

## Supporting prisoners to vote in the upcoming Scottish Parliament election

Prisoners serving a sentence of 12 months or less now have the right to vote in Scottish Parliament and council elections.

On Thursday 6 May 2021 there will be an election to the Scottish Parliament. This document explains how you can support prisoners you work with to register to vote in the election.

### The Scottish Parliament

The Scottish Parliament has powers to make laws for Scotland in a range of areas, including health, education, housing, justice and the environment.

The people elected to the Scottish Parliament are called Members of the Scottish Parliament, or MSPs for short. There are 129 elected MSPs and every person in Scotland is represented by eight of them.

Each MSP looks after a particular area in Scotland. 73 MSPs are constituency MSPs, representing local areas. 56 are regional MSPs who look after a much bigger parliamentary area, known as a region. You are represented by one constituency MSP and seven regional MSPs.

### Which prisoners are eligible to vote?

Convicted persons who are serving a prison sentence of 12 months or less in a UK prisoner who would usually be resident in Scotland are eligible to vote in Scottish Parliament and council elections. However, any prisoner serving a sentence that exceeds 12 months is legally incapable of voting. Prisoners cannot vote in elections to the UK Parliament.

Eligible prisoners can apply to vote by post or proxy (where someone casts your vote on your behalf). They cannot vote in person at a polling station.

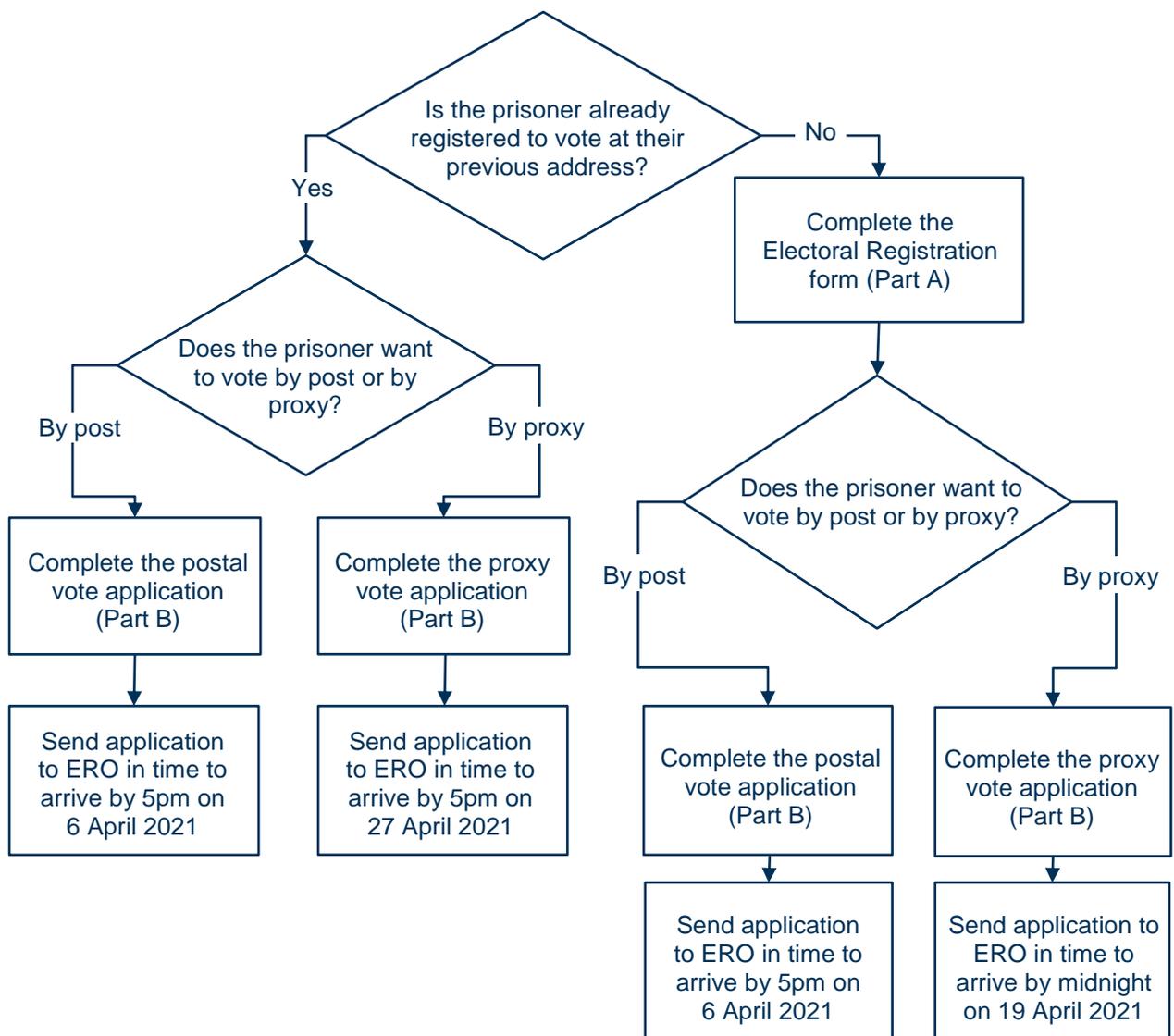
### How can a prisoner register to vote?

To register, a prisoner will need to complete an [Electoral registration and postal/proxy application form for prisoners](#).

A prisoner should register to vote using the address in Scotland where they would be living if they were not in prison, or an address in Scotland where they have lived in the past.

If they can't give either of these addresses because they were homeless or are not allowed to return to their previous address, they can give the address of the prison in Scotland where they are detained.

The completed form must be sent to the local electoral registration office for the address that they are registering to vote at. The deadline for registering to vote in the election is midnight on 19 April. The deadline to register to vote by post is 5pm on 6 April, and the deadline to vote by proxy is 5pm on 27 April. The flowchart below outlines the process, with deadlines varying depending on whether the prisoner is already registered.



You can find contact details for the local electoral registration office by entering the postcode of the address the prisoner is registering at here: [electoralcommission.org.uk/i-am-a/voter/your-election-information](https://electoralcommission.org.uk/i-am-a/voter/your-election-information).

Prisoners can find their contact details and pre-paid and addressed envelopes in the prison library, or they can ask a prison officer for one.

If a prisoner has a query, or needs further information, they can contact the electoral registration office which covers the address at which they are registering to vote at. Telephone contact details are available in the prison library, or they can ask a prison officer for the details.

## What is the electoral register?

Registration officers keep two registers – the electoral register and the open register (also known as the edited register).

### **The Electoral Register**

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as: detecting crime (e.g. fraud), calling people for jury service and checking credit applications.

### **The Open Register**

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details.

The voter's name and address will be included in the open register unless they ask for them to be removed. Removing your details from the open register does not affect your right to vote.

## How to vote

### **1. By post**

If the prisoner has registered to vote by post, they will receive their ballot papers by post. The council can send the ballot papers to the address that was used to register or any other address. The person must give a reason if they want their ballot paper sent to a different address.

The person should complete and return their ballot papers, ensuring they leave enough time for them to arrive by 10pm on Thursday 6 May 2021.

### **2. By proxy (allowing somebody you trust to vote on your behalf)**

If the prisoner has selected someone to vote on their behalf, the selected person will go to the polling station to cast the vote of the prisoner on their behalf. Their proxy will be sent information, telling them where and when to vote on their behalf. The prisoner should let their proxy know how they want them to vote on their behalf.

If the selected person cannot get to the polling station, they can apply to vote on behalf of the prisoner by post. They can apply to do this by 5pm on 6 April. They can contact the electoral registration office for more details and to request an application form.

If you require further information to support prisoners you work with to register to vote, you can contact the local Electoral Registration Officer. You can find their contact details by entering the postcode of the address at which the prisoner wants to register at here: [electoralcommission.org.uk/i-am-a/voter/your-election-information](https://electoralcommission.org.uk/i-am-a/voter/your-election-information).