

Citizen Participation and Public Petitions Committee

7th Meeting, 2021 (Session 6), Wednesday
17 November 2021

PE1901: Replace the voting system for the Scottish Parliament with a more proportional alternative

Note by the Clerk

Petitioner	Richard Wood
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to replace the broadly proportional Additional Member System used for electing MSPs with a more proportional alternative.
Webpage	https://petitions.parliament.scot/petitions/PE1901

Introduction

1. This is a new petition that was lodged on 12 October 2021.
2. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe A**.
3. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 50 signatures have been received.
4. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe B** of this paper.
5. The petitioner was invited to submit a written submission in response to the Scottish Government. On this occasion, the petitioner decided not to respond.

Background information

6. Elections to the Scottish Parliament are carried out using the mixed member proportional Additional Member System (AMS). This voting system combines first-past-the-post and proportional representation using a formula known as the d'Hondt method.
7. The SPICe briefing sets out two examples of proportional voting systems:
 - Single Transferable Vote (STV): Uses multiple-member electoral districts or regions with each voter ranking preferred candidates on a single ballot. Scottish local elections take place by STV.
 - Open List Proportional Representation (Open List PR): Variant of party-list proportional representation where voters have influence over the preference order of party candidates.
8. The briefing notes that there are concerns over the 'list order effect' with STV. This is described as a concern that candidates nearer the top of the list on the ballot paper are more likely to be selected.

Scottish Government submission

9. In its submission, the Scottish Government notes that the system used for electing members to the Scottish Parliament was set out in the Scotland Act 1998 and was previously a matter reserved to the UK Parliament.
10. The Scotland Act 2016 brought this under the competence of the Scottish Parliament for the first time.
11. The Scottish Government concludes by advising that it does not currently have any plans to propose changes to the voting system by which MSPs are elected to the Scottish Parliament.

Action

12. The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

PE1901: Replace the voting system for the Scottish Parliament with a more proportional alternative

Petitioner

Richard Wood

Date Lodged

12/10/21

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to replace the broadly proportional, but flawed, Additional Member System (AMS) used for electing MSPs with a more proportional alternative.

AMS results in more representative parliaments than FPTP used in Westminster but it is not fully proportional. It also results in two classes of MSPs, limits voter choice and can be exploited by decoy parties.

Alternatives such as the Single Transferable Vote (STV) or Open List PR, would empower voters and lead to more representative parliaments.

Previous action

I have raised the issue with my Lothian MSPs when I previously lived in Scotland and have since contacted new Lothian MSPs in Session 6 upon return to Scotland.

On contacting MSPs in session five, I received mixed responses although not everyone replied. Labour MSPs seemed potentially open to the idea. One Conservative MSP seemed open to some sort of reform while the other disagreed with any change at all. Green MSPs supported reform. I have also written about the issue in the media notably for Politics.co.uk in the run up to the 2021 election.

Background information

The Additional Member System results in more representative parliaments than First Past The Post used in Westminster but it is not fully proportional. In my view, it is flawed as it doesn't guarantee proportionality, hands power to parties and creates two classes of MSPs. It also limits voter choice through closed lists and can be exploited by decoy parties.

Alternatives such as the Single Transferable Vote (STV) or Open List PR with levelling seats, would empower voters and lead to more representative parliaments

Link about the Additional Member System:
<https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/additional-member-system/>

Link about the Single Transferable Vote:
<https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/single-transferable-vote/>

Link about Open List PR:
<https://ballotbox.scot/ballot-box-briefing-2-scandinavian-style-proportional-representation>

SPICe

The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE1901](#): Replace the voting system of the Scottish Parliament with a more proportional alternative, lodged by Richard Wood.

Scottish Parliament Additional Member System

Elections to the Scottish Parliament are carried out using the mixed member proportional Additional Member System (AMS). This voting system combines first-past-the-post and proportional representation using a formula known as the d'Hondt method.

A first vote is used to elect a named candidate for a geographically defined single member constituency. A second vote is used to elect an 'additional' member. This vote is cast for a political party or an independent candidate on a regional ballot.

Each registered political party standing in the regional ballot will have submitted a list of their candidates in order of the party's preference. The regional vote is intended to make representation in the Parliament more proportional.

Voter Choice and Decoy Parties

- Both regional and constituency lists are closed meaning the party rather than the electorate chooses the preferred candidates.
- Voters may choose to support one party in the constituency and another in the regional vote.
- Decoy parties are small parties which may stand in AMS electoral systems, but which have the tacit support of a larger party.

MSPs

- Constituency MSPs and regional MSPs have equal status in the Scottish Parliament.
- The different terms are used only to differentiate between the size of the geographical areas they represent and the way in which they were elected.
- MSPs are paid the same whether they represent a constituency or a region.

Proportional Voting Systems

- Single Transferable Vote (STV): Uses multiple-member electoral districts or regions with each voter ranking preferred candidates on a single ballot. Scottish local elections take place by STV. There is concern over the 'list order effect'.
- Open List Proportional Representation (Open List PR): Variant of party-list proportional representation where voters have influence over the preference order of party candidates.

List order effect

- The names of candidates for elections in Scotland (and in the rest of the UK) are listed on the ballot paper alphabetically by surname.
- It has been suggested that candidates nearer the top of the list are more likely to be selected. This is known as the 'list order effect'.
- The Session 5, the Standards, Procedures and Public Appointments (SPPA) Committee consulted on the "list order effect" in local elections as part of their scrutiny of the Scottish Elections (Reform) Bill. The committee concluded that there is evidence that the list order effect could be unfair on certain candidates. The committee recommended that the Scottish Government asks [the Electoral Commission to consider again](#) local election ballot paper formats.
- The [Scottish Elections \(Reform\) Act 2020](#) did not make changes to the list order on ballot papers in local elections

Scottish Government Action

The Scottish Government's [Electoral Reform Consultation Analysis](#) (12 October 2018) received views relevant to this petition:

- Dissatisfaction with parties selecting regional list MSPs.
- Criticism of dual candidacy in AMS and introduction of term limits for regional list MSPs.
- Some support for STV to be used in all elections in Scotland.

Courtney Aitken

Researcher

12/10/2021

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

Scottish Government submission of 19 October 2021

PE1901/A: Replace the voting system for the Scottish Parliament with a more proportional alternative

The practical effect of the proposal in the petition would be to change the method used to elect the membership of the Scottish Parliament.

As the Committee will be aware, the system used for electing members to the Scottish Parliament was set out in the Scotland Act 1998, the act of the United Kingdom Parliament which makes provision for a Scottish Parliament.

Until the passing of the Scotland Act 2016, elections for the membership of the Scottish Parliament were a reserved matter for the UK Parliament. It was only with the commencement of the relevant provisions of that Act on 18 May 2017 (The Scotland Act 2016 (Commencement No. 6) Regulations 2017) that it became within the competence of the Scottish Parliament to consider changes to the method of electing its membership.

As you are aware, the current system is the Additional Member System which does have an element of proportional representation through the use of two ballot papers, one of which elects additional members from a list. I would advise that the Scottish Government does not currently have any plans to propose changes to the voting system by which MSPs are elected to the Scottish Parliament.