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Committee

By email: sppa.committee@parliament.scot

21 October 2026

Dear Jenni,

Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill

Thank you for inviting me to give evidence to the Committee on the Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill on 8 October. During the session, Jackie Baillie asked questions relating to the Scottish Government response to the Committee Stage 1 Report for the Scottish Elections (Representation and Reform) Bill, and I agreed to write to the Committee with further details.

In the Stage 1 Report to the Scottish Elections (Representation and Reform) Bill, the Committee noted the following:

1. The Committee supports the extension of candidacy rights to individuals with limited leave to remain.
2. The Committee notes that some concerns were raised in evidence about the potential risk that the extension of candidacy right could be used by foreign players to undermine Scotland's electoral system. The Committee invites the Scottish Government to provide an undertaking to consider potential mitigations against such risks.

In the Scottish Government response to the Stage 1 report, it was noted that the Government welcomes these conclusions and would consider how best to consider potential mitigations for the risks identified.

Since the passage of that Bill, the Scottish Government has taken a number of steps to address a range of risks which impact on our elections, including foreign interference. As I set out in response to Ms Baillie, the majority of actions which can be taken involve interaction with the UK Government given the nature of their being responsible for intelligence and security services. We therefore draw on the UK-wide security and intelligence services who monitor and address foreign interference. This holds true for elections-related interference.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

In advance of the 2026 election, a Scottish Election Cell was convened, by the Scottish Government, for the first time. This group brought together Scottish Government officials, Police Scotland, and electoral administrators to consider threats and risks to the Scottish Parliament election. I consider that the amount of engagement between the UK and Scottish Governments in relation to election security is good and the information sharing between governments, and with police forces, has significantly mitigated risks to our elections.

In addition, the former Minister for Parliamentary Business and Veterans, Graeme Dey, was invited to a meeting of the Defending Democracy Task Force ahead of the 2026 election, after the Scottish and Welsh governments requested to attend. Ministerial participation in this group was something I pushed for when I last had the responsibilities of ministerial office and we continue to request ongoing participation in that Task Force.

In the lead up to the May 2026 Scottish Parliament election, Scottish Government officials also took part in the UK Elections Cell, as they have in relation to previous elections. In 2026, Scottish Government also had ongoing engagement with the UK Government on considering mis- and dis-information relating to elections, including foreign interference.

I would note that no concerns have been raised with the Scottish Government that the ability of foreign nationals to stand in elections in Scotland has led to foreign interference.

I trust this information is helpful.

Yours sincerely,



JAMIE HEPBURN