

Parliamentary Bureau - Election of conveners

Procedural Note by the Clerk

Introduction

1. The Convenership of the Criminal Justice Committee is currently vacant following the resignation of Alyn Smith MSP. Business Managers will be aware that standing orders now require conveners of subject and mandatory committees to be elected by the Parliament by secret ballot. This includes when a vacancy in a convenership arises.

Process

Location, date and time

2. The Parliament agrees the location and date and time of the voting period for the election. The election takes place by secret ballot in a committee room. Members therefore need to be present in the building in person in order to participate in the election.
3. The Presiding Officer also designates an official to carry out the function of supervising the vote.

Nominations

4. The nomination period opens once the Parliament has agreed the location of the vote and date and time of the voting period. Once the relevant motion is agreed to, the Presiding Officer announces the opening of the nomination period.
5. The nomination period is open up to one hour before the voting period. For a nomination to be valid, candidates need to be nominated by a member of their own party and seconded by a member of another party.

Candidates

6. After the nomination period is closed, the Presiding Officer announces at a meeting of the Parliament the names of all valid nominations received.
7. If only one nomination is received, the election of that convener is confirmed if no objection is made by any Member of the Parliament.
8. In those circumstances, the Presiding Officer invites any Member to object by pressing the "Point of Order" button on their console. This will then only show up on Presiding Officer's screen in the chamber. No other Member will know who has made an objection.
9. If no objection is made, the Presiding Officer announces that the nominee has been appointed as Convener.

10. If an objection is made by one or more Member or more than one nomination is received, an election takes place.
11. The Presiding Officer announces the time and location of the election at that point.

Voting process

12. The election takes place by secret ballot. A vote is only valid if a quarter of members vote (33 members). Abstentions count towards this total.

One candidate (only if another member has objected): Members may vote for or against that candidate or to abstain. The candidate is elected if a simple majority of votes in favour is obtained.

Two candidates: Members may vote for one of these candidates or abstain. A candidate is elected if they receive more votes than the other candidate.

Two or more candidates: Members may vote by ranking as many of the candidates as they wish in order of preference.

A candidate is elected if they receive more first preference votes than the total number of first preference votes for the other candidates.

If no candidate receives more than the total first preference votes than all other candidates, the candidate receiving the smallest number of first preference votes is eliminated and their votes are redistributed among the remaining candidates according to next preferences.

This process of elimination and redistribution of votes is repeated until one candidate obtains more than the total number of votes for the other candidates.

13. When the process is completed, the Presiding Officer announces the name of the elected candidate and the details of the votes at a meeting of the Parliament.

Timing

14. The Convener election must take place no later than 10 sitting days after a vacancy in a convener role has arisen.
15. To allow for the vacancy to be filled as quickly as possible, it is proposed that the nomination period opens once the voting period has been agreed and closes one hour before the voting period begins. It is proposed that the nomination period will take place on Tuesday afternoon and close at 1.00pm on Wednesday (assuming the voting period begins at 2.30pm on Wednesday).
16. If only one nomination is made and there is no objection the PO will announce the successful candidate at the meeting of the Parliament on Wednesday.

17. If an election is required, it is proposed that the election takes place on Wednesday afternoon in Committee Room 5. The set up will be the same as at the start of session.
18. It is proposed that the election period begins at 2.30pm and concludes at Decision Time or 15 minutes after the close of business.
19. The count will take place on Thursday morning and the candidate(s) and scrutineer(s) can attend if they wish.
20. The PO will announce the result of the vote at the start of business on Thursday.
21. Unfortunately, the timing of the process does not allow for the election to be completed before the next meeting of the Criminal Justice Committee on Wednesday morning. Until that process is completed, the Deputy Convener can carry out the role of Convener. The relevant substitute member would be able to attend the Committee meeting.
22. A proposed timeline is set out in the annex.

Recommendation

23. **The Bureau is invited to note the process and agree the proposed timetable for the election of the Convener of the Criminal Justice Committee.**

**Committee Office
September 2026**

ANNEX

Convener election - suggested timeline

Tues 2.00pm – Parliamentary Bureau motion setting out location of vote and date and time of voting period (rule 12.1.2C)

Tues 2.05pm to Wed 1.00pm (1 hour before election) – nomination period open

Wed 1.00pm – Nomination period closes

Wed 2.00pm – PO announces candidate(s).

Wed 2.00pm – PO announces result if no objection to single candidate

OR

Wed 2.30pm (approx.) to Decision Time/15 mins after close of business – voting period (if objection made to single candidate or there is more than one candidate)

Thurs 9.30am – Count of ballot papers

Thurs start of business – PO announces result