(1) Voter turnout and how this can be increased.
Perhaps the most striking statistic in relation to voter turnout is the extent to which it varies dramatically from election to election, even when those elections are conducted within the same broad framework. By “framework” I mean those aspects of electoral law which provide the mechanism for informing voters that a poll is to take place and the manner in which they may cast their votes – in person, by proxy, by post. I do not include voting systems (STV, additional member etc) since these do not appear to have any appreciable effect on turnout as opposed to the percentage of valid votes.

For the following polls over the past few years in Aberdeen, the framework was virtually identical in relation to time of year, register, public notices, poll cards, location of polling stations and postal voting arrangements, yet the turnout fluctuated dramatically.

European Parliament election 2009 28.15%
General Election 2010 (2 constituencies) 58.2 and 67.28%
Scottish Parliament election 2011 (3 constituencies) 47.8, 44.02 and 52.90%
(NE Regional List 48.88%)
AV Referendum 2011 (constituencies as for SP) 47.8, 45.6 and 52.90%
Local government election 2012 (13 wards) between 20.46 and 43.75%
Particularly instructive are the figures for local government wards where there were bye-elections in mid 2011
Dyce/Bucksburn/Danestone bye-election 29.51%; election May 2012 33.24%
Aiyhall/Broomhill/Garthdee bye-election 29.13%; election May 2012 40.32%
The circumstances of these bye-elections were very different. In the case of Dyce, it followed the death of a long standing and well respected councillor. The other bye-election was necessitated by the resignation of the sitting member following his plea of "guilty" to a charge of fraud.

The tentative conclusion to be drawn from this must be that there is something other than the technical aspects of the poll which either encourages or discourages electors.

Turning to non-statutory polls within the City, the Council, in March 2012, commissioned a local referendum in relation to controversial proposals for the future of Union Terrace
Gardens which attracted a turnout of 52% and in autumn 2012 contested elections for two Community Councils were held for the first time in around a decade. These elections attracted turnouts of 8.02% and 7.15% (significantly higher than the last Community Council election (elsewhere in the City) where the figure was around 1%).

In the Referendum and the Community Council elections, while the arrangements differed from statutory elections, the framework for each was similar in that all voters were given the opportunity to vote electronically from home using codes which were supplied to them in the equivalent of a poll card.

Feedback from voters in both polls indicated that this facility was greatly appreciated. In the case of the Community Council elections, it is probable that it also went some way to countering the perception that a winter polling day depresses turnout.

The difference in turnout would seem to be largely attributable to the extent to which voters were interested in the poll and the extent to which those seeking a particular outcome chose to campaign.

In the case of the referendum, registered campaigning organisations were entitled to submit a short statement which was issued to each voter with the voting pack in addition to conventional campaigning by registered and unregistered organisations. The referendum attracted a significant amount of media (local and national): the Community Council elections did not.

The Community Council elections were distinguished by a total lack of engagement and campaigning by the majority of candidates (even to the extent of one candidate objecting to the requirement to fill in what he described as an “application form” [Nomination Paper]). A significant number of potential voters contacted the Returning Officer to enquire as to the candidates’ manifestos.

This is consistent with the evidence from England in relation to the recent Police and crime Commissioners elections where the information about candidates’ policies was, to a large extent confined to a Government sponsored website coupled to a somewhat erratic automated telephone line for those who wished to receive hard copy.

Many Returning Officers have recounted cases of would-be electors contacting their offices for information which it was the responsibility of candidates to provide and indicating a disinclination to vote when this was not forthcoming. (The recent assessment of the PCC elections published by the Association of Electoral Administrators provides greater detail).

The Elections Manager of Shropshire Council, for example quoted one elector: “It is with sadness that I am writing to inform you and others that for the first time that I can remember since I became entitled to vote in 1954 I have taken the decision not to exercise my vote…… sadly I am signing off as a completely disillusioned member of the public.”
As indicated above, the provision of electronic methods of voting which do not entail a visit to a polling station would appear to increase turnout without compromising the integrity of the poll.

(2) Voter Registration and how this can be increased.
This is a matter within the expertise of the electoral registration Officer on which I am not qualified to comment.

(3) Proxy Voting including Postal voting.
Proxy voting and postal voting, while fulfilling the similar function of allowing an elector to vote in circumstance where he/she is unable to attend a polling station in person are, in practice, very different.

Postal voting is now available on demand without reason stated, whereas appointment of a proxy still must be justified on the grounds of disability or occupational requirements.

Furthermore, the casting of a postal vote is entirely within the control of the voter, whereas a proxy vote, by definition, involves another person thereby detracting from the secrecy of the ballot but, perhaps more importantly, deprives the voter of control of whether the vote will be cast and, if so, for whom.

In Aberdeen postal voting is far more popular with voters than proxy voting by around a factor of 10.

The great advantage of the proxy arrangement from a voter’s point of view is that the deadline for applications is currently later than for postal votes (poll minus 6 as opposed to poll minus 11). This is particularly important in an area such as Aberdeen where a significant number of voters work offshore and whose movements can be unpredictable. The move to extend emergency proxies to circumstances of employment will be of further assistance in this regard, albeit that there may be practical difficulties in making application where, for example, the voter is stormbound on an offshore rig.

It is difficult to assess whether proxy voting or postal voting is more secure.

Postal voting is subject to the risk of interception and fraudulent use. The personal identifiers of signature and date of birth are less than ideal. Advice from forensic document examiners is clear: it is impossible to say with any degree of certainty whether a signature is genuine or forged where there is only one comparison signature. Depending on the past history of electoral fraud in the area, Returning Officers will tend to err either on the side of giving the voter the benefit of the doubt or rejecting anything which is not a close facsimile of the version given to the ERO. Neither course will result in a totally accurate count of postal votes.
While in many cases the date of birth will provide an additional check, this will not be the case with young voters (a category who, on average, are less likely to vote and whose
voting packs may be more prone to abstraction in student residences etc) since dates of birth for attainers are published in the Register.

Proxy votes attract the same risks as any other vote in person where there is no requirement to produce proof of identity with the addition twist that details of the proxy can be obtained from the list of proxies.

(4) The terminology used in and around elections.
There are, perhaps, two aspects to this – terminology which primarily affects candidates and their agents and terminology which primarily affects voters.

In both cases, however, it is arguable that it is not so much archaic and impenetrable terminology which causes problems as a basic unfamiliarity with the process and a need for guidance through it.

In around 40 years as an electoral administrator, I’ve never had a prospective candidate ask “what is an assenter?” or “what is a polling agent?” I have, however, on numerous occasions had to explain how to go about getting the appropriate number of signatures on a nomination paper (in the days when more than the witnessed signature of the candidate was required for local government elections in Scotland) and the advantages to all concerned of appointing polling and counting agents.

As recounted above, this reached its apogee in a recent Community Council election where a prospective candidate queried the need for an “application form”. Questions not infrequently arise about the publication of addresses and there would seem to be, in certain quarters, a failure to grasp the rudimentary point of representative democracy, that those represented should be able to contact their representative.

Ultimately this can be addressed by pre-nomination briefing sessions for prospective candidates and the RO’s duty to prepare a nomination paper on request.

While there might appear to be some merit in conflating polling agents and counting agents as “candidate’s agents” since there is invariably some overlap of personnel, and it would simplify the administration of passes, there is the practical difficulty that the number of agents which can reasonably be admitted to the count will always be less than the number which could be appointed to ensure coverage of all polling stations.

The one piece of terminology which does sometimes cause problems is “tellers”, largely because this is not a species of political animal recognised in legislation and the term itself was not, to my knowledge, used in Scotland until the last decade. Since many “tellers” are, in fact polling agents (who rarely perform their traditional statutory function), there can be questions as to whether different rules apply. Some clarification of the term may be appropriate.

Similarly, in the case of voters, questions tend to relate to the philosophical basis of a particular voting system, the reasons for its adoption instead of some other system and “how do I cast my vote?”, rather than to difficulties of terminology. This is particularly the
case with postal voters where there is no Presiding Officer on hand to provide advice. Questions from postal voters tend towards the mundane: “please explain what goes in each envelope”, “will my vote count if I seal the envelope with sellotape?”

(5) Reasons why people do not vote. As discussed in (1) supra, there does not seem to be any clear pattern as to why individuals will choose to vote or not. Much would appear to depend on voter’s perceptions of the relevance of the issues and the extent to which candidates make themselves and their policies known. It may be that the extent of media coverage in the period before the election has some bearing. While it is difficult to draw any firm conclusions from the limited data which I can cite, it is worth comparing the turnout figures for the Aberdeen Constituencies at the General Election in 2005 (55.75 and 62.11%) with those for 2010 (58.2% and 67.28%). Did the televised Leaders’ Debates play any part in the increase?

(6) Robson Rotation in respect of the ordering of the ballot paper. I do not have statistics on the extent, if any, to which voters favour candidates or parties whose names appear on the ballot paper. My impression, from a number of STV counts is that few, if any, voters simply number the candidates sequentially from top to bottom of the paper. It is much more common for voters to vote only for the candidates of a single party. In these cases, a known name is likely to be more potent than alphabetical order.

To adopt Robson rotation would risk creating confusion in the adjudication process and would, in any event slow it significantly.

At present, most electronic counting systems used for STV votes, display doubtful votes on a screen and counting agents are attuned to look for their candidates’ votes in particular parts of the paper. If the location of these votes could vary, much more time would be required to ensure that everyone was happy with a paper. The problem would be exacerbated in a manual count where the Enumerators as well as the agents would require to scrutinise each paper to ensure that it was properly allocated.

(7) Diversity amongst voters and elected representatives. While it would be fair to say that, until recently, candidates from an ethnic minority background have not been prominent in local government elections in Aberdeen, it would be improper for the Returning Officer to seek to attribute reasons for this. I am not qualified to comment on the extent to which individuals from minority backgrounds may be attracted to membership of political parties and subsequently put themselves forward as candidates on behalf of those parties. Candidature as an independent is always dependent on the profile which the individual has cultivated in the area. This is, by its nature, infinitely variable.

With the exception of the possibility of job-share which, while floated from time to time is quite definitely excluded by current legislation, there would appear to be no serious
institutional barriers to female candidates and the sexes are generally fairly well balanced in most local authorities.

While I have had no direct experience of it in recent years, it should not be impossible for a local authority to make arrangements for a deaf or blind councillor to absorb the papers for and participate in debates through the use of speech to text technology and the provision of an amanuensis. Other physical disabilities are unlikely to be a major impediment.

(8) Timing of future elections
While, for many years, early May has been regarded as the appropriate time for local government elections, it is often forgotten that, under the Local Government (Scotland) Act 1947, Councillors in burghs were elected on the first Tuesday of November and their counterparts for the landward areas of counties on the second Tuesday of November. There is therefore no magic in a Thursday in early May and until the advent of fixed term Parliaments) General Elections and bye-elections of all types have been conducted at various times of year.

Where problems arise is in conducting a poll during the canvass period which comes to a climax in the autumn. Any poll should utilise the most up to date Register which is impossible if the new Register is in preparation. This point is discussed in the AEA document previously referred to.

Postal voting on demand has mitigated the perceived impact of winter weather.

A poll during school holidays would lessen the effect which is beginning to be felt of parents objecting to the closure of schools for use as polling stations but, even with postal voting, it can hardly be said that a poll at a time of year when significant numbers of voters may be on holiday, is democratic.

The problems associated with combination of polls have been well canvassed – not least in the Gould report in 2007. Currently the only type of election which will, in some years, follow within a month or so of another election is a European Parliamentary one. The turnout for this is usually so low that it is difficult to draw any firm conclusion as to the effects of “voter fatigue”. Avoiding combination may be more important than holding different types of election at different times of year.

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