SCOTTISH INDEPENDENCE REFERENDUM (FRANCHISE) BILL

Scottish Government Follow-up to Finance Committee 20 March 2013

Scottish Government officials gave evidence to the Scottish Parliament’s Finance Committee on 20 March 2013 on the Financial Memorandum for the Scottish Independence Referendum (Franchise) Bill, and undertook to follow up with the Committee on the following issues.

1. How common are registration appeals?

The Financial Memorandum states:

“Registration appeals are not common and EROs have confirmed that they do not expect to deal with an increased number under the Bill.”

According to EROs, three registration appeals have been made in Scotland since 2010. All three were made by prisoners; two of these were made in recent weeks.

Under electoral legislation EROs do not have the power to register convicted prisoners, so appeals from such prisoners are referred to a Sheriff in the first instance.

2. What is the number of prosecutions for electoral registration offences in recent years?

The Financial Memorandum states:

“The Bill also contains offence provisions in relation to the RYV. These are not new offences, but standard electoral offences replicated and applied to the RYV. The Scottish Government does not expect any significant level of prosecutions as a result of the legislation and therefore the cost implications for the criminal justice system will be minimal.”

The Electoral Commission works with the Association of Chief Police Officers to produce reports on the number and outcome of alleged electoral malpractice cases. The most recent report, published in May 2012, contains details of the cases reported in 2011. The report states that of a total of 224 cases reported across the UK in the 2011 reporting period, 6 cases of electoral malpractice were reported by the police in Scotland. It should be noted that the data includes all cases which were reported; not all of these proceed to prosecution and conviction. The report states that no case reported to the police during 2011 affected the outcome of the election to which it related, or caused an election to be re-run.

While the Commission’s report does not break down the 6 Scottish cases into categories of electoral offence, data from 2009, 2010 and 2011 show that, typically, electoral registration offences account for around 20% of all cases reported overall.

We therefore consider that the number of any prosecutions in connection with the Scottish Independence Referendum (Franchise) Bill, which relate primarily to registration, would be likely to be minimal.

3. Details of expected costs for reminder notices

The Financial Memorandum estimates the cost of sending reminders to those who fail to complete the Young Voter Registration forms as being approximately £6,000. The Committee sought further information on how this figure was calculated.

Background

Only those households that include 15 year olds who will be at least 16 by the date of the referendum will need to complete and return the Young Voter Registration forms. EROs will only chase up households that have not returned a Young Voter Registration form if they have reason to believe (by cross-referencing with education records) that an eligible young person is resident in that household.

The calculations make a number of assumptions which have the effect of placing the estimate of the likely number of reminders at the higher end of the possible scale. In particular, the calculations assumed that:

- around 120,000 households will need to return the Young Voter Registration forms (on the basis that around 120,000 16 and 17 year olds will be eligible to vote.
- approximately a third of households (i.e. 40,000) do not return their canvass forms in response to the initial letter, and need to be issued with reminders.
- all of the households being chased for not returning a Young Voter Registration form have returned their main canvass form, so are not receiving a reminder for that form anyway (in practice, if households have not returned either form they could be sent a YVR reminder at the same time, and in the same envelope, as their main canvass form reminder, incurring no additional postage or envelope costs as a result of the provisions in this Bill).
- all of the households that receive a postal reminder respond to it, and do so by post (i.e. that return postage needs to be paid for every household receiving a reminder. In practice this is unlikely to be the case, as some households would be likely to respond electronically while others might not respond at all).

Calculations set out in the Financial Memorandum

The estimates set out in the Financial Memorandum were calculated on the basis of advice received from printing companies that printing and postage costs accounted for roughly 25% and 75% respectively of the cost of printing and distributing forms.

We have looked again at this area of the financial memorandum (and our assumptions in drafting the section on sending reminders) in the light of the Committee’s questions, On the basis of information received from contractors currently providing a similar service to registration officers in Scotland, we have
concluded that the cost of issuing and receiving reminders purely in respect of the Young Voters Registration Form to 40,000 households would be more than the £6,000 included in paragraph 14 of the Financial Memorandum. While we anticipate that, for the reasons set out in the section on assumptions above, significantly fewer households than 40,000 are likely to need to be issued with and return by post a Young Voter registration reminder form, the estimate set out in the Financial Memorandum in relation to this aspect was too low. It is helpful that the Finance Committee has highlighted this during its scrutiny of the Financial Memorandum.

As we mentioned when we gave evidence to the Committee, we have already written to software suppliers for revised quotes for any necessary changes to electoral software as a result of the provisions in this Bill. We are now doing the same in relation to printing companies, and will submit any revisions to the estimates provided in the Financial Memorandum ahead of Stage 3.

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