

Engender Supplementary Evidence to the Scottish Parliament Standards, Procedures and Public Appointments Committee on the Scottish Elections (Representation and Reform) Bill

5th June 2024

1. INTRODUCTION

We were grateful for the opportunity to provide written evidence on the Scottish Elections (Representation and Reform) Bill at Stage 1.¹ In addition to the points raised in our submission and in our response to the Scottish Government's March 2023 Consultation,² we wish to bring further information to the Committee's attention for consideration at Stage 1.

Asks for Stage 1 of the Bill:

- **Consider whether similar measures to those outlined in the Elections and Elected Bodies (Wales) Bill could be included in the Bill. In particular, Sections 27, 28 and 30 of the Welsh Bill outlined in Chapter 4, which aim to increase accessibility and diversity of elections across Wales.**
- **Incorporate recommendations of the Jo Cox Civility Commission into the Bill. In particular, the call for any costs associated with candidate safety to be an exemption to election spending limits.**
- **Ensure the Bill includes measures to extend freepost political mailing to candidates at local elections.**
- **Ensure the Bill includes a duty on the Scottish Government to survey candidate diversity and experience at all future elections to both the Scottish Parliament and local councils.**

Future work to be considered:

- **How a similar approach to the Senedd Cymru (Electoral Candidate Lists) Bill's introduction of a statutory gender quota at elections to the Senedd, along with wider reforms to the electoral system, could be adopted in Scotland in future.**

¹ 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>

² Engender (2023) Response to the Scottish government Consultation on electoral Reform <https://www.engender.org.uk/content/publications/Engender-response-to-the-Scottish-Government-Consultation-on-Electoral-Reform-V2.pdf>

- **Exploration of how similar approaches to the Access to Elected Office Fund, administered by Inclusion Scotland, could be replicated for other groups who experience barriers to participation in politics.**
- **As part of its scrutiny on this topic, the Committee confirms a timeframe with the Scottish Government for the introduction of secondary legislation to allow candidates more choice over how their personal information appears on ballot papers.**

2. LEARNING FROM WALES

Increasing Accessibility and Diversity in Elections

The Elections and Elected Bodies (Wales) Bill,³ currently at Stage 3 in the Senedd, contains ambitious proposals for increasing the overall quality of engagement in elections in Wales. **We ask the Committee to consider whether similar measures could be included in the Scottish Elections (Representation and Reform) Bill.**

In particular, we bring the Committee's attention to measures outlined in Chapter 4 of the Welsh Bill, which aims to increase the accessibility and diversity in elections to both the Welsh Senedd and at Welsh local elections. These include:

- **Section 27** – 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 28** – This would enable Welsh Ministers to provide financial assistance schemes for candidates with protected characteristics to overcome barriers to their participation in elections. This section would also place in statute a duty to provide a financial assistance scheme to disabled candidates (such as the Access to Elected Office Fund).
- **Section 30** – This section 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.

We believe that these proposals could make a positive impact on the ability of many women – particularly women who face multiple marginalisation in politics, including disabled women, Black and minority ethnic women and women on low incomes – to participate on a more equal basis. **We encourage consideration of whether similar measures could be included in this Bill.**

Gender Quotas

³ Senedd Cymru, Elections and Elected Bodies (Wales) Bill (2023)
<https://business.senedd.wales/documents/s150475/Elections%20and%20Elected%20Bodies%20Wales%20Bill%20-%20as%20amended%20at%20Stage%202.pdf>

We also wish to bring to the Committee’s attention work underway in Wales to introduce a statutory gender quota system at elections. The Senedd Cymru (Electoral Candidate Lists) Bill⁴ is currently at Stage 1 and, if passed, would introduce a statutory gender quota at elections to the Senedd, along with wider reforms to the electoral system. This move would be a landmark for women’s representation in the UK, guaranteeing women’s equal representation in the Senedd across elections.

At Engender, we have long advocated in favour of gender quotas,⁵ and evidence confirms that statutory quotas are the most effective way to ensure women’s equal representation.⁶ Given ambitions in Scotland to increase engagement in elections and raise the quality of our democracy, **we urge the Committee to consider how a similar approach could be adopted.**

3. OTHER CONSIDERATIONS

Candidate Safety

We reiterate our support for measures to give candidates acting as their own agents the opportunity to use a correspondence address. Similarly, we support measures allowing candidates the option to display their ward of residence alongside current options of home address or local authority area. We believe offering candidates more control over how and where their personal information is made public would positively impact candidate safety. We note that in its response to the Electoral Reform Consultation,⁷ the Scottish Government noted its intention to introduce secondary legislation to progress this measure. **We ask, as part of its scrutiny on this topic, that the Committee confirm a timeframe with the Scottish Government for this secondary legislation.**

We ask the Committee to consider whether the Bill could incorporate any of the recommendations of the Jo Cox Civility Commission. This includes a call for any costs associated with candidate safety to be an exemption to election spending limits.⁸ The Electoral Commission found at the 2022 local elections that women candidates were more likely to report experiencing threats, abuse or intimidation while campaigning,⁹

⁴ Senedd Cymru, Electoral Candidates List Bill (2024) Available at:

<https://business.senedd.wales/mgIssueHistoryHome.aspx?IId=42338>

⁵ Engender (2016), Equal Voice, Equal Power: The Case for Gender Quotas in Scotland. Available at:

<https://www.engender.org.uk/content/publications/Equal-Voice-Equal-Power---the-case-for-gender-quotas-in-Scotland.pdf>

⁶ Ridley-Castle, Thea; Electoral Reform Society (2024) Pursuing parity: Examining Gender Quotas Across

Electoral Systems. Available at: <https://www.electoral-reform.org.uk/latest-news-and-research/publications/pursuing-parity-examining-gender-quotas-across-electoral-systems/>

⁷ Scottish Government, Response to Electoral Reform Consultation (2023). Available at

<https://www.gov.scot/publications/scottish-government-response-results-electoral-reform-consultation-2022-23/>

⁸ The Jo Cox Foundation. Jo Cox Civility Commission Recommendations. Available at

<https://www.jocoxfoundation.org/our-work/respectful-politics/commission/recommendations/>

⁹ 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>

and we know that the risk of abuse is heightened for Black and minority ethnic politicians.¹⁰ 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.

Freepost Mailings & Financial Support

Election campaigning is very demanding of candidates' time, with long hours spent door-knocking and delivering materials. Women are 'time-poor' compared to men, often carrying out a disproportionate amount of domestic labour and caring responsibilities.¹¹ We were disappointed to see the omission of measures to extend freepost political mailings to local government candidates, which had been initially consulted upon by the Scottish Government. We believe that offering access to freepost during the campaign could alleviate some of the costs on time and finance that disproportionately affect women candidates. **We ask the Committee to consider whether the Bill could include measures to extend freepost political mailing to candidates at local elections.**

When considering how to alleviate financial barriers to participation, we encourage consideration of the success of the Access to Elected Office Fund.¹² Administered by Inclusion Scotland the fund supports participation of disabled candidates in elections. **We recommend future exploration of how a similar approach could support other groups who experience barriers to participation in politics.**

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 progression or regression and plan interventions to increase representation where deficits are. This is despite the existence of 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.¹³ While the response rate was low, the survey was positive step which must be built upon for future elections to increase our understanding of this issue. **We ask the Committee to consider whether the Bill could 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.**

¹⁰ 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-abuse-mps/>

¹¹ Scottish Government (2020) Time use in Scotland 2020: ONS Online Time Use Survey - gender analysis. Available at: <https://www.gov.scot/publications/time-use-scotland-2020-gender-analysis-ons-online-time-usesurvey/>

¹² Inclusion Scotland: <https://inclusionScotland.org/disabled-people-become-a-leader/civic-participation/aeofund>

¹³ Scottish Government (2022) Local Government Candidates Survey 2022. Available at: <https://www.gov.scot/publications/local-government-candidates-survey-2022/>

FOR FURTHER INFORMATION

Contact: Jessie Duncan, Development Officer (Equal Representation)

Email: jessie.duncan@engender.org.uk

ABOUT US

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