Official Report
Aithisg Oifigeil

DRAFT

Standards, Procedures and Public Appointments Committee

Comataidh nan Inbhean, Dòighean-obrach agus Cur-an-dreuchd Poblach

Thursday 12 November 2026

Session 7

The Scottish Parliament
Pàrlamaid na h-Alba

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
8th Meeting 2026, Session 7

CONVENER

*Jenni Minto (Argyll and Bute) (SNP)

DEPUTY CONVENER

*Tim Eagle (Highlands and Islands) (Con)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)
Steven Bonnar (Uddingston and Bellshill) (SNP)
*Mark Simpson (North East Scotland) (Reform)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dame Sue Bruce (Electoral Commission)
Patricia Gibson (Cunninghame South) (SNP) (Committee Substitute)
Jackie Killeen (Electoral Commission)
Chris Pleass (Electoral Commission)
Vijay Rangarajan (Electoral Commission)

LOCATION

The Alexander Fleming Room (CR3)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 12 November 2026

[The Convener opened the meeting at 09:15]

Decision on Taking Business in Private

The Convener (Jenni Minto): Good morning, and welcome to the Standards, Procedures and Public Appointments Committee's eighth meeting in session 7. I have received apologies from Steven Bonnar, and I welcome Patricia Gibson, who is attending as his substitute.

Our first agenda item is a decision on whether to take in private item 5, which is consideration of the evidence that we are about to hear from the Electoral Commission Scotland. Do members agree to take that item in private?

Members *indicated agreement*.

Cross-party Group

09:15

The Convener: Our next item is an evidence session on an application to establish a cross-party group on unpaid carers. The committee will consider the application by hearing from the group's convener. Under the next item, we will consider whether the proposed group should be awarded recognition.

I welcome Carol Mochan, who is the convener of the proposed new CPG. Thank you for joining us. I invite you to make opening remarks. After that, we might have questions for you and, once we have finished our questioning, I will invite you to leave the table.

Carol Mochan (South Scotland) (Lab): It is a great delight to be here to talk about the proposed CPG on unpaid carers. As background, I point out that there was a CPG on unpaid carers in the previous session of Parliament, which was very successful and was convened by Gillian Mackay.

I do not think that anyone here needs me to explain the importance of unpaid carers and their value to Scottish society and the economy. There are thousands of unpaid carers across Scotland and they provide invaluable support and care. Much of the time, those people do not see themselves as carers, and they think twice before describing themselves in that way. At times, caring can be very stressful—it is not easy, and we know that the rise in the cost of living is making carers experience hardship.

That is why it is incredibly important that the voices of unpaid carers continue to be heard in many different ways across the Parliament. We need to ensure that their experiences, rights and priorities are visible in the Parliament. The focus of the proposed group is to consider the needs, rights and contribution of unpaid carers. The group hopes to bring together different perspectives, including on parliamentary legislation, but also on lived experience and on policy, research and practice. The group will support informed discussion, strengthen understanding and encourage constructive action on issues that affect unpaid carers.

In this parliamentary session, I am eager for the CPG's work to be strategic and focused on key actions and themes, such as the right to breaks for carers and other legislation that the Parliament has passed. I know that there is eagerness in the group to connect to groups across the United Kingdom and to facilitate cross-developmental communication, which might help networks and update people on other areas.

The secretariat is proposed to be from Carers Trust Scotland, which is well known in the sector and which does an excellent job on behalf of unpaid carers. The trust was the secretariat in the previous session of Parliament, and it has been a huge help in helping me to pull together ideas for the group and for the carers who will be invited along.

I am confident that the group will contribute in many ways to the Scottish Parliament's work on the issue. I am happy to take any questions.

The Convener: I think that we can all agree with your opening remarks on the importance of unpaid carers. Will you expand a bit on how you see the group working across different areas of the United Kingdom and perhaps even further afield?

Carol Mochan: We have talked about the need for the unpaid carers CPG to share how we are developing things in Scotland, because there is lots of good practice here, and we have been approached by other unpaid carers groups from across the UK. It is important to hear what other legislators are doing and what other people are experiencing across the UK and probably further afield. There is a good network and, because we know that unpaid carers often cannot attend Parliament, we do some of our work online, which is helpful.

The Convener: Unless any other members have questions, I will finish by thanking you for the financial information that you provided. As you know, if expenditure is to be more than £500, you need to note that. We appreciate the fact that that additional information was included in your application.

Thank you for attending, Carol. You may now leave the table. We will have a brief suspension.

09:20

Meeting suspended.

09:22

On resuming—

The Convener: Our third item is consideration of whether we are minded to award recognition to the proposed CPG. Before I ask the committee to take a formal decision, does anyone wish to make any comments or raise any points based on what we just heard from Carol Mochan?

Members: No.

The Convener: Do members therefore agree to accord recognition to the proposed CPG on unpaid carers?

Members *indicated agreement*.

The Convener: That concludes our consideration of the CPG. I briefly suspend the meeting to allow us to set up for the next item.

09:22

Meeting suspended.

09:27

On resuming—

Electoral Commission

The Convener: Our next item is an evidence session with the Electoral Commission Scotland on its annual report 2025-26. The session also provides us with an opportunity to check in with the commission on its wider regulatory responsibilities and challenges, and to discuss its report on the May Scottish Parliament election. I welcome our four witnesses from the commission: Dame Sue Bruce, Scottish commissioner; Vijay Rangarajan, chief executive of the UK Electoral Commission; Chris Pleass, director of corporate services; and Jackie Killeen, director of electoral administration and regulation in Scotland. I invite Dame Sue Bruce to make a short introductory statement.

Dame Sue Bruce (Electoral Commission): Good morning, and thank you. Our annual report provides an overview of our work on our devolved functions in Scotland and looks at our performance during 2025-26. It sets out our work to support electoral reform, the support that we provided for the electoral community ahead of the Scottish Parliament election and our programme of democratic engagement in Scotland.

As the convener mentioned, in September, we submitted our first five-year corporate plan for Scotland to the Scottish Parliamentary Corporate Body for its consideration. We would, of course, welcome the committee's views on the plan, as well as the opportunity to keep the dialogue on it open.

Our draft corporate plan for Scotland sets out our strategic objectives and the work that we will deliver to support public trust in the electoral system, including helping voters to engage in Scottish democracy and supporting parties, campaigners and electoral administrators as they manage an increasingly complex legal framework. We will also continue to advise the Scottish Government on electoral reforms.

09:30

Our recent report on the 2026 Scottish Parliament election found that it was well run, with public confidence remaining high and voters, candidates and electoral administrators generally reporting positive experiences. High satisfaction levels among voters in the voting process were also recorded, and the fact that the number of spoiled ballots remained low provides reassurance on the integrity of the system.

However, some challenges remain. Many candidates continue to experience unacceptable levels of abuse and intimidation, which affects how they run their campaigns and risks discouraging candidates from standing altogether. Voters also remain concerned about the accuracy of election information. More than half of those who were surveyed said that they had seen misinformation during the campaign. As members will know, tackling misinformation and disinformation remains a very high priority for our future work.

The 2026 Scottish Parliament election was the first to be held since the introduction of a new requirement for returning officers to provide additional support and equipment for disabled voters, but awareness of accessibility support remains low. More needs to be done by the Electoral Commission, the Scottish Government, the rest of the electoral community and local authorities to ensure that voters know what support is available and how to request it, and that plays right into our priority of making elections accessible for all.

Electoral administrators delivered the election effectively, but challenges with staffing polling stations and counts remain unresolved, and the sector needs sufficient clarity, funding and planning time to respond to ongoing challenges and future legislative change. We will continue to work in partnership with the Electoral Management Board for Scotland to support electoral administrators to learn any lessons arising from the 2026 polls.

As we look ahead to next year's local government elections, for which preparations are already under way, our focus over the coming months will be on the successful delivery of those elections and on ensuring that voters, administrators, candidates and parties are able to participate with confidence. That work will include the publication, by the end of the year, of a statutory strategy that will set out the steps that we will take to reduce the rates of spoiled ballots. We know where there are hotspots for spoiled ballots, and those areas will continue to be a focus for us.

The commission now has more staff based in Scotland than ever before, and they work across the commission's remit in different teams. We recently completed a relocation of our Scotland office from Edinburgh city chambers to larger premises at Fountainbridge. That will allow us to operate effectively in offices that properly meet our needs and to continue to attract Scottish talent to the commission as we grow as an organisation.

My time as electoral commissioner for Scotland is drawing to a close—I will be leaving at the end of December, having served 10 years—and my successor will take on the role in the new year. I believe that I will leave the Electoral Commission in a strong position to continue to deliver for the

voters of Scotland, for campaigners and for electoral administrators, and well placed to tackle the challenges that our democracy faces. I am grateful to the committee for giving me the opportunity to engage with it over those years and for its continued support and scrutiny of our work, which we very much welcome.

The Convener: Thank you. We have about an hour for questions. I will ask a first question, after which I will hand over to my colleagues to cover various areas. What is the commission's overall assessment of the level of democratic participation and confidence in Scotland, and what plans do you have to improve that? You have already touched on that a bit. Who would like to answer that question?

Dame Sue Bruce: Perhaps Jackie can start.

Jackie Killeen (Electoral Commission): We are in a strong place, with high levels of confidence in electoral processes and the experience of participating in elections in Scotland. Our survey of voters following the May polls showed that 93 per cent of respondents had confidence in the experience of voting and more than 80 per cent had confidence in the experience of registering. That is a strong base, and we want to maintain that.

Looking ahead, the priorities include working with young people and with a range of partners, including schools and colleges, because our survey showed that, for example, only 50 per cent of 16 and 17-year-olds had received information about the elections in school or college ahead of the May vote. We are keen to build on the strong partnerships that we already have, working with organisations such as our new youth partner, YouthLink Scotland, to increase levels of understanding, awareness and engagement. We have research that shows that forming an early habit to vote stays with you throughout your life, so we are very keen that young people are equipped with that.

If I can put in a small plug, I note that we hold an annual event that we use as a focal point for our work with young people on the democratic system. It is called welcome to your vote week, and it takes place in March every year. My colleagues Catherine Heggie and Morton Dunlop would be keen to support any interest or engagement that members might like to have in that in order to raise awareness and improve enthusiasm among young people.

We want to continue to support disabled voters and improve their experience, too. In the May polls, there were, again, high levels of overall satisfaction with the experience of voting, but there were low levels of awareness of the equipment and provisions that can be provided. A key focus for us—we would encourage partners, including the EMB, the Scottish Government and others to do the same—is to raise awareness of the obligation on returning officers to provide support and of the nature and variety of support that can now be provided, as well as to encourage more disabled voters to contact their election teams to ask for support in advance, because we want to ensure that lack of support is not a barrier to participation.

I might stop and see whether Sue and Vijay want to add anything.

Dame Sue Bruce: We will continue our work with returning officers and electoral registration officers, and through the EMB and with civil society organisations, and we will take whatever opportunities we can to develop and promote voter engagement and general awareness of the democratic process. Our multichannel advertising work will continue to make sure that we reach as many listeners or viewers as possible. With ROs, we will also support candidates and agents as they go through the process, to ensure that they understand all the steps and stages and are well supported to participate effectively in the election.

Vijay Rangarajan (Electoral Commission): I will build on what Sue and Jackie have said. There are two other areas in which voters in Scotland, like voters across the country, have significant concerns, and one of our roles is to work with quite a lot of partners to address those.

The first concern, which has been mentioned, is in the information space, given the amount of misinformation and disinformation out there. Who can you trust? Where is the trusted information? We have seen significant deepfakes in elections around the world, although, luckily, not in the UK so far. As Sue said, we ran a deepfake detector over the May elections, including for the Scottish Parliament elections. We will continue to do that, because the issue is a real worry for voters and for parties, which, frankly, will find it difficult to cope if there is a significant deepfake. We must consider how we can best provide support on that. The whole information space and the attempts—foreign attempts, largely—to undermine elements of electoral systems are of significant international concern.

The second concern is a little more specific to the UK. Despite a lot of work, there are, as Sue Bruce mentioned, increased levels of abuse and intimidation of both elected members and candidates across our entire system. Our fundamental worry about that is twofold. First, it is appalling for the people concerned. Secondly, it is beginning to put significant numbers of good people off standing to be a candidate or

continuing. In the long run, that is a really bad place for our democracy to go.

The more we can do to address that, the better. In the Scottish Parliament, you have been innovative in scanning for online abuse, and we very much want to expand that work across the rest of the UK. We will have to use technology to fight technology, and we are keen to build those systems. As artificial intelligence spreads, the barriers to entry are getting lower and lower, and some of the technologies are getting, frankly, more vicious. We will have to do a lot more on that. We have to move carefully, however, because, although we want to have a robust, free and open debate, at the edges of that we are seeing abuse beginning to prevent that debate.

Information and abuse and intimidation are two areas that we will be working hard on.

The Convener: Thank you for that information. Probably all of us, as MSPs, recognise the change in tone and have had such experiences in our constituencies.

Mark Simpson has some questions.

Mark Simpson (North East Scotland) (Reform): My questions are about turnout. In the recent elections, the turnout was 53 per cent. In the Scottish independence referendum, we managed to get an 85 per cent turnout. In the post-Covid election in 2021, the turnout was 64 per cent. I am curious to hear your thoughts about turnout, especially given that, in Scotland, there is a proportional element to the vote, which in theory means that the idea of a wasted vote should not be a factor. Every vote genuinely does count.

Jackie Killeen: We surveyed the general public, which will have included voters, after the May polls, and we found that 97 per cent of people were aware that the election was happening, so there was a high level of awareness of it.

We provided every household in Scotland with a booklet that explained the voting process, including sample ballot papers and information on how to mark them. There was a comprehensive approach, to ensure that there was a good understanding of the process. Alongside that, we had a high-profile campaign of paid advertising and online activity, to ensure that people were aware of the deadlines in the electoral timetable—for example, for registration for postal votes—and the processes on polling day.

That work was part of an ongoing endeavour to ensure that there are high levels of knowledge, awareness and understanding of the voting process. As Sue Bruce mentioned, we will continue to work on that alongside our many partners in civil society and others in the run-up to the May 2027 polls.

The turnout this year was lower than in previous polls. As I mentioned in my previous answer, we want to ensure that newly enfranchised voters are able to vote and are confident about voting. That democratic education is a really big focus for us, particularly with young people.

Mark Simpson: I am curious about the paid advertising. What sort of advertising do you do? Is any of your paid advertising aimed specifically at young people?

Jackie Killeen: Yes. We have been innovating in that space, including on TikTok and Spotify. I was going to mention Snapchat as well, but I would need to check that with Vijay. We have been on a range of online platforms where young people are, and the campaigns that we have run have had very high numbers of impressions and engagements. I think that, overall, we had just under 300 million impressions in Scotland. That is a major part of our endeavour to support a successful election ahead of every set of polls.

09:45

Mark Simpson: That is good. What time period did that cover? Was it the whole year or just the month before the election?

Jackie Killeen: That was during the election period.

Vijay Rangarajan: The spectrum of trust that voters have in what they see is interesting. One of the advantages of putting out the household booklet—it was not cheap, but it was worth it—is that young people find it easier to trust something that has come through their letterbox. Their trust in what they see on social media is very low indeed, and for good reason. Therefore, the interesting part was how to reach everyone, so that they knew that an election was going on and about the deadlines for things such as registration, which they needed to understand. That was where our social media campaign came in.

Then we had to consider how we could reach the hard-to-reach groups, which was where our partnerships came in. We tried to reach those groups through various bodies. None of that was particularly cheap, but we discussed it with the Scottish Parliament in advance of securing the budget. We then went ahead and spent the money on trying to keep awareness high and helping with the turnout as far as we possibly could.

On the new methods, TikTok has been interesting. We reached a lot of people there. In-game advertising has begun to get interesting, too. We also advertised in supermarkets, on the screens above tills and so on. That was useful for reaching people who would not necessarily see the media generally. We are also experimenting

with the channels that we use. Some of them are very cheap indeed, which is good. We evaluate that work every time, so that we get a sense of who we are not reaching.

Mark Simpson: That is good. It sounds fairly innovative and pretty forward thinking.

The Convener: I found myself watching a one-minute short by BBC Scotland on the difference between the peach and lilac ballot papers in Scotland. Was there partnership working with the BBC?

Jackie Killeen: Yes. We worked with mainstream media. That included ensuring that everybody had access to accurate information about where their polling station was, and we tried to cover every base, including exactly how to mark a ballot and how to distinguish between the different ballot papers. We worked with the BBC and other media outlets on that. We try to keep up with and make the most of the rapidly evolving landscape.

Patricia Gibson (Cunninghame South) (SNP): I, too, would like to ask about turnout. I read the written evidence from the Scottish Electoral Commission, which was very interesting, but I was a bit disappointed by the lack of context. The media has seized on the voter turnout in 2026 being 53 per cent. The problem with that is that, if the media says that turnout is 53 per cent, that shows that the Parliament does not work for people. The media will show how many people are not turning out to vote. Of course, you guys are much more informed than that, and you know that the picture is much more complicated.

The figure that it is always compared with is the Covid figure, when we had a turnout of 63.5 per cent. There has been quite a drop since then—nobody would deny that—but that was because it was during Covid and people were locked in at home. You will be able to tell me whether I am wrong about this, but I believe that most of those who voted probably used postal voting. The number of people who used postal voting went through the roof, as I recall.

However, back in 1999, we had a 59 per cent turnout. In 2003, we had a 50 per cent turnout. In 2007, we had a 52 per cent turnout. In 2011, the turnout was about 50 per cent. Therefore, 53.4 per cent shows that the Parliament is holding its own, in electoral terms, and that turnout is getting a bit better. That context is lost when there are reports that the turnout is tumbling. It is a way of attacking the Parliament and other democratic institutions.

I do not know whether you have any views on that, but I suggest that that picture is mirrored across the United Kingdom, because turnout is falling in UK Parliament elections as well. In the most recent UK election, the turnout was 58 per cent or something like that. In Scotland, the picture is complicated by the fact that we give 16-year-olds the vote. They are less likely to vote, but we are trying to encourage them. Do you have any views on that?

Dame Sue Bruce: You raise a really interesting point that emphasises the need to continue to focus on, analyse and understand what motivates and encourages people to vote or not vote. The investment that we have sought to put into our publicity and engagement campaigns tells a story, I think. Indeed, during the campaign for the most recent election, more than 312,000 new people registered to vote, which I think provides some evidence that the campaign worked. I hope that those registrations fed through to some of the percentage that did vote at the end of the day.

It is an iterative process. We can never say that our engagement strategy is done; there is always a new generation coming through, and there are always people coming from different countries to live here. We made a big effort to translate our material into many different languages and dialects so that as many people as possible could understand it.

I do not have a really insightful answer to give as to why turnout might be falling, but it tells us that we need to keep going with what we are doing. We need to reassure ourselves that the job is never finished and there is always a new generation coming through. We need to look for more inventive ways of engaging wider numbers of community groups and keep the awareness, engagement and education programmes going. I hope that that will lead to higher turnouts in the future.

Going back to the turnout for the referendum, which was mentioned earlier, I think that that was a very specific magnet, if you like, that brought people to the elections. We need to encourage people to see elections as not just the same old, same old. We need to show them that their vote counts and that it will make a difference to what happens to the policy and strategy that will affect their lives in the future. It is all about encouraging people, through education programmes right from the early days of school, to commit to becoming voters. As Jackie Killeen said, if we can get youngsters in for their first vote, we might start to embed a habit that sticks for life.

Vijay Rangarajan: Dame Sue Bruce is absolutely right—it is partly about education. When we survey voters after each election, we ask them, “Did you vote?” and, “How did you find it?” We also ask, “If you didn't vote, why didn't you?” We publish that data, and we can easily send you links to the historical time series for all of it.

One thing that has come across is that young people, in particular, do not instinctively understand how their vote translates into something that matters to them. Therefore, part of the work that we are doing, which builds on the Scottish experience and understanding, is to expand our education work for 16 and 17-year-olds to 14 and 15-year-olds across the whole of the United Kingdom as the votes at 16 policy comes into force. We have established an education programme, and we are now testing out our brand new education framework, which you might be interested in hearing about at some point, in about 500 schools.

With that approach, we are trying to hit three areas, the first of which goes back to your core point: why should you engage in this process? Why should it matter to you? What does voting do when it comes to issues that you really care about? That is an important part of the education process. The second area is about information—that is, where to get the information that you want and how to trust it—and the third is about how to argue with candidates and politicians. In that respect, we are saying, "Do have a robust debate, and do disagree strongly, but don't attack or abuse them."

Those are the things that we are trying, through our material, to do in classrooms, and we are going to expand our approach to significantly younger age groups, because all the experts tell us that it is much better if we start at late primary level and then work our way up gently with age-appropriate modules. We are also trying to do the same thing in many other settings besides schools and colleges. For example, we are working with youth groups such as Girlguiding and the scouts and with many local groups.

I think that some of that work will be much more generally applicable to the question, "Why does this matter to you?", because—this brings me back to your question—one of the strongest reasons that voters gave us for not bothering to vote was that they could not quite see a personal link. By the way, they have also told us that it was not convenient, and we—and you and many others—are doing some work on that, too. Voters tell us that they did not get a postal vote, that they missed the deadlines or that, on the day of the vote, they had a family or work issue. That is the sort of thing that comes up, and the bill before the Westminster Parliament will, to some extent, help by changing the deadlines. There are ways of making voting itself a bit easier for that group who clearly feel that it is just too difficult to vote on the day.

Patricia Gibson: You have a very difficult job, because you are spending resources and time, and using your expertise, trying to encourage people to vote—which I think we would all agree is our civic duty—but your job is being made increasingly difficult due to attacks on democracy from within. Obviously, in a democracy, people have the option to vote and the right not to participate, but we want people to participate, yet your job is being made increasingly difficult by disinformation in the press and other media outlets that normalise non-participation. They suggest that only 53 per cent of people voted—I made that point earlier—and the message that sends is that, if nobody bothers, why should you bother? It tells people that voting is passé or old hat and that all the parties are the same. When the media deliberately uses that figure to suggest that turnout is slipping—when actually it is not slipping, if we take out the anomaly of Covid—it creates the narrative that people just do not vote any more. It tells people, "Och, voting's not for you. It has nothing to do with your life."

It makes your job extremely difficult when you are operating in an environment with lots of elements that are hostile towards the concept of the Scottish Parliament and democracy. I do not know whether you have any views on that, but I feel strongly about it.

Vijay Rangarajan: I agree that there are some almost deliberate campaigns that tell people not to bother voting or that participation does not work because parliaments, politicians and politics do not deliver for people. However, as part of our social media scanning and our deepfake operation, we also saw the beginnings of campaigns that attempted to tell people incorrect information about things such as voter identification, as well as evidence of attempted disinformation about what the parliaments were doing. In each case, we were able to change our social media work to contradict that, and we worked with our main media partners to get the right information out.

Patricia Gibson is right that the number of online campaigns that are attempting to undermine democratic participation is growing. We have seen it clearly in other elections internationally, and we should be alert to it in this country and do whatever we can to assess it and act against it.

Patricia Gibson: Some of the gap between the 53.4 per cent participation in Scotland in 2026 and the 58 per cent participation in the UK election in 2024 is due to the differential. It is not necessarily because people think, "UK elections are more important than Scottish ones, so I'll not bother voting in the Scottish Parliament election." Some of it is because Scotland has also taken the bold and, some would say, brave step of enfranchising 16-year-olds. When we did that, we knew that we would get a low hit rate among them, because far fewer of them are going to turn out, which pulls down our participation figures. By the same token, if we can start people voting early, they are more

likely to vote in the long term. It was quite a radical thing to do up front, because we knew that it would hit our participation figures—that it could undermine us and perhaps play into the hands of people who would say, "Nobody votes—look at the figures."

Vijay Rangarajan: That is one of the reasons why we put so much effort and significant amounts of money into our education programme. First of all, allowing 16-year-olds to vote presents a great opportunity. The Scottish referendum provided the best data on that, showing that a high number of 16-year-olds who voted in that referendum continued to vote. That conclusion is interesting, because it shows that, once a person gets into the habit of voting, voting becomes part of their identity. When MSPs go round the doorsteps, they have all probably found that some people's identity is that they do not vote and that they will not participate. Therefore, the more people we can get through to early on—while they are at school—and the more people who vote with their friends and colleagues, the better. It is a little more difficult to do that when people reach the age of 18.

At the moment, His Majesty's Revenue and Customs sends all young people in the country who are aged 15 and three quarters a lovely brown paper envelope containing a letter that says, "Here's your national insurance number. We're going to tax you for the rest of your life." Because people can vote at 16, I would love it if that were accompanied by something that said, "Also, you can now vote, and this is how you can do it." That goes back to the old link between representation and taxation.

The automatic voter registration pilots that were run in Wales and are now being taken up countrywide will help us to do that. Once we have a national insurance number, that helps us to determine someone's identity, location and nationality, and all those things allow us—well, returning officers; I should be clear—to add that person to the electoral register.

10:00

For us, all of this links to automatic voter registration, which is a challenge but also a massive opportunity coming our way. That is because, looking beyond turnout, we think that up to 8 million eligible voters in the UK are not even on the electoral register in the first place. Focusing on that will help hugely with real democratic participation, even beyond the issue of turnout figures.

The Convener: I think that Jackie Killeen wants to come in.

Jackie Killeen: Vijay Rangarajan has slightly moved into what I was going to say. I had the pleasure of being at the committee a couple of weeks ago to discuss with you the Representation of the People Bill and the considerations around legislative consent. Obviously, one of the main provisions in that bill is on votes at 16 for all elections across the UK, and there is significant learning from Scotland on how best to engage with young people to equip them and to motivate and incentivise them as they become enfranchised.

Alongside that, we should do all that we can to take away the barrier of multiple steps, such as having to remember to register as a separate step before you vote. Through the bill, if we can get further on automatic voter registration—I hope that there will be pilots in Scotland as part of that—that will, we hope, address part of the problem. That would take away the barrier of the extra step of registration. If we can move faster towards more direct and automatic registration using data from other sources, that will, we hope, make the process much more straightforward and easy. People will not have to remember to take as many steps to be able to vote.

That was just a further plug for the opportunities in that bill.

Chris Pleass (Electoral Commission): I have a little more information on the democratic education work that we have carried out. As Vijay Rangarajan said, we have now involved hundreds of schools and thousands of young people. From that process, we are seeing substantial increases in young people's democratic knowledge and, most important, in their confidence and intention to vote, which is pertinent to what we are discussing here. For the teachers, their confidence in delivering democratic education consistently exceeds 90 per cent, so that programme is working in terms of what we are trying to get out of it.

Tim Eagle (Highlands and Islands) (Con): I strongly support the points that have just been made about young people. Some of the toughest conversations that I have ever had were in a primary 7 classroom. Last week, I got completely grilled over the closure of the slides in Inverness swimming pool, and I was told that I was not doing enough to fix that. Another issue was potholes, which is a surprising problem for a bunch of P7s to raise. However, I agree that we need to engage with young people as early as possible, because that is a civic duty, and I would like us all to do that. I was going to ask a question on young people and turnout, but we have covered that, so I will move on.

I have a quick question on misinformation—sorry if I am repeating things. When we talk about misinformation, we often talk about the concept of overarching misinformation involving foreign

actors and all of that. However, it seems to me that there is also quite a lot of local misinformation, and I think that I saw that during the elections in May. That might be somebody from another party putting something on social media that is clearly complete nonsense, and then that being widely spread and coming up at hustings and so on. Do you get involved with that sort of thing, or do you just deal with the high-level misinformation?

Vijay Rangarajan: We are interested in that as well. Our threshold for misinformation or disinformation is extremely different from the national security threshold, where people are thinking about great big foreign campaigns. We are thoroughly interested when there is a local, sometimes completely misplaced, campaign against a candidate, as are the candidates themselves. Such campaigns use whatever information is online—or information in various closed groups such as WhatsApp and Facebook groups, which can be a challenge.

We are scanning for that, partly because it is very useful to see who is trying to do it. You are right that it could just involve someone local who has got the wrong end of the stick, and there are ways to correct that. However, it could be someone who is not local and who is trying to target certain kinds of candidates, and we are beginning to see that as well.

One way that we can tackle the issue is through a code of conduct for political parties on campaigning. According to our previous surveys, about 30 per cent of the abuse and intimidation of candidates came from other campaigners. The Speaker's conference at Westminster picked up on that, and we were asked to negotiate a code of conduct on campaigning with political parties. Aspects of that will include how to work online and what sort of things would invoke disciplinary processes, should campaigners do certain things.

That is quite specific, but there is also a large grey area. Someone may believe something that is wrong. That is fine—that is part of political debate. People can see deepfakes and all sorts of other things that might be funny, satirical or rude, and all of that is part of normal political debate. However, we have seen elements of campaigns saying, for example, that the election was on a different day; that people need to bring voter identification when, in fact, they do not; or that they should not bring voter ID when they actually need to. We take the cases relating to electoral process very seriously, and we will act on them.

The examples that we found more difficult involved campaigns that tried to incite violence or riot. We had the beginnings of that, and some social media firms took those posts down, whereas others did not. We are picking up those cases with Ofcom and other bodies. The police have also found such cases difficult.

We saw a lot of attempts to pose false candidates in the 2026 election. There were social media campaigns saying that X was a candidate, and they were dressed up as a Conservative, Reform or Scottish National Party candidate. We got those taken down, as they were clear attempts to undermine, and doing so is illegal.

There are a whole range of things there. Essentially, we are trying to define a small but clearly illegal set of behaviours that are deeply misleading and that can undermine trust—voter trust, in particular—while leaving open a much broader space for good, robust political debate. It is a big and growing issue, internationally and domestically.

Tim Eagle: Are you resourced for that? You are right to say that the situation will potentially get worse before it gets better. We will hopefully reach a point where, as you mentioned earlier, technology will defeat technology, to some extent, but do you need more resources to combat such behaviours before we see the situation improve?

Vijay Rangarajan: We have found the resourcing within our own budget. Chris Pleass may wish to comment on this, but the deepfake detection system was not particularly cheap. It did not cost huge amounts of money, but it was not that cheap. We will continue to use it up to and during next May's elections.

It is not entirely clear that we will always be the best-placed organisation to respond in the long run. We are probably the best-placed organisation to do so in supporting candidates and parties during elections, but an entire social media scanning system may be better run as a state sovereign capability or by Parliament, if that can be worked out. We are still in the early days of the technology. However, our pilot—very helpfully—gave us a baseline for what is going on. We could see what kinds of narratives spread and who is trying to spread them. It also showed us that the technology worked in real time.

I will explain part of the reason why we ran that pilot. In the Irish presidential election, the successful candidate, who is now the President of Ireland, was Catherine Connolly, and there was a particularly good deepfake of her withdrawing from the campaign three days before the election. It was brilliant—I can show it to you. It had Catherine Connolly standing up on a stage and saying, "I withdraw from the campaign." AI simulated people in the crowd saying, "No, Catherine!" It then cut to a very good simulation of an RTÉ presenter saying, "Now she has withdrawn from the campaign, the election is cancelled, so don't go and vote. Her opponent has won."

That got a significant viewership among the Irish population. It was then contradicted heavily, but that kind of thing is illustrative. Were we to spot that, we would act very quickly on it. That is why we have put up a sort of dragnet to see what is going on. We did not see that happening in May 2026, which is good, but that is no guarantee that someone will not attempt to do that in the future, at either local or national level.

Chris Pleass: I will build on what Vijay Rangarajan has said. Our budget builds in significant investment in information technology and in modernising technology, including AI and deepfake detection. IT security is also critically important to our organisation. For the second year running, we have been awarded a cyber essentials plus accreditation, which is essentially the highest level of cybersecurity accreditation that you can obtain. Currently, we experience some 30,000 to 60,000 cyber attacks per month, so enhanced security is absolutely essential to protect our infrastructure, which is part of the national democratic system.

Jackie Killeen: It is very much a partnership endeavour. We are not in control of all the levers, so we work closely in partnership with all the returning officers, with everyone who is delivering an election on the ground, with the local and national police force, with the platforms, and with Ofcom, which is the other regulator. If we pick up something through social media monitoring that is locally targeted, we are able to engage with the elections team on the ground, to ensure that voters have correct and accurate information that they can trust and that misinformation is countered.

We do that in a way that does not inadvertently amplify any misinformation, which is tricky to do. We learned a lot from the pilot that we ran in May, and we have mainstreamed the capability into our organisation. We focus specifically on elections, but, as Vijay Rangarajan said, there has to be a much bigger endeavour to look at the broader threats to democracy and information all year round.

Tim Eagle: Good luck with that. It is a challenge, because there are grey areas. We want to enable debate while at the same time ensuring that the debate is as fair as possible.

I have one other question. Long after most of the candidates who were successful in May were at home, celebrating, I was still standing in the middle of a hall in Inverness, and I waited until the early hours of the morning for the result. To what extent are you involved in the results? The public want to hear the results as quickly as they can. Do not get me wrong; I want the counting to be correct. However, we had to wait for the result for an extraordinarily long time. Can we improve the process going forward?

Dame Sue Bruce: We are aware that there was an issue with the Highland count. The observers who were there felt that there was a mismatch between the expectations of candidates and agents who were present, on the one hand, and the communications that were being issued, on the other. We and the Electoral Management Board for Scotland will work closely with the returning officers and their staff to provide whatever support, advice or guidance we can on running the count.

You have picked up that the accuracy and integrity of the count is far and away the biggest priority; speed comes second. We have been working with the returning officers to understand what can be done to streamline the process and what practices they can adopt. We and the EMB will give as much support as possible to the team, to help it to deliver the results of the count in as timely a fashion as possible. We also appreciate that there are issues of geography and that boxes had to be delivered over very large distances, but communications on the ground during the course of the count are really important.

Tim Eagle: If it is a communications problem, we need to learn from that and improve it.

The geography issue is slightly redundant—that argument could be made if the count was done overnight, but all the boxes came in overnight and were there and ready to go the next morning, when we started counting, yet it still took hours and hours. Those of us on the ground were not being told anything—I and the agents in the room had very little contact. It seemed to go on and on, there were recounts, and there was a complete misunderstanding. I am not trying to attack anyone, but, fundamentally, we want the process to be improved as much as possible. By the time we got the results, the press and everyone else had gone and we were all exhausted.

Are you still part of that conversation? I am looking for reassurance that work is being done to improve the process for the next time.

Dame Sue Bruce: You have nailed it. Communications to those in the count hall and to those who have left for whatever reason, particularly candidates and agents, is crucial. I say that both as electoral commissioner and as a former returning officer.

Apart from providing a general overview, the biggest thing that I did as a returning officer was communicate all night long. I wandered around speaking to people and keeping them up to date. I issued formal updates perhaps every half hour, saying, “We’re now doing this. We’re now doing

that". If there was a delay, I made sure that people understood the reason for it.

If people are waiting in an information vacuum, it becomes a very long and drawn-out process. We, along with the EMB, will continue to work hard to support the ROs and their teams to ensure that any good practice is shared. It is also about ensuring that we have experienced staff up there in case people have any uncertainties or queries. The commission will probably send somebody up to the specific count to ensure that the team is well supported with on-the-spot advice.

10:15

The Convener: I heard that one of the reasons why there was a delay in the count in Argyll and Bute was the length of the peach ballot, if I have got that right. I am interested to understand what learnings there have been from that ahead of the next election, because I do not believe that that will reduce in size.

I also underline the point that Tim made about the fact that all the boxes were in for the count. Perhaps you could expand on that, Jackie Killeen, as well as on what Sue Bruce said about learning from other areas, because it was not a great experience, shall we say.

Patricia Gibson has a quick question, but I will bring Jackie Killeen in first.

Jackie Killeen: In relation to how that happened, the Electoral Management Board for Scotland has the ability to issue a direction to returning officers on things such as how and when the count is administered. The decision to hold the count the next day was entirely in the interests of accuracy and ensuring that things such as ballot boxes coming from long distances could be safely in place for a scheduled start time.

There are several stages to go through, including the opening of the ballots and the verification stage, before moving into the count. Further, in Highland, three constituencies were being counted in that single location. The team on the ground was therefore balancing staffing, space, verification, the different stages and the length of the ballot papers. It was a complex count.

The length of ballot papers has also been an issue in other parts of the UK, partly as a result of the growth in both the number of independent candidates and the number of parties. How we balance accuracy with speed is a live issue for administrators in other places. As Sue Bruce said, communication and clarity about expectations is key.

Jointly with the Electoral Management Board for Scotland, we will hold our annual conference at the end of this month, ahead of the polls. It will very much focus on lessons learned from the May polls and on preparations for May 2027, with counts very much featuring as part of that.

In addition, we are keen to support good communication and engagement with parties, candidates and other stakeholders both in advance and throughout the course of the count, so that people are clear about what is happening, what stage we are at and why it is taking the amount of time that it is.

Everybody supports priority being given to accuracy and a result that commands complete public confidence as the most important things in a count. However, that confidence can potentially be undermined if there is a communication vacuum, which is an important point to take away.

Patricia Gibson: I want to make a very simple point by way of defence. The July 2024 Inverness, Skye and West Ross-shire count took place overnight, and there was the problem of the geography in getting the boxes in. Everybody had to call it a night and come back the next day. I was not there, but I suggest that that was partly due to geography and it being too long for people to count accurately when they are up all night.

However, it does not surprise me that the Highland result took longer. The nature of the system means that you have to prioritise the constituency vote and, by its nature, the regional vote just has to wait. Under the system, the constituency members must be in place in order to determine the number of regional members who might be elected, so I do not think it particularly surprising that the count took so long—although 1.20 am is maybe a bit of a push, you are dealing with people who can go only so fast and who have only so many hours of concentration to give.

The Convener: Does anyone have any comments on Patricia's thoughts there, or do witnesses feel that we have covered the matter?

Vijay Rangarajan: To come back to your point, Ms Gibson, there is some learning there. The process took a long time—there were some recounts and some close counts—but, as we move further towards the mini-count system becoming the practice more generally, we can definitely identify best practice and consider how mini-count systems and the sequencing of regional and constituency MSPs should work. It is quite complex. Figuring out exactly who is allocated to do which bit, in which order and at what scale is quite an art, and we are still learning it. However, we will continue to try to improve in exactly the way that Jackie Killeen has said, which is by working with the EMB on the best model to use for a complex process.

Patricia Gibson: What you say is absolutely correct. Constituency results can be subject to several recounts, and everything else has to wait. As you have said, if the results are close, recounts will take place and the regional vote will just have to wait.

Vijay Rangarajan: And, in that case, there were recounts.

Dame Sue Bruce: To give them credit, knowing that the process would take a while, the returning officer prioritised its integrity and accuracy, so that everybody could rely on the end result.

The Convener: I will bring in Jackie Baillie.

Jackie Baillie (Dumbarton) (Lab): I was going to recommend strong coffee for candidates who cannot stay awake. [*Laughter*.]

I genuinely thank you all for the guidance that you give to candidates and agents. I have read it from cover to cover at different stages of my life, and I have found it very useful, so thank you for that.

I want to explore one of the future challenges that I think we will all face, which is the potential for foreign interference and influence in our elections. The committee took evidence a few weeks ago, and I was genuinely surprised to learn that returning officers and their staff do not check candidates' submissions and applications to stand. It is very much a matter of self-policing, with no independent verification of who a candidate is or of their eligibility to stand. Does that context put public trust and confidence in the elections at risk, and could it be one avenue that opens up our elections to foreign interference?

Vijay Rangarajan: I will come back to the issue of foreign interference more generally, but Jackie Killeen might want to start on candidate identification.

Jackie Killeen: I will talk about the process. First, thank you, Ms Baillie—I am happy to take back your thanks to the team, who work extremely hard to ensure that the guidance for candidates and agents is helpful. I also draw the attention of anybody who is interested to the fact that we now have a suite of animated resources, in order to help people a little more.

Jackie Baillie: That is exciting.

Jackie Killeen: I appreciate that it is a niche topic, but we are doing everything that we can to help people to understand the process and go through it correctly.

At the close of nominations, the returning officers receive the subscribed nominations from the candidates who are standing. Sometimes, those nomination forms will not be delivered in person by the candidate—they might be delivered by the agent—and several nomination forms might be returned at the same time. It is an incredibly busy and pressured day, because the limited time in the electoral timetable means that the returning officers have to collate the correctly nominated candidates, produce the statement of persons nominated and then quickly move on to getting all of the print materials into production as rapidly as possible, so that there are no delays in postal votes, poll cards and all the other things that have to happen during the election timetable and after the close of nominations.

As for the balance of responsibilities, although returning officers need to ensure that candidates are correctly nominated, the responsibility for being a valid and eligible candidate lies with candidates themselves. If they are found to have made a false declaration, that is a prosecutable criminal offence. That is the current situation.

Some amendments on these matters could be made to the Representation of the People Bill, which I was talking to you about a couple of weeks ago. One such change would be to ensure that a form of identification was presented alongside a nomination. The detail on that is still being worked through, but a range of stakeholders had raised concerns about there being potentially more checks to allow a voter to vote than to allow a candidate to stand. The proposed measures are trying to redress that situation, to some extent, without overcomplicating or overdelaying the process at the close of nominations, and without changing the balance of responsibilities.

That was a slightly procedural description of what currently happens.

Jackie Baillie: Given your knowledge, do you think that the absence of any identification checks is a problem, and do you think that what is being proposed in the forthcoming bill will rectify that?

Jackie Killeen: We have seen low levels of offence in this area, but I think that, in the main, the process is not being abused on a wide scale. There is no evidence of significant abuse of the current process, but that does not mean that we should not be doing everything that we can to strengthen it.

Jackie Baillie: With all due respect, I would suggest that, if we are not checking, we do not know.

Jackie Killeen: Well, there is a process for submitting petitions and making complaints afterwards, should concerns subsequently arise.

Vijay Rangarajan: You are right: we do need to check, because we need to know, and we need to put returning officers in the best possible position to give an assurance that people on the ballot

paper are there validly. It is a slightly delicate balance for exactly the reasons that Jackie Killeen has set out with regard to the additional workload, but requiring candidates to give at least the same amount of information to be a candidate as a voter has to give in order to vote is a change to the bill that we support.

As Jackie Killeen said, we have not seen enormous amounts of abuse, but, if I am right, there was a YouTuber who got a number of people to change their names to his and to stand in multiple locations at the 2024 general election.

Jackie Killeen: He was called Niko Omilana, and we ultimately saw 11 Niko Omilanas, I think, standing in constituencies throughout the UK for the general election.

Vijay Rangarajan: They were all different people, and they were sort of validly there. However, the potential for voter mistrust and confusion is significant, so there is, therefore, a need to have a good, tight system.

We have not seen this as a main avenue of foreign intervention or interference in our elections, partly because one of the strengths of our system is that it is so distributed and localised and that local returning officers have this power. According to Philip Rycroft's review, which we worked very closely with him on, the two biggest attempts at foreign interference were made through misinformation campaigns and through money.

On a more general point, as we have gone through the consideration of the Representation of the People Bill, and as you have gone through the legislative consent process, we have done a lot of work on how some of the provisions could be abused by people who might not be happy about our democratic system. Even some of the candidate provisions could be abused, so we have done a lot of thinking about the kind of red teaming that needs to happen for each of the moderately complex processes. For example, how could the provisions be abused as much to hurt a legitimate candidate as to impose an illegitimate candidate? There might be provisions that cannot be completely assessed before a candidate is put in. Someone might, say, make an impermissible donation only for it to pop up—at the last minute, helpfully—and disqualify the candidate. We are really concerned about such things, so we have been doing a lot of work on the bill to look at those complex processes and make sure that they cannot be manipulated or abused by either side. We can explain all of that further, although I know that Jackie Killeen and Alison Williams did so a couple of weeks ago.

10:30

Jackie Baillie: I will come on to money in a minute, but there is one more issue that I want to ask about in relation to the potential for foreign interference. The committee took evidence on the Scottish Government's position that the fact that someone has limited leave to remain in the UK should not be a barrier to their standing in Scottish Parliament elections or local government elections. Am I correct in saying that Scotland is the only part of the UK that has adopted that position?

Jackie Killeen: I would probably need to check that, but I think that that is our understanding as well.

Jackie Baillie: That is fine. I am told that Scotland is the only country in the world in which there is such a provision, so that probably is the case.

Do you see that position presenting any problems in relation to foreign interference? For context, I point out that students have limited leave to remain and that there are 17,770 Chinese students in Scotland. Do you think that that raises potential concerns about foreign interference in our elections?

Vijay Rangarajan: I am not sure that I see that as being so much of a concern. If one of those people stands, we can have that argument. By definition, our electoral system is incredibly public and transparent, so I imagine that, if someone who was standing for election said that they did not have indefinite leave to remain, questions would be asked by other candidates and political parties.

We would say that it is important that the Scottish Parliament and other Parliaments define exactly what the franchise is for someone to be a candidate. In general, we want the maximum transparency on candidates, which is why we intend to scale up the amount of voter information that is provided online over the next few years. Although we do not want to hide any information about candidates, we want to support them as much as we can, because we are more worried about the flipside of the issue, which is people who would be great candidates not standing. Therefore, our work, from animated videos to everything else, is going into supporting candidates.

Jackie Baillie: Okay. Let me turn to the question of money. You have responsibility for and oversight of party finances—in particular, donations and loans, spending returns and whether any action requires to be taken on political finance law breaches. I am conscious that, by and large, the commission has members from each of the political parties as commissioners. Are they

under any obligation to recuse themselves from discussions about their party?

Vijay Rangarajan: We do not take decisions on individual investigations to the board, partly for that reason, but the board operates an oversight system to make sure that we—I am really talking about me and Jackie—are behaving and are running the system fairly and impartially. We produce a whole set of data and an analysis of what we have done, which the board can query and challenge as needed. All members of the board then consider whether we have run the process fairly. We did that last year, and we will do it again in the coming year.

That process will become even more important as we take on regulatory responsibility, under the bill, for all candidates. That will expand our remit to include, as well as 400-odd political parties, 50,000 or so candidates.

More broadly, it is very important that the public trust that we are applying all the political finance laws impartially and carefully, because, as we said at the beginning, the area in which public trust is very low—it is about 14 per cent—is political finance.

Jackie Baillie: Absolutely. I will give two recent examples, and I would like to know what your involvement in these cases was. There is the example in Scotland of Peter Murrell and his embezzlement of SNP finances, and there are questions at a national level over the provenance of donations to Reform. Will you help me to understand what checks you do generally and what your role was in relation to those two specific incidents?

Jackie Killeen: Very briefly, our teams are responsible for registering all political parties that wish to stand candidates and for receiving all the political finance reports that parties are required to make under the law, from spending returns and donation reports to annual statements of accounts. We check all of those for compliance and publish them all on our website, given the importance of transparency. It is important that the public have information on who is spending money to influence their vote and where that money came from. We have a key role in transparency on that, and we have a team working on it constantly, because those obligations are ongoing.

We then consider whether any concerns arise from any of the information that we receive. Sometimes, we detect those concerns ourselves. If we look across the data that we receive and something does not look quite right, we will triage that. Sometimes, we receive information from a range of sources, such as members of the public, other parties and the media, and we will treat all of that as information of concern. We consider what the nature of the concern might be and whether an offence might have been committed. If we think that an offence might have been committed, we will look at that through our enforcement team, based on our enforcement policy. If we think that an offence might tip over into being a criminal offence, we will refer that to the relevant policing or law enforcement agency.

To give you a sense of the scale, in 2025, we triaged 453 matters of potential concern. The vast majority of those will have been administrative issues. Some will have involved inadvertent non-compliance, and we can sometimes bring such issues into compliance through advice and guidance or a smaller measure. Sometimes, they will require an investigation. The most complex matters are the ones that move into the investigation stage, and we have seen an increase in those more complex matters, which we take very seriously indeed. They often require detailed legal considerations and can be complex.

That is the general approach. The process can take a long time, as we have seen from a range of matters, particularly if potential criminality is involved. We will continue to work with the relevant law enforcement or other agency to understand the intersection between electoral offences and any wider offences and to ensure that, if more general lessons can be learned, we take those away. We continue to provide targeted support and engagement with all the main parties and with the increasing number of smaller parties across the UK. I should say that we have regulatory responsibility for other organisations: non-party campaigners, or third-party campaigners, as you might know them, and other regulated donees.

Vijay Rangarajan: I will add two things to what Jackie Killeen said. Clearly, if the police need our help, we will give it in evidence in whatever way is required, and we have done so in the cases that Jackie Baillie mentioned and in several others. I am struck by the huge diversity in parties and by the fact that many of the people who take on these significant responsibilities are volunteers, so we try to help them as much as we can. We have seen weaknesses in political party systems. Some of the cases that Jackie Baillie mentioned have shown those, but there have been plenty of other cases as well.

Over the next few months, we will try to work with parties privately to say what weaknesses we have seen and what things they could strengthen. Clearly, it does not help politics in general to have any of the issues that you mentioned made public or be prosecuted—or happen at all—so we are keen to strengthen parties' financial systems. In particular, one area that we will probably look at is the guidance that we give to auditors of political parties, which probably needs to be strengthened,

to an extent, and we are in the process of doing exactly that.

Jackie Baillie: I am curious, because, from what I have heard, it sounds as if you are more reactive than proactive. I would have thought that, if a long-standing auditor walked away and there were issues about the accounts, you would act. Have I picked that up wrongly? You did not do that in the case of Peter Murrell and the SNP.

Vijay Rangarajan: If auditors bring any issues, which is one of their responsibilities, we will certainly act. We have to look at the audits of political parties' accounts, and what we are trying to do is proactively strengthen their own systems, to ensure that no form of fraud or embezzlement can occur, because those things are very dangerous. In the case of the SNP and Peter Murrell, we have been working very closely with the SNP to fix the issues that were flagged, and we have had a really good working relationship with it.

More broadly, we are trying to get political parties into a world where anyone who tries to embezzle from them will not find it at all easy—and also where anyone who tries to carry out a cyber attack against them will not find that easy, because parties are coming under increasing pressure and threats on a number of fronts.

We get the accounts and some of the data only significantly after the event. That is particularly the case with data on donations, because they have to go through the party's own processes first and it has to decide whether to accept them. However, we keep a very close eye on the media to see what has happened, and we are in very close contact with the political parties. Quite often, they will come to Jackie Killeen's team and ask for advice on whether they should accept things. That is an extremely forward-looking and more proactive way in which we help parties to ensure that they comply.

Jackie Baillie: I am sure that every party appreciates that guidance and support, because it is important for public trust and confidence that we get that bit right. Irrespective of the political party, that is critical. However, what I am driving at is that, although I would have expected you to be proactive in checking and flagging things, I am hearing that that is not the case and that you rely on others coming to you.

Vijay Rangarajan: No—we are checking. We have some advanced systems that look through all the financial data that we get.

Jackie Baillie: The point that I am making is that things were not spotted.

Jackie Killeen: It is important to be clear that our primary lens is about making sure that parties and other regulated entities are complying with electoral law, political finance law and their obligations, which are fairly complex. That is what we regulate. We do not regulate the internal workings of their own governance processes, beyond making sure that those processes are fit for purpose in ensuring that they are not breaking the laws that we are responsible for regulating. We proactively check all the information that comes to us through that lens to ensure that returns are complete and nothing raises a concern that an offence might have been committed. As I said, many of the 453 potential matters of concern that were raised last year were things that we identified, but we also take on board concerns that are raised with us by others.

When we identify that an issue is perhaps becoming a trend and the party might be struggling with the matter, we will address that. Over the past couple of years, we have proactively produced guidance on crowd funding. That was not covered in the law, but we have seen it becoming an increasing part of parties' fundraising approaches. We have addressed that and have provided advice, guidance and training for treasurers on how to approach that new thing. The same thing happened in relation to crypto, when crypto donations started to be made in advance of the measures in the Representation of the People Bill.

We also spotted issues with parties taking very different approaches in their spending returns following elections. For the most recent sets of polls, we produced a sample return that the parties could use, to ensure that their returns were complete and accurate, and we are processing the larger spending returns at the moment. We are constantly scrutinising what we are seeing.

10:45

The Convener: Patricia Gibson wants to come in on that.

Patricia Gibson: I have a supplementary question on the difference between being proactive and being reactive. Let us say that I am a convicted fraudster and I may or may not have gone to prison, but a significant amount of money was involved. What is the position if, at some point after that conviction, I decide that I want to make a significant donation to a political party? I know that Labour and the Liberal Democrats have had to grapple with that issue. What is your take on that? What does the law say?

Obviously, you will not comment, and I would not expect you to comment, on the ethics of such donations, but would you red flag that to a party, to ensure that it was confident that the money was clean, or would you wait to see whether the party came to you for advice?

Jackie Killeen: Parties have a responsibility to make sure that their donations come from permissible donors. The definition of a permissible donor is set out in law. There will be changes to what constitutes a permissible donation, and some of those requirements will be tightened up through the bill—for example, it will strengthen checks to address concerns that companies that are based in the UK but not active in the UK may have been used to funnel impermissible money from elsewhere into the UK system.

A significant change that the bill will bring in is a requirement for parties to conduct much more rigorous know-your-donor checks that will involve a higher degree of due diligence on who is donating to them and why.

Patricia Gibson: If parties do not do that, do you step in if you are not satisfied that it has been done?

Jackie Killeen: Yes.

Vijay Rangarajan: There is an area in which we would like tiny tweaks to be made to the bill. At the moment, a know-your-donor check under the bill that the UK Parliament is considering does not need to be a reasonable one. We would like the concepts of reasonableness and the location of the donor to be built into the clauses.

I do not know who would want to do this but, in its defence, a party might simply say that it carried out a know-your-donor check against a risk assessment—but the risk assessment might not really be a terribly good one for assessing the risks. That is fine in one world, because parties have incredibly different risk profiles and the amount of money that they want to take and who they accept money from are very political decisions, as you all know. However, we consider that the know-your-donor system will need to be tested and evolved quite carefully over time. Those provisions in the bill are very important indeed.

Patricia Gibson: Are you confident that the bill is fit for purpose?

Vijay Rangarajan: It will be a big step forward. I think that we will evaluate it. We would want those two changes to be made to the bill's clauses. Even if they are not made, the bill will still be big step forward, but it could be stronger.

There are several areas in the bill where we would like to see change. I have described one; information-gathering powers is another. The powers should enable exactly what I think that you and Ms Baillie are talking about, which is getting ahead of the game and looking more proactively at cases. To be blunt, the current powers are not good enough. The bill improves them, but it still does so within a certain frame, which we think will probably not be enough.

We will be able to get information to check whether a crime could have been committed. That might be about the income and expenditure of a political party or a permitted participant. However, some of the people who may be trying to commit crimes, defraud the system or do various other things may not be permitted participants, and the issue may not be exactly about the income and expenditure of a political party. For example, it might be about a crypto donation or the exact way in which a flow of crypto funding worked.

For us to be as proactive as I think that Patricia Gibson and Jackie Baillie both want us to be, having broader information-gathering powers in the bill will help us.

We sometimes get caught in a catch-22 situation. Someone says that there is an issue, or we spot an issue. We then try to get information to ascertain whether there is actually an issue. If somebody does not want to give us the information, we do not necessarily have a power to get it and ensure that they have it before assessing whether to move to a full investigation.

Patricia Gibson: That is a huge gap.

Vijay Rangarajan: It is a gap, although I am not sure how huge it is. There are other ways to do things, by working in partnership with the police and other agencies. However, making the change would certainly help to tighten up the bill. I think that the issue will be debated in the House of Lords, because several amendments have spotted that exact point, which peers will try to put in the bill.

We are aiming for the best possible bill. It is still good, and the provisions will still make a big difference, but it would be helpful if they were broader.

Jackie Baillie: I have a follow-up question. This is not about one political party; it could happen to any party. However, the recent example that I am using, which involves the SNP, caused everybody grave concern, including those in the SNP. Did you at any stage spot that there was a problem before the police became involved? Following on from what you were saying earlier, do you need more powers to do the job that we want you to do?

Jackie Killeen: Returning to a point that Vijay Rangarajan made, it would be helpful to have a general power to obtain and gather information outside of an investigation that is not tightly linked just to income and expenditure. That would enable us to spot things more quickly, as a general principle.

Jackie Baillie: You did not answer the first part of my question. Did you, at any stage, spot that there were concerns before the police became involved?

Jackie Killeen: I am not trying to duck the question. That was long before my time.

Jackie Baillie: I appreciate that.

Jackie Killeen: The most accurate way of describing the approach would be to say that we worked closely with the police throughout their investigation.

Jackie Baillie: That was not what my question was about; it was about the time before. I want you to have the power to check. I want you to hold us all to account. Perhaps I am wrong, but what I am picking up is that you did not spot what was happening with donations, in a way that enabled Peter Murrell to go on and defraud the SNP.

Jackie Killeen: Vijay Rangarajan might want to come in on this. I do not want to make a generalisation but, in that case, the ultimate finding was of embezzlement and fraud, rather than an electoral offence, on the policing side of things. The evidential trail is a criminal one.

The Convener: I think that we are straying away slightly. We have had clear responses from Jackie Killeen regarding the responsibility of the Electoral Commission. Do you wish to add anything, Vijay?

Vijay Rangarajan: To build on Jackie Killeen's point, I would say that nothing triggered our systems earlier in our evaluation. The various statements of accounts looked okay. They will now need to be corrected, and various things will be appearing, but that is entirely fair.

Nothing was triggered partly because the offences were not electoral offences at all, as Jackie Killeen said, and partly—this is a generalised thing, and it is not about any particular party—because some of the systems did not catch the issues, which were a set of issues that should be caught in most normal-sized companies. What was done was also very carefully concealed, as we have seen from the court proceedings.

Our remit does not extend to a more intrusive, deep check of the interior systems in parties, but we are offering expertise from what we have learned during this and other cases. Primarily, responsibility rests with the parties concerned to ensure that they are looking after their members' finances, with the right internal systems. We will help them to do that as much as possible.

However, in the end, I do not think that the responsibility to ensure that candidates are obeying every element of UK law that is not electoral law will rest with us. Although we will take a particular interest in electoral law, such a responsibility would more broadly mean a different kind of electoral commission with much more intrusive work into political parties.

Jackie Baillie: I was, in fact, referencing donations, which are at the centre of the matter and for which you have responsibility. However, I am content to leave it there, convener.

The Convener: Thank you very much to all the witnesses for providing evidence about your report for the current year. Really important discussions took place about how we encourage people to vote from a younger age, for example, and I very much appreciate the work that you do to ensure that our electoral system is as open, transparent and clear as possible. The other two big messages that we must think about are around proactivity and communication.

I thank you all for attending. Dame Sue Bruce, I thank you very much for your service—I think that you indicated that it has lasted 10 years. I wish you well in the other work that you will continue to do.

That concludes our business.

Meeting closed at 10:56.

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Official Report
Room T2.20
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Edinburgh
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The deadline for corrections to this edition is 20 working days after the date of publication.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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