogs.lse.ac.uk/politicsandpolicy/twitter-abusemps/>.

The Electoral Commission found at the 2022 local elections that women candidates were more likely to report experiencing threats, abuse or intimidation while campaigning,⁸ It is crucial that candidates are encouraged to prioritise their personal safety while campaigning, even if it requires additional expenses, and that they are not dissuaded from doing so to avoid incurring campaign expenses.

We recognise the Bill's intention to create new disqualification measures to prevent a person standing as a candidate if they have committed an offence involving intimidation of election staff or candidates. However, we believe that the impact will be limited due to the very specific group it targets. We believe bolder action is needed to address the threat that intimidation and abuse of politicians presents to our democracy.

We call on MSPs to consider whether the Bill could incorporate any of the recommendations of the Jo Cox Civility Commission.⁹ This includes a call for any costs associated with candidate safety to be an exemption to election spending limits.

3. Diversity Data

Access to robust, intersectional data on the protected characteristics of our elected representatives is vital in ensuring high-quality democracy. Currently, such data is limited in how it is gathered or published, making it challenging to assess progress and work to increase representation. This is despite Section 106 of the Equality Act 2010, which has never been enacted but would require political parties to collect and publish basic equality monitoring data.

In 2022, the Scottish Government carried out the Local Government Candidates Survey.¹⁰ While the response rate was low, the survey was a positive step which must be built upon for future elections to increase our understanding of this issue.

We urge MSPs to call for the Bill to include a duty on the Scottish Government to survey candidate diversity and experience at all future elections to both the Scottish Parliament and local councils.

4. Funding for Democratic Engagement

We welcome the inclusion of measures in the Bill to enable Scottish Ministers to provide funding for democratic engagement and participation initiatives.

When considering how to alleviate financial barriers to participation in politics, we encourage MSPs to look to the success of the Access to Elected Office Fund.¹¹

⁸ The Electoral Commission, Report on the May 2022 Scottish Council Elections. Available at: <https://www.electoralcommission.org.uk/research-reports-and-data/our-reports-and-data-past-elections-and-referendums/report-may-2022-scottish-council-elections>.

⁹ The Jo Cox Foundation. Jo Cox Civility Commission Recommendations. Available at <https://www.jocoxfoundation.org/our-work/respectful-politics/commission/recommendations/>.

¹⁰ Scottish Government (2022) Local Government Candidates Survey 2022. Available at: <https://www.gov.scot/publications/local-government-candidates-survey-2022/>.

¹¹ Inclusion Scotland: <https://inclusionScotland.org/disabled-people-become-a-leader/civic-participation/aeofund>.

Administered by Inclusion Scotland, the fund supports the participation of disabled candidates in elections.

We ask MSPs to recommend that the Scottish Government explore how a similar approach to the Access to Elected Office Fund could support other groups who may experience financial barriers to participation in politics including women – in particular those on low incomes, women who are carers and BME women.

5. Learning from Wales

The Elections and Elected Bodies (Wales) Bill¹² is currently at Stage 3 in the Senedd. It contains ambitious proposals for increasing engagement in elections in Wales.

We ask MSPs to consider whether similar measures in the Welsh Bill could be included in the Scottish Elections (Representation and Reform) Bill In particular:

- **Section 27 of the Welsh Bill** – This would create a duty on Welsh Ministers to put arrangements in place to improve diversity within Senedd and local government democratic structures. As reflected in the Bill following Stage 2 amendments, this may include the provision of information, advice, training, coaching and mentoring, work experience, and equipment.
- **Section 30 of the Welsh Bill**– This would place a duty on Welsh Ministers to issue guidance to political parties on promoting candidate diversity, including collecting and publishing diversity information on candidates to the Senedd and guidance on developing and implementing internal diversity strategies.

FOR FURTHER INFORMATION

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ABOUT US

Engender is Scotland's feminist policy and advocacy organisation, working to increase women's social, political and economic equality, enable women's rights, and make visible the impact of sexism on women and wider society. We work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.

¹² Senedd Cymru, Elections and Elected Bodies (Wales) Bill (2023) Available at:

<https://business.senedd.wales/documents/s150475/Elections%20and%20Elected%20Bodies%20Wales%20Bill%20-%20as%20amended%20at%20Stage%202.pdf>.