Dear Rachel

PRISONER VOTING EVIDENCE SESSION

Thank you for your E-Mail of 19 July requesting the attendance of a representative from the Scottish Prison Service (SPS) at an evidence session on prisoner voting being held by the Equalities and Human Rights Committee on Thursday 7 September. Whilst SPS is always happy to attend and provide evidence at such sessions, on this occasion, I do not believe that our attendance would be of value to the Committee as we would only be able to provide very limited input into the evidence session. However, I thought it would be helpful to provide some written evidence in regards to how SPS implements current Government policy regarding a prisoner's right to vote; advises eligible prisoners on voting procedures; and ensures the confidentiality for those eligible prisoners who exercise their right to vote.

Prior to any election, SPS will contact the Elections and Constitution Division at the Scottish Government to confirm the franchise requirements, voting arrangements and key dates for registering to vote and the final dates for postal or proxy voting. We will then issue a Governors and Managers Advice Notice which will provide information to staff to enable them to answer questions from those in our custody regarding the forthcoming election. This will normally include information such as who in our custody is eligible to vote; how to register to vote (including details of Electoral Registration Officers); and how to make an application for absent voting and completion of the ballot paper. The notice will also advise that those registered for an absent vote may be sent election literature and on application, be allowed to write to the campaign organisation's agents in the constituency/ward in which they are registered.

The Advice Notice will also remind staff of the importance of the principle of a secret ballot and remind them that there should be no interference with ballot papers. SPS staff are very familiar with dealing with such confidential correspondence and are aware of the importance of not interfering with such correspondence.

I have attached for information a copy of the Advice Notice issued in March 2017 concerning the Scottish Council Elections that took place on 4 May.
I hope you find this information helpful.

Yours sincerely

[Signature]

COLIN McCONNELL
Chief Executive

Enclosure
Purpose

This Notice sets out the arrangements for the voting procedures for eligible individuals for the forthcoming Scottish Council Elections on Thursday 4 May 2017. This information will help you to respond to questions from individuals in relation to voting arrangements.

Background

The franchise for elections is a reserved matter for the UK Government and the Westminster Parliament. The current franchise arrangements for the Scottish Council Elections, as far as they relate to those in custody, remain that only certain individuals are eligible to vote.

Eligibility

To be eligible to vote on Thursday 4 May individuals must be:

- Aged 16 or over on the date of the election

  AND

- Currently registered in the register of local government electors

  AND

Fall into one of the following categories:

- **Unconvicted**

- **Convicted awaiting sentence (unless sentence is pronounced on polling day)**

- Dealt with by committal or other summary process for **contempt of court**
All other individuals are not able to register and vote. The decision on who is able to register is one for the Electoral Registration Officer (ERO) and you should not stop an individual from applying to be registered.

**Registration**

Applications to register to vote must be made to the local ERO before midnight on Monday 17 April 2017. An individual is required to be resident at a qualifying address to be entitled to register to vote. An individual who is detained at any place in legal custody cannot, by reason of their presence there, be treated for the purposes of electoral registration as resident there. Individuals who are in custody will usually register using their former home address as their place of registration.

**Applications for absent voting**

Contact details of the EROs can be found on the attached list. Applications to register to vote must be made to the local ERO before midnight on Monday 17 April 2017.

Applications to vote by post must be received by the ERO before 5pm on Tuesday 18 April 2017.

If an individual considers that the timescales for postal voting will be too tight given their personal circumstances he or she may wish to consider using a proxy. Applications to appoint a proxy must reach the ERO before 5pm on Tuesday 25 April 2017. This will result in a proxy paper being issued to the named person who will vote on their behalf.

Please note that applications to vote by post or proxy can only be made if the applicant has already made a successful application to register by midnight on Monday 17 April 2017.

**Completion of Ballot Paper**

In the case of a postal vote, ballot papers will be sent to eligible individuals shortly before polling day. The envelopes will be marked to indicate that they contain important election documentation. If a ballot paper is received for an individual who has in the meantime been discharged, the envelope should be forwarded unopened to the address given by the individual on discharge.

The postal voting statement contains detailed instructions to the voter. It is important that the voter follows the instructions exactly or their vote may not count. It is imperative that the principle of a secret ballot should be observed and that completed ballot papers should be posted without any interference. The ballot paper should reach the Returning Officer by 10.00pm on polling day, Thursday 4 May 2017. Any ballot papers received after the close of poll will not be counted.

**Giving Political Information to those in custody**

An eligible individual who has made an application to the ERO for an absent vote may be sent election literature and on application be allowed to write to the campaign organisations’ agents in the constituency/ward in which he is registered.

Any enquiries about this Notice should be made to Annette Hannan, Ext 3613.

Signed

Jim O'Neill

Senior Legal Services Manager
<table>
<thead>
<tr>
<th>ERO / Valuation Joint Board</th>
<th>Councils</th>
<th>Electoral Registration Officer</th>
<th>Address</th>
<th>E-mail</th>
<th>Phone</th>
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<tr>
<td>Ayrshire Valuation Joint Board</td>
<td>North Ayrshire South Ayrshire East Ayrshire</td>
<td>Helen McPhee Assessor &amp; ERO Harry McCormick Depute</td>
<td>9 Wellington Square Ayr KA7 1HL</td>
<td><a href="mailto:ero@ayrshire-vjb.gov.uk">ero@ayrshire-vjb.gov.uk</a></td>
<td>01232612221</td>
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<tr>
<td>Central Scotland Valuation Joint Board</td>
<td>Clackmannanshire Falkirk Stirling</td>
<td>Peter Wildman Acting Assessor &amp; ERO Russell Taylor Depute</td>
<td>Hillside House Laurelhill Business Park Stirling FK7 9JQ</td>
<td><a href="mailto:registration@centralscotland-vjb.gov.uk">registration@centralscotland-vjb.gov.uk</a></td>
<td>01786 892200</td>
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<tr>
<td>Dumfries and Galloway Council</td>
<td>Dumfries and Galloway</td>
<td>Jim Doig Assessor &amp; ERO Alex Clark Depute</td>
<td>Carmont House The Crichton Bankend Road Dumfries DG1 4ZJ</td>
<td><a href="mailto:ero@dumgal.gov.uk">ero@dumgal.gov.uk</a></td>
<td>01387 260627</td>
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<tr>
<td>Dunbartonshire &amp; Argyll &amp; Bute Valuation Joint Board</td>
<td>West Dunbartonshire East Dunbartonshire Argyll and Bute</td>
<td>David Thomson Assessor &amp; ERO June Nelson Depute</td>
<td>235 Dumbarton Road Clydebank G61 4XJ Kilbrannan House Bolgam Street Campbeltown PA28 6JY</td>
<td><a href="mailto:ero-wdc@dab-vjb.gov.uk">ero-wdc@dab-vjb.gov.uk</a> <a href="mailto:ero-ecd@dab-vjb.gov.uk">ero-ecd@dab-vjb.gov.uk</a> <a href="mailto:ero-abc@dab-vjb.gov.uk">ero-abc@dab-vjb.gov.uk</a></td>
<td>0141 562 1200 0141 562 1200 01586 555300</td>
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<tr>
<td>Dundee City Council</td>
<td>Dundee City</td>
<td>Roger Mennie ERO Stuart Galloway Depute</td>
<td>21 City Square Dundee DD1 3BY</td>
<td><a href="mailto:ero@dundeecity.gov.uk">ero@dundeecity.gov.uk</a></td>
<td>01382 434444</td>
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<tr>
<td>Fife Council</td>
<td>Fife</td>
<td>Linda Bissett ERO Lawrence Cooper Depute</td>
<td>Fife House North Street Glenrothes Fife KY7 5LT</td>
<td><a href="mailto:voters.roll@fife.gov.uk">voters.roll@fife.gov.uk</a></td>
<td>03451 55 55 11</td>
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<tr>
<td>Location</td>
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</tbody>
</table>
| Glasgow City Council                    | Hugh Munro  
  Assessor & ERO  
  Susan Finlay  
  Depute  
  P.O. Box 15311  
  Glasgow  
  G4 7DL  
  voters.roll@fs.glasgow.gov.uk  
  0141 287 4444 |
| Grampian Electoral Registration Office | Ian Milton  
  Assessor & ERO  
  Linda Smith  
  Depute  
  Woodhill House  
  Westburn Road  
  Aberdeen  
  AB16 5GE  
  Mitchell Burnett House  
  Colleonald Road  
  Banff  
  AB45 1DZ  
  234 High Street  
  Elgin  
  IV30 1BA  
  ero@grampian-ero.gov.uk  
  01224 664360 |
| Highland & Western Isles Valuation Joint | Bill Gilles  
  Assessor & ERO  
  Robert Shepherd  
  Depute  
  Moray House  
  16/18 Bank Street  
  Inverness  
  IV1 1QY  
  Area Office  
  Robertson House  
  Greenhill Street  
  Dingwall  
  IV15 9QR  
  Area Office  
  3A Bridge Street  
  Wick  
  KW1 4AG  
  42 Point Street  
  Stornoway  
  Isle of Lewis  
  HS1 2XF  
  ero@highland.gov.uk  
  0800 393783 |
| Lanarkshire Valuation Joint Board       | Gary Bennett  
  Assessor & ERO  
  North Stand  
  Cadzow Avenue  
  Hamilton  
  ML3 0LU  
  ero@lanarkshire-vjb.gov.uk  
  0800 030 4333 |
| Lothian Valuation Joint Board           | Graeme Strachan  
  Assessor & ERO  
  Brian Brown  
  Depute  
  17A South Gyle Crescent  
  Edinburgh  
  EH12 9FL  
  enquiries@lothian-vjb.gov.uk  
  0131 344 2500 |
| Orkney & Shetland Valuation Joint Board | Shetland Islands Orkney Islands | Dennis Stevenson Assessor & ERO
Ian Leslie Depute | 20 Commercial Road Lewick Shetland ZE1 0LX
8 Broad Street Kirkwall KW15 1NX | ero@orkney.gov.uk | 01856 8762222 |
|---------------------------------------|-------------------------------|-----------------------------------------------|-----------------------------------------------|-----------------------------------------------|-----------------------------------------------|
| Renfrewshire Valuation Joint Board | East Renfrewshire Renfrewshire Inverclyde | Alasdair MacTaggart Assessor & ERO
Shona Carlton | The Robertson Centre 16 Glasgow Road Paisley PA1 3QF | ero@renfrewshire-vjb.gov.uk | 0300 300 0150 |
| Scottich Borders Council | Scottish Borders | Brian Rout Assessor & ERO
Lisa Anderson Depute | Old School Building Council Headquarters Newtown St Boswells Melrose TD6 0SA | ero@scotborders.gov.uk | 01835 825100 |
| Tayside Valuation Joint Board | Angus Perth and Kinross | Alastair Kirkwood Assessor & ERO
Peter Gall Depute | Whitehall House 35 Yeaman Shore Dundee DD1 4BU
Robertson House Whitefriars Crescent Perth PH2 0LG
Ravenswood New Road Forfar DD8 2ZA | angus@tayside-vjb.gov.uk
perth@tayside-vjb.gov.uk | 01307 462416
01738 630303 |