[redacted]

From: FOI
Sent: 03 April 2024 15:26
To: [redacted]
Subject: FOI 026-24 - Response

Dear [redacted],

Our Ref: FOI-026-24

Thank you for your email to the Electoral Commission dated 1 March 2024**.**

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

Please share any communications and documents relating to the Independent Green Voice party from the last five years.

Following a request for clarification from us, you provided this on 4 March 2024: *Please include information relating to registration as well as donations.*

Our response is as follows:

We hold the information you have requested.

Some of the information that you have requested has previously been released under the Freedom of Information Act. Those documents can be seen here:
FOI 067-21 - Response (redacted).pdf (electoralcommission.org.uk)
FOI 069-21 - Response (redacted).pdf (electoralcommission.org.uk)
FOI 071-21 - Response (redacted).pdf (electoralcommission.org.uk)
FOI 076-21 - Response (redacted).pdf (electoralcommission.org.uk)

Providing you with links to our website is in keeping with section 21 of the Freedom of Information (FOI) Act 2000, which states that we do not need to repeat information in our response if it is accessible elsewhere.

We are also releasing additional documents for which you will need to use our secure document-sharing system, Objective Connect.

You will receive an 'Invitation to Objective Connect Email Notification' (sent to the inbox of [redacted]). This notification will contain a link to enable you to start accessing your information. Please find below details on how to access the specific area we have set up for your documents.

1. Click on the link in the email.
2. You will be prompted to set up your username and password. Your username will be your email address, and your password can be whatever you like.
3. With your username and password, enter both details at the login screen and click 'login'.
4. You will now see your personal page, which will show the Share 'FOI 026-24'
5. By clicking on the name of the share, you will find your documents.
6. You may view any of these documents
7. In addition you may download a copy to your personal computer by selecting the 'download' option and then 'save'.

This service will be closed one month from our response date, this is the **3 May 2024.**

Exemption under section 40(2) of the FOI Act:

Information is exempt under section 40(2) of the FOI Act where release of the information would breach one of the data protection principles in the GDPR. One of the principles states that personal data must be processed fairly and lawfully. Some of the information contained in the requested information falls within the description of personal data because the information relates directly to an identifiable living individual. Disclosure of this information would breach the first data protection principle, which states the information must be processed fairly and lawfully. Any personal data that is not already in the public domain has been redacted.

Under this provision, we have also redacted the names of Commission staff below Head level. This is because those members of staff have a reasonable expectation that their personal details will not be made public.

The Commission strives to be an open, transparent authority and I trust that this information satisfies your request.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request.

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk/.

Yours sincerely

Information Officer
FOI@electoralcommission.org.uk

The Electoral Commission
electoralcommission.org.uk

---------- Original Message ----------
From: Complaints
Received: 18/06/2021 12:50
To: [redacted]; Partyreg
Cc: Complaints; [redacted]
Subject: FW: We have shown unfairness, discrimination or discourtesy

Hi team,

Do we have any specific LTTs that would help address [redacted] concerns regarding below that could be weaved into a wider complaint response on this topic?

Is there any provision under the mislead test, or any other statutory tests, for us to consider whether people with disabilities would be more likely to be confused by the emblem?

Cheers,

[redacted]sight
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: noreply@electoralcommission.org.uk <noreply@electoralcommission.org.uk>
Sent: 13 May 2021 18:22
To: Complaints <complaints@electoralcommission.org.uk>
Subject: We have shown unfairness, discrimination or discourtesy

Submitted on 13 May 2021

Submitted values are:

First name
[redacted]

Last name
[redacted]

Your email
[redacted]

Your postcode
[redacted]

Your region/country
[redacted]

What is your complaint about?

We have shown unfairness, discrimination or discourtesy

Your complaint
In last week's Scottish Parliamentary Elections, the Commission allowed a party to register a name and logo for the election, in some areas, which was not only likely to cause confusion for general voting but could reasonably be assumed to be likely to cause disadvantage to protected characteristic(s), as defined by and arising from the Equality Act 2010, as well as the human rights of people with disabilities, as defined by the UN Convention on the Rights of Persons With Disabilities and all subsequent amendments to it, to which all municipal authorities across the UK are either signatories to or proxies to being a signatory. A fundamental right defined by the Convention is full and genuine Access to the democratic process.

By allowing the 'Independent Green Voice' party to register both the name and logo/brand used on ballot papers, which intentionally attempted to deceive by emulating the colours, logo/brand and emphasis on an enlargened word, 'Green', this not only caused confusion for all voters, compromising the integrity of the vote, but caused disadvantage to, and thus discriminated against, as well as breaching the human rights of people with variable eyesight/blindness as well as people with neurological or cognitive disabilities and/or people with mental impairments, for all of whom the disadvantage caused and discrimination this represents, was a direct result of the EC's decision to permit this registration without due consideration of the confusion this would cause.

As an advocate and founder of an advocacy group for people with neurological disabilities and people disabled by way of mental impairment, we have been inundated with concerns from people we represent in other legal matters since this issue came to light. The level of concern caused continues to extend disadvantage in this vulnerable demographic and we must consider how best to proceed legally based upon your response to this complaint.



From: [redacted]
To: Scotland Team
Subject: FW: Confirmation that SOA 2022 publication (£250,000 and under) is on Wednesday 26 July
Date: 24 July 2023 14:32:14

FYI – list of parties included in upcoming SOA publication.
Thanks,
[redacted]

From: [redacted]
Sent: Monday, July 24, 2023 2:31 PM
To: [redacted]
Subject: RE: Confirmation that SOA 2022 publication (£250,000 and under) is on Wednesday 26 July

Hi [redacted]
Full list as follows:

Organisation Name (Regulated Entity)
Abolish the Scottish Parliament Party (GB)
Atomist (GB)
British Unionist Party - B.U.P. (GB)
Citizen's First (GB)
Co-operative Party (GB) - Scottish Co-operative Party
Independence for Scotland Party (GB)
Independent Green Voice (GB)
Independent Sovereign Democratic Britain (GB)
Scotland - Unhyphenated (GB)
Scottish Democrats (GB)
Scottish Eco-Federalist Party (SEFP) (GB)
Scottish Family Party (GB)
Scottish Socialist Party (GB)
Scottish Unionist Party (GB)
Social Democratic Party (GB)
Sovereignty (GB)
The Pensioner's Party (GB)
The Rubbish Party (GB)
Vanguard Party (GB)
West Dunbartonshire Community Party (GB)

Cheers

From: [redacted]
Sent: Monday, July 24, 2023 11:17 AM
To: [redacted]
Subject: FW: Confirmation that SOA 2022 publication (£250,000 and under) is on Wednesday 26 July
Importance: High

Hi [redacted]
Could you let me know which Scottish parties will be included in this? Just for awareness in the team.
Thanks,
[redacted]

From: [redacted]
Sent: Friday, July 21, 2023 12:02 PM
To: [redacted] Dan Adamson

[redacted] Denise Bottom [redacted]
Laura Douglas [redacted] Louise Edwards [redacted] Niki Nixon [redacted] Cahir Hughes [redacted] Andy O'Neill [redacted] Rhydian Thomas [redacted]

Subject: Confirmation that SOA 2022 publication (£250,000 and under) is on Wednesday 26 July
Importance: High

All

As some of you will know, the publication date has now been brought forward to Wednesday 26 July, not 3 August as previously proposed.

Thank you all for your help in making this possible.

[redacted]

The Electoral Commission
0333 103 1928
electoralcommission.org.uk

From: [redacted]
To: [redacted]
Subject: FW: Independent Green Voice
Date: 07 March 2024 18:00:01

Hi [redacted]
Sorry, forgot you were on call and I should have mentioned this to you earlier today but there is a local govt by-election in Glasgow today and a party called 'Independent Green Voice' is standing a candidate. There have been issues in the past where some people have said that it is confusing for voters and that they may have voted for IGV instead of Scottish Green Party by mistake.
The lines we had from this last time are below. I don't think the count will end until around 1am and I will be at it so hopefully you won't get any calls, but if you do I will be around to help. I think more likely media queries will come in the morning dependent on the result.
My mobile is [redacted] if you need me.
Cheers
[redacted]

From: [redacted]
Sent: Thursday, March 7, 2024 2:58 PM
To: Andy O'Neill [redacted]
Subject: FW: Independent Green Voice

From: [redacted]
Sent: Wednesday, February 7, 2024 9:33 AM
To: Scotland Team <ScotlandTeam@electoralcommission.org.uk>
Subject: Independent Green Voice

Hi all
I've dug out the line we used in 2021 on the Independent Green Voice issue which is:

"We assess all applications for party names and emblems against the criteria set out in law, including the requirement to ensure that in our opinion voters would not likely be confused between two parties as a result of how their identity marks look on a ballot paper. If a party's application meets the legal criteria it must be registered. As part of our assessment process we invite comments from the public and other parties.

There are over 400 parties currently registered with the Commission and inevitably there are instances where the same words are used by more than one party. No concerns were raised with us in relation to this application to add an emblem to a long-registered party. We are satisfied that there are clear and sufficient differences between the two party's registered names, descriptions and emblems to avoid confusion."

As background:
The Commission is responsible for registering political parties. When we receive an application, the Commission assesses whether the party's application and identify marks meet the criteria set out in electoral law, as well as legal obligations under equality laws. If it does, it must be registered. As part of the assessment process, we publish the party's identity marks so members of the public can comment on them. Once registered, a party's name, description and emblem can appear on the ballot

paper. Our records show the Independent Green Voice has been registered since 2003.
For your own info you might find it helpful to compare the two emblems in question which can be found at:
Scottish Green Party
Independent Green Voice
[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

Press office: 0131 225 0211
Press out of hours: 07789 920414

---------- Original Message ----------
From: [redacted]
Received: 14/06/2021 13:57
To: Majella La Praik
Subject: IGV

What the description was changed from and to: “Independent Green Voice – Organics, Localism, Democracy” to “Independent Green Voice – Organic, Local, Democratic”

Date of application: 21 January 2021, completed 1 February 2021

Date of decision on application: 22 March 2021

Date removal and addition was processed: 23 March 2021

Date of publication of notice of election (and if we know whether it was the same date for all constituencies):

Glasgow	15th March 2021
North East Scotland	15th March 2021
Central Scotland	15th March 2021
West Scotland	15th March 2021
South Scotland	15th March 2021

---------- Original Message ----------
From: Partyreg
Received: 27/04/2022 15:15
To: [redacted]; Independent Green Voice (GB)
Subject: Independent Green Voice Confirmation of registered details[redacted]
CCM:0462965

Dear [redacted],

Thank you for delivering the party's confirmation of registered details, which was received on 19 April 2022 and considered complete and compliant with the Political Parties, Elections and Referendums Act 2000 (PPERA) on 19 April 2022.

We have now processed that confirmation

The party's next confirmation of registered details is due to be delivered by 31 October 2023. Should the party change its financial year end or its total income or expenditure exceeds £250,000 in a financial year, then this deadline will change.

As the treasurer you are responsible in law for confirming your party's details are correct by the deadline each year. We suggest strongly that you set yourself a reminder to ensure you meet this deadline.

Changes throughout the year

Throughout the year, you must also notify us if your party's registered details become incorrect. You must notify us **within 14 days** of changes to the named leader, treasurer, nominating officer, and campaigns officer or additional officer (if applicable) for the party if caused by the death or termination of the appointment of that officer. For other changes, such as changes to officer home addresses or the party's headquarters address, you must notify us **within 28 days**. Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. You can read our Enforcement Policy here.

Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. The required forms for changing your party's registered details are available in the resources section of our guidance on maintaining party details.

If you need more information view our guidance on registering and maintaining a party or contact us using the details below.

Yours sincerely,

[redacted]

The Electoral Commission
electoralcommission.org.uk

---------- Original Message ----------
From: Partyreg
Received: 26/07/2021 09:38
To: [redacted]; Independent Green Voice (GB)
Cc: [redacted]
Subject: Independent Green Voice - confirmation of renewal CCM:0553675

Dear [redacted]

Thank you for delivering the party's confirmation of registered details, which was received on 06 May 2021 and considered complete and compliant with the Political Parties, Elections and Referendums Act 2000 (PPERA) on 26 July 2021.

We have now processed that confirmation.

The party's next confirmation of registered details is due to be delivered by 31 October 2022. Should the party change its financial year end or its total income or expenditure exceeds £250,000 in a financial year, then this deadline will change.

As the treasurer you are responsible in law for confirming your party's details are correct by the deadline each year. We suggest strongly that you set yourself a reminder to ensure you meet this deadline.

Changes throughout the year

Throughout the year, you must also notify us if your party's registered details become incorrect. You must notify us **within 14 days** of changes to the named leader, treasurer, nominating officer, and campaigns officer or additional officer (if applicable) for the party if caused by the death or termination of the appointment of that officer. For other changes, such as changes to officer home addresses or the party's headquarters address, you must notify us **within 28 days**. Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. You can read our Enforcement Policy here.

Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. The required forms for changing your party's registered details are available in the resources section of our guidance on maintaining party details.

If you need more information view our guidance on registering and maintaining a party or contact us using the details below.

Yours sincerely,

[redacted]

The Electoral Commission

electoralcommission.org.uk

---------- Original Message ----------
From: [redacted]
Received: 27/07/2023 14:38
To: [redacted]; Independent Green Voice (GB)
Subject: Independent Green Voice - Renewal Confirmation CCM:0497266

Dear [redacted],

Thank you for delivering the party's confirmation of registered details, which was received on 11/04/2023 and considered complete and compliant with the Political Parties, Elections and Referendums Act 2000 (PPERA) on 11/04/2023.

We have now processed that confirmation.

The party's next confirmation of registered details is due to be delivered by 31/10/2024. Should the party change its financial year end or its total income or expenditure exceeds £250,000 in a financial year, then this deadline will change.

As the treasurer you are responsible in law for confirming your party's details are correct by the deadline each year. We suggest strongly that you set yourself a reminder to ensure you meet this deadline.

Changes throughout the year

Throughout the year, you must also notify us if your party's registered details become incorrect. You must notify us **within 14 days** of changes to the named leader, treasurer, nominating officer, and campaigns officer or additional officer (if applicable) for the party if caused by the death or termination of the appointment of that officer. For other changes, such as changes to officer home addresses or the party's headquarters address, you must notify us **within 28 days**. Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. You can read our Enforcement Policy here.

Failing to update the party's registered details where they are not correct by the relevant deadline is a contravention of PPERA which may result in a fine. The required forms for changing your party's registered details are available in the resources section of our guidance on maintaining party details.

If you need more information view our guidance on registering and maintaining a party or contact us using the details below.

Yours sincerely,

[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

---------- Original Message ----------
From: Majella La Praik
Received: 20/05/2021 08:43
To: [redacted]
Subject: RE: administration of elections

Thanks [redacted] Have we already responded to this one? If not, let's link up with [redacted] and make sure our responses to these types of emails are consistent.

From: [redacted]
Sent: 17 May 2021 17:35
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: FW: administration of elections

FYI

From: [redacted]
Sent: 17 May 2021 16:27
To: [redacted]
Subject: FW: administration of elections

Hi [redacted]

This is the IGV email I mentioned in our 1-2-1.

Thanks,

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]
Sent: 17 May 2021 08:03
To: Partyreg <Partyreg@electoralcommission.org.uk>
Subject: FW: administration of elections

From: [redacted]
Sent: 16 May 2021 17:09
To: Public Info <Info@electoralcommission.org.uk>
Subject: administration of elections

Submitted on 16 May 2021

Submitted values are:

Name

First name
[redacted]

Last name
[redacted]

Your email
[redacted]

Your telephone number
[redacted]

Your postcode
[redacted]

Your region/country
[redacted]

I am...
a member of the public

What are you contacting us about?
administration of elections

Your question
Hello, I have been reading reports in the Ferret news service regarding the party Independent Green Voice potentially taking votes from Scottish Greens. The party has links to far right. I live in Renfrewshire - IGV was on my regional list. I very nearly put my cross in their box as Green was very prominent. I didn't however and found Scottish Greens further down. However I think that they have deliberately tried to take votes that otherwise would have gone to Scottish Greens. I have a friend who lives in Renfrewshire who told me she voted for them. She is a socialist who would never knowingly vote for a far right party. I do feel the prominence if their logo has tricked people into voting for them and is likely to have stolen 2 seats from Scottish Greens. I am emailing as a concerned citizen. I am not a member of the Scottish Greens.

---------- Original Message ----------
From: [redacted]
Received: 12/05/2021 13:56
To: [redacted]
Cc: [redacted]
Subject: RE: Complaints / enquiries about Independent Green Voice

Fab – thanks!!

From: [redacted]
Sent: 12 May 2021 13:56
To: [redacted]
Cc: [redacted]
Subject: RE: Complaints / enquiries about Independent Green Voice

We've had 27.

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]
Sent: 12 May 2021 13:42
To: Registration team <Registrationteam@electoralcommission.org.uk>
Subject: FW: Complaints / enquiries about Independent Green Voice
Importance: High

Hi guys

Really sorry to nag but any chance of someone coming back to me asap on this?

Thanks

[redacted]

From: [redacted]
Sent: 12 May 2021 12:06
To: Registration team <Registrationteam@electoralcommission.org.uk>; [redacted]
Subject: Complaints / enquiries about Independent Green Voice
Importance: High

Hi all

I've got a press query regarding the number of 'complaints' we have received which relate to the registration of Independent Green Voice and/or their logo.

Reg team – Could you let me know how many have come in straight to you?

[redacted] **–** Think you sent yours on to us and we'll count those at our end but let me know if you have dealt with any?

Any chance of coming back to me in the next hour or so (sorry for asking!).

Thanks

[redacted]

[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

Press office: 0131 225 0211
Press out of hours: 07789 920414

---------- Original Message ----------
From: Complaints
Received: 24/05/2021 16:59
To: [redacted]
Subject: RE: IGV

Hi [redacted]

Yes I shall pass the response over once it is ready.

Thanks ☺

[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

From: [redacted]
Sent: 21 May 2021 12:26
To: Complaints <complaints@electoralcommission.org.uk>; Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: RE: IGV

Thanks [redacted] – will you please share the response once it is ready, and we will be happy to use those lines in response to this email?

[redacted]

From: Complaints
Sent: 20 May 2021 11:40
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Cc: Complaints <complaints@electoralcommission.org.uk>; [redacted]
Subject: RE: IGV

Hi Maj,

Thanks for your email.

I don't believe the complaint will fall under the complaints policy. We have so many emails that are similar and we've been advised by legal what will be considered a complaint under the policy and what wont be re: the IGV, however, we are working on getting a response together to send to all those emails which aren't considered complaints. The response being worked on can be sent to this enquirer as well.

Thanks,

[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Sent: 20 May 2021 08:41
To: [redacted] Complaints <complaints@electoralcommission.org.uk>
Subject: RE: IGV

I'd suggest passing this to our complaints team and letting the writer know that's what we've done.

Complaints – do you agree?

From: [redacted]
Sent: 19 May 2021 17:02
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: FW: IGV

FYI

From: [redacted]
Sent: 19 May 2021 17:01
To: [redacted]
Subject: IGV

FYI

I have not replied to this email but I am happy to draft a response if helpful.

[redacted]

The Electoral Commission
electoralcommission.org.uk

From: [redacted]
Sent: 12 May 2021 16:15
To: Partyreg <Partyreg@electoralcommission.org.uk>
Subject: RE: We did not deal with something, or did not deal with something quickly enough CCM:0553403

Dear [redacted]

Thank you for your response to my complaint and the explanation kindly provided.

I note your opinion that there are clear and sufficient differences here to avoid electorate confusion.

My complaint was raised before any results were known, however it is now apparent that IGV has polled significantly more votes than comparable smaller parties. By a factor rather than a mere margin. There is also evidence to suggest their votes may well have impacted results for the Scottish Greens in two regions on the List - Glasgow and South of Scotland.

This fact, combined with the admittedly anecdotal apparent prevalence of confusion I'm aware of - it seems highly coincidental that both my mother and one of her friends made the same mistake in isolation of many others - suggests strongly to me that your opinion on this matter is, at least, open to question.

I would therefore request you look at the wider empirical evidence of the results and at least consider whether revision of your opinion may prove to be in the best interests of our democratic process.

It is very difficult to believe that potential for confusion in this matter does not exist. It clearly has played some part, and it looks like significantly so. I am sure many looking at this matter would reach that perception without much difficulty. What is done is done, however regrettable, and it is to the future that focus should be set.

On a related matter the Liberals and Liberal Democrats are another glaring opportunity for such confusion.

I appreciate your job is a difficult one, and 400+ parties certainly explains how difficult that is, whilst I sympathise, nevertheless it is incumbent upon all of us to assure our democracy is managed as fairly and openly as possible, particularly when there are elements who will not hesitate to take advantage of any opportunity to further their extreme aims and seek to subvert our democratic process. I feel strongly there is opportunity for improvement here. I would hope the Electoral Comission did too.

Kind regards

[redacted]

On 12 May 2021, 15:09 +0100, Partyreg <Partyreg@electoralcommission.org.uk>, wrote:
Dear [redacted], Thank you for your email. Your enquiry relates to Independent Green Voice who have been registered since 2003. When a party applies to register, its party name must be considered against a number of statutory tests set out in the Political Parties, Elections and Referendums Act 2000 (PPERA). Unless a name does not meet one of these tests it must be registered. You can find out more about these tests, and how we consider them, in our guidance. We note the comparison of the party name with the 'Scottish Green Party' and the use of the word 'Green'. By law, use of an individual word by one party does not prevent its use by another party. There are over 400 parties currently registered and inevitably there are instances where the same words are used by more than one party. We are satisfied that there are clear and sufficient visual differences between the registered names to avoid it being likely to reasonably cause confusion. Yours sincerely, [redacted]

[redacted] **The Electoral Commission**electoralcommission.org.uk **From:** noreply@electoralcommission.org.uk <noreply@electoralcommission.org.uk>**Sent:** 06 May 2021 14:48**To:** Complaints <complaints@electoralcommission.org.uk>**Subject:** We did not deal with something, or did not deal with something quickly enough

Submitted on 6 May 2021

Submitted values are:

First name [redacted]

Last name [redacted]

Your email [redacted]

Your postcode [redacted]

Your region/country [redacted]

What is your complaint about?We did not deal with something, or did not deal with something quickly enough

Your complaint On the West of Scotland List vote for the Scottish Parliament there are two Green Parties. One is Independent Green Voice the other Scottish Green Party. Independent Green Voice is listed first on the ballot paper.

My mother, [redacted] did not know or expect there to be two Green parties, and she voted for the Independent Green Party in error as a result.

I suspect many more people may make the same natural mistake. I understand the Independent Green Voice party holds very different views to the Scottish Green Party on many key issues.

My complaint is that this very natural opportunity for confusion of voters was not addressed before the election. How and why is such dubiety allowed to persist in our democratic process?

---------- Original Message ----------
From: Majella La Praik
Received: 15/06/2021 11:32
To: Andy O'Neill; Andy O'Neill; Louise Edwards; Niki Nixon; [redacted]
Cc: [redacted]
Subject: RE: Independent Green Voice

Sarah – this is an example of the email to subscribers:

http://skynet/dm/Functions/IM/FOIDataSet/FOI-071-21/Redacted%20docs/19%20February%202021%20-%20Notices%20of%20proposed%20names_%20descriptions%20and%20emblems_Redacted.pdf

It alerts that there has been an update to the page but doesn't specifically list what the updates are.

Ta,
Maj

From: Louise Edwards
Sent: 15 June 2021 11:29
To: [redacted] Majella La Praik <MLaPraik@electoralcommission.org.uk>; Niki Nixon <NNixon@electoralcommission.org.uk>; Andy O'Neill <aoneill@electoralcommission.org.uk>
Cc: [redacted]
Subject: RE: Independent Green Voice

Hi

Yes good to clarify as a matter of fact if the SGP contacted us about the IGV emblem prior to approval. My understanding is that they did not so we may well find ourselves contradicting them publicly.

I also agree that we should counter this narrative about our public comment process. If it helps, in my witness statement for the Labour case I said: The importance of obtaining public comment to help inform the Commission's opinion on whether the application meets the statutory tests, such as whether the descriptions are confusing or misleading, is to ensure that public views are considered and the process is transparent.

I think it's important to emphasise that we proactively seek comment via the subscription email, which the SGP received in this instance, as well as the fact that our website facility is well used by members of the public and members of political parties. This is no tick box exercise – we regularly receive comments and consider them – and we have a strong record of doing this.

Thanks

Louise

From: [redacted]
Sent: 15 June 2021 11:05
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>; Niki Nixon <NNixon@electoralcommission.org.uk>; Andy O'Neill <aoneill@electoralcommission.org.uk>; Louise Edwards <LEdwards@electoralcommission.org.uk>
Cc: [redacted]
Subject: RE: Independent Green Voice

Sorry for any confusion – I've said IDG below instead of IGV.

Just spoken to Andy and we certainly didn't receive anything directly from the Scottish Greens to the Scotland Office. Reg Team handled the FOI so I'm assuming that nothing came to them either as that is what we say in the FOI response.

I was thinking about the alert which goes out which we know that the Scottish Green Party is signed up to. However, if that just tells people there are new applications on our website and doesn't list what they are then that might not be as strong an argument as I thought. Could someone in party reg tell us what is in that standard e-mail?

Thanks

[redacted]

From: Majella La Praik
Sent: 15 June 2021 10:56
To: [redacted] Niki Nixon <NNixon@electoralcommission.org.uk>; Andy O'Neill <aoneill@electoralcommission.org.uk>; Louise Edwards <LEdwards@electoralcommission.org.uk>
Cc: [redacted]
Subject: RE: Independent Green Voice

Thanks [redacted] Also bringing Louise in on this.

The email below says that the SGP raised concerns with us prior to the election. Is that factually accurate? It'd be good to be clear internally about the what, how and when on that aspect?

Ta,
Maj

From: [redacted]
Sent: 15 June 2021 10:51
To: Niki Nixon <NNixon@electoralcommission.org.uk>; Andy O'Neill <aoneill@electoralcommission.org.uk>; Majella La Praik <MLaPraik@electoralcommission.org.uk>

Cc: [redacted]

Subject: FW: Independent Green Voice

Hi all

See below for heads up from the Scotsman on a further story on IDG off the back of an FOI response.

Rather than rehash all the lines from us which have already been well reported I'm wondering if there is appetite for us to make clear that we did alert the Scottish Greens about the IDG emblem application (rather than relying on them to check a page on our website) and that they didn't respond?

It possibly won't make us best friends with the SGP but there is a narrative developing online that we rely on people to check an obscure page on our website in case of applications and this is simply not true.

We will obviously need to wait and see what the SGP say to the journalist before confirming a line but wanted to start testing thoughts on this now to give me a head start on drafting something.

Thanks

[redacted]

From: [redacted]
Sent: 15 June 2021 10:39
To: [redacted]
Subject: Independent Green Voice

Hi [redacted]

Hope you're doing well!

Just letting you know that I'm working up a story today on an FOI I've had back from the Electoral Commission around the Independent Green Voice and the Green Party issues we spoke about shortly after the election.

In short, it's said that the Green Party did not raise concerns about the IVG during the period of time their application was open for public comment.

I asked for: "Correspondence between the Electoral Commission and Scottish Green figures about the Independent Green Voice party, specifically concerns about potentially misleading voters"

And in response got: "The emails we're disclosing, in response to the third part of your request, cover the time that details of the recent Independent Green Voice application to register a description and emblem were published on our website for public comment. We consider all public comments as part of our assessment process, but can confirm that no

comments were received from Scottish Green Party officials, or others, in relation to the recent Independent Green Voice application."

I imagine the Greens will kick off about that response given they say they raised concerns with the EC prior to the election, so fair warning on that. I'll ping you what they send me when I get it.

I'll need a response of some sort, probably similar to the lines you were sending round post-election, in response to the FOI in any case.

Best wishes,
[redacted]
--
Best wishes,
[redacted]

[redacted]

[redacted]

Opinions expressed in this email are those of the writer and not the company. E-mail traffic is monitored within [redacted] *and messages may be viewed. This e-mail and any files with it are solely for the use of the addressee(s).If you are not the intended recipient, you have received this e-mail in error. Please delete it or return it to the sender or notify us by email at* [redacted]

---------- Original Message ----------
From: Phil Thompson
Received: 13/07/2021 12:54
To: [redacted]
Cc: Majella La Praik
Subject: RE: [redacted] Complaint

Hi [redacted]

I don't think I have any emails or other docs on this anymore but my memory of it is that we used the guidance on food labelling that had been brought in by the EU not long before. (This is the UK guidance although it was published after we adopted the emblem rule I think)

We were just looking for something we could use as a basis for establishing a minimum rather than a hard and fast rule to copy – for example you'll see that they are very specific about the 1.2mm being the height of an 'x' specifically and we didn't adopt that.

I think, but can't be sure, that we were also trying to use the 'average voter' as our measure in most of the tests – so the 1.2 mm works for most people but we knew it wouldn't be suitable from an accessibility point of view where larger text would ideally be used. But that never seemed practical for emblems.

Sorry can't be more helpful!

Phil

From: [redacted]
Sent: 13 July 2021 12:22
To: Phil Thompson <pthompson@electoralcommission.org.uk>
Cc: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: FW: [redacted] Complaint

Hi Phil – I hope if you can help with another historic registration query.

We are assisting the Complaints Team in responding to a complaint about accessibility standards within our assessment processes.

Do you have any strong memories of the development of our party emblems polices? In particular, any work that was done in determining the 1.2mm recommended text size? Maj has found a few bits and pieces (see below) but if you are aware of anything else that might be helpful could you please let us know?

Thanks

[redacted]

From: Louise Edwards
Sent: 13 July 2021 11:02

To: Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
[redacted]
Subject: RE: [redacted] Complaint

Hi

I'm not aware of there being anything else. [redacted] or even Phil might be good people to ask.

The 2014 board papers seem particularly relevant.

Thanks

Louise

From: Majella La Praik
Sent: 09 July 2021 16:40
To: [redacted] Louise Edwards <LEdwards@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi both,

I have started trying to collate the information that I can find that I expect contributed to our approach/policy position on emblems. I'm sure you can appreciate this hasn't been straight forward. I've set out below what I have found that I think might be relevant. I haven't been able to find any impact assessment. Before I send anything over to [redacted] I will ask [redacted] (being the longest standing team member) on Monday if there is anything he is aware of that I could add.

If there is anything you had in your mind that you thought should be included can you please let me know?

Board papers:

- October 2016 Board paper (on defining party descriptions)
- July 2014 Board paper (on options for review of party identifiers, dynamic links, alphabetisation and publishing pending applications) (23 July 2014)
- February 2014 Board paper on party registration function (threshold for voter confusion and commission research into ballot paper use) (19 February 2014)
- December 2013 Board paper on balance between enabling participation and managing risks of voter confusion plus accompanying slides (11 December 2014)

- 2010 Board paper on implications of the Bromsgrove case

2015 review of emblems:

http://skynet/dm/Functions/PEFreg/_layouts/15/WopiFrame.aspx?sourcedoc={5C148293-18D3-493F-95A9-F512EE231745}&file=2015%20Scope%20of%20emblem%20review.docx&action=default (unsure if this is a final document)

Legal advice:

http://skynet/dm/Functions/PEFreg/Registration%20Library/2015-03-30-legal-advice-6-word-limit-emblem.docx

Research:

https://www.electoralcommission.org.uk/sites/default/files/pdf_file/Party-identifiers-research-Report-FINAL-WEBSITE.pdf

From: [redacted]
Sent: 08 July 2021 10:37
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>; Louise Edwards <LEdwards@electoralcommission.org.uk>; Complaints <complaints@electoralcommission.org.uk>
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi Maj– you can find the assessment here.

We can have a chat about the policy and where it might be at our catch-up this morning.

Thanks

[redacted]

From: Majella La Praik
Sent: 07 July 2021 13:24
To: Louise Edwards <LEdwards@electoralcommission.org.uk>; Complaints <complaints@electoralcommission.org.uk>; [redacted]
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

[redacted] – would you mind please sending [redacted] the IGV assessment.

I will aim to have a look tomorrow or Friday to see what I can find re: policy/approach to considering emblems.

Ta,
Maj

From: Louise Edwards
Sent: 06 July 2021 16:55
To: Complaints <complaints@electoralcommission.org.uk>; Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi [redacted]

Binnie and I have been talking about this. We both agree that to consider this complaint the key issue is whether when we drew up our policy position and approach to considering emblems this took into account the rights of (a) people with visual impairments (b) people with neurological and cognitive disabilities and (c) people with other mental disabilities.

Put another way, so long as you are satisfied that the IGV assessment applied our guidance on emblems, then it is the guidance itself that is under examination here.

To that end, and drawing on your list below, I think we need to provide you with:

- Documents relating to the development of our policy position and approach to considering emblems (including any EQIA if done).
- A copy of the IGV assessment.

To help you manage your complainant I should say that the policy position on emblems was drawn up a number of years ago. I do not know how straightforward, or not, it will be to locate and send you those documents. Perhaps Maj/[redacted] could take a look and give you an idea of when we can draw this together?

I hope this helps and happy to discuss.

Thanks

Louise

From: Complaints
Sent: 06 July 2021 11:15
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Cc: Louise Edwards <LEdwards@electoralcommission.org.uk>; David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>
Subject: FW: [redacted] Complaint

Hi Maj and [redacted]

Just a gentle reminder regarding the below email.

It would be much appreciated if you could reply/provide the information requested as soon as possible so I can continue investigating this complaint. A response is due to the complainant by the 23rd of July and timeframes have already been extended twice and ideally I don't want to extend them again.

Many thanks,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 02 July 2021 13:59
To: [redacted]; Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Cc: Louise Edwards <LEdwards@electoralcommission.org.uk>; David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>; Complaints <complaints@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi [redacted]

Thanks for your further advice below.

Maj and [redacted] – what would be helpful for the investigation of this complaint would be:

1. A link to the assessment note/summary regarding the Independent Green Voice's emblem application
2. Any other info that may confirm/evidence that we consciously considered our PSED in the assessment process of that application.
3. Any info regarding the rationale of why our guidance recommends a particular font size and that we seek external consultation – is it specifically to take into consideration voters with disabilities or is it for the good of all voters/the electorate?
4. Any EIA conducted in regards the generic registration process – do we still hold this as I assume it may have been done some time ago when the process was last reviewed?

If possible, it would be much appreciated if the information outlined above could be provided.

Happy to discuss further if needed.

Cheers,

[redacted]

The Electoral Commission
[redacted]
electoralcommission.org.uk

From: [redacted]
Sent: 01 July 2021 14:45
To: Complaints <complaints@electoralcommission.org.uk>
Cc: [redacted] Louise Edwards <LEdwards@electoralcommission.org.uk>; Binnie Goh <BGoh@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi [redacted] Louise – Thanks for this. Binnie and I have discussed a suggested way forward.

It seems to us that there are two separate, but connected issues:

- The first is to consider whether we complied with our PSED in respect of this particular application which is the subject of the complaint i.e. did we give due regard to ('consciously consider') the three points set out below as to whether the decision in this application would affect people who are protected under the Equality Act. In considering that, the steps in the registration process (such as consultation and font size considerations) will be relevant to show whether consideration was given to the issues, as will any particular considerations in the case. It will be for the Complaints Team to gather that information and reach a conclusion based on the evidence available. The Legal Team will support the Complaints Team as necessary.

- The second is the point Louise makes below, whether the current process in place is sufficient. There is work currently underway across the Commission to consider a range of equalities issues, including Carols' work Louise highlights. I also understand that a specialist EDI adviser will be joining us in August / September. The extent to which the registration process is sufficient in terms of the PSED is not just one of legal tests (due regard / consciously consider), but also comparative best practice and wider considerations around how the Commission intends to address these issues as an organisation. We don't see Legal as being the lead on this, but rather to support that work. On the question of whether the current registration process is sufficient, this is probably best considered within the wider context of the Commission's EDI work, particularly once the Commission's specialist is in position in a month or so.

Thanks

[redacted]

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 30 June 2021 15:13
To: [redacted]
Subject: FW: [redacted] Complaint

Hi [redacted]

Please see the below chain following the advice you provided.

As we discussed the other day I was initially planning to seek advice from our EDI specialist on whether our processes are sufficient to meet our obligations under PSED, however, he has finished unfortunately. Louise has suggested that legal input is needed to answer this question.

Is this something you would be best placed to take forward, or is there someone else in the legal team that would be better placed to provide this advice?

Cheers,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 30 June 2021 15:07
To: Louise Edwards <LEdwards@electoralcommission.org.uk>; Binnie Goh <BGoh@electoralcommission.org.uk>
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>; Bola Raji <bRaji@electoralcommission.org.uk>; Complaints <complaints@electoralcommission.org.uk>; Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Subject: RE: [redacted] Complaint

Thanks Louise - you have perfectly articulated the question I was attempting to.

Binnie – is there someone in your team best placed to provide advice of this nature?

Cheers,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Louise Edwards <LEdwards@electoralcommission.org.uk>
Sent: 30 June 2021 13:09
To: Complaints <complaints@electoralcommission.org.uk>; Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>; Bola Raji <bRaji@electoralcommission.org.uk>
Subject: RE: [redacted] Complaint

Hi [redacted]

I just want to jump in here because I'm wondering if we are not quite seeing the very important question raised by this complaint clearly.

As I understand it there is no suggestion that the registration team failed to adhere to any part of our processes when handling the IGV application. The question therefore is whether our processes are sufficient to meet our legal duties under the PSED.

This is a question that ultimately you will need legal input on, because it is fundamentally about compliance with a legal requirement and the likelihood of a successful challenge under that legislation should we be challenged on our current process.

If we are content that our processes meet our legal duties then we can explain how and why to the complainant. If we are not satisfied on this then Carol has been asked to do work to ensure that all our equality duties have been operationalised, so there is mechanism for taking this forward.

Thanks

Louise

From: Complaints
Sent: 30 June 2021 12:27
To: Majella La Praik <MLaPraik@electoralcommission.org.uk>; [redacted]
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Louise Edwards <LEdwards@electoralcommission.org.uk>; Kieran Rix <KRix@electoralcommission.org.uk>; Bola Raji <bRaji@electoralcommission.org.uk>
Subject: FW: [redacted] Complaint

Hi Maj and [redacted]

I had a couple of further questions following the below advice I received from [redacted] in relation to the complaint at the bottom of the email chain:

1. Is there any further info you can provide as to how we specifically take our public sector equality duty into consideration during the generic application assessment process?
2. Are there any further specifics as to what was taken into consideration as part of our public sector equality duty in the case of the Independent Green Voice emblem application? E.g. is there something we can evidence in the assessment note as to what we considered?

I am conscious that while we are required to take it into consideration there may be limitations to how much we can mitigate any issues at the registration side of the process, hence why there are further measures at the electoral administration end of the process. I also note that most of the considerations are geared towards voters

with visual impairments rather than voters with neurological or cognitive disabilities and/or people with mental impairments.

David - I was hoping to get some input from [redacted] on the process, however, I am aware he has recently finished his time with us. Is there any other EDI specialist resource available to us in regards to this matter as I think it would be useful as part of the investigation of the complaint?

Happy to discuss further over phone or VC.

Cheers,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: [redacted]
Sent: 28 June 2021 15:54
To: [redacted]
Subject: [redacted] Complaint

Hi [redacted] – Thanks for our meeting earlier, it was helpful to talk through the issues and what would be helpful in terms of taking this forward. I think we agreed some reasonable next steps, so this email is really just to summarise our discussions.

As we discussed, while there is no specific requirement in the statutory registration tests, the Commission must 'read-in' various wider duties when carrying out its functions, including in relation to equalities and human rights.

The Commission has published a Single equality scheme for Great Britain and Northern Ireland which sets out how the Commission aims to promote equality and diversity as an employer, through its work on effective regulation of party and election finance and setting standards for well-run elections and electoral registration. It seems somewhat out of date, so you may like to check with the EDI adviser whether this is the current version (even though it's the version on our website). In any event, the second paragraph in the forward may be helpful.

The public sector equality duty (PSED) requires consideration to be given to how / if policies or decisions affect people who are protected under the Equality Act. The PSED provides that due regard must be given to:

- eliminate unlawful discrimination
- advance equality of opportunity between people who share a protected characteristic and those who don't
- foster or encourage good relations between people who share a protected characteristic and those who don't

Having due regard means to 'consciously consider'. Failure to do so can be subject to legal challenge.

The Commission's published guidance on party registration say on page 8 '*In assessing your application, we will also consider our public sector equality duty.*' Although, albeit from a quick word search, I could not immediately find that included within the various party registration QMS processes.

We also discussed the fact that the party registration process isn't the only part of the voting experience for disabled electors when it comes to casting their vote. There are wider interactions with both the campaigning parties and the electoral administration voting practices, including large print ballot papers, aids to assist blind voters, a friend or relative can attend the polling station to assist, or the presiding officer at a polling station can assist. There is a page on the Commission's website addressing issues around accessibility for voters – including a report on accessibility of elections.

I understand that Majella has already followed up with you noting a number of pro-active steps that the registration team take when considering applications for registration, including looking at text size, picture quality of the emblem and also that proposed identity marks are made available for public comment. You may wish to consider taking further advice, or suggesting that the registrations team do so, from the Commission's ED&I adviser on whether anything further could / can be done.

Please do let me now if there is anything further I can assist with.

[redacted]

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 24 June 2021 11:14
To: Legal Requests <LegalRequests@electoralcommission.org.uk>
Cc: David Bailey <DBailey@electoralcommission.org.uk>; Complaints <complaints@electoralcommission.org.uk>
Subject: FW: We have shown unfairness, discrimination or discourtesy

Hi team,

Would it be possible to please get some advice regarding the complaint at the bottom of this email chain.

Specifically, we would like advice on whether our process of assessment should include consideration whether an identity mark is more likely to mislead voters with disabilities. Is there anything in the legislation or statutory tests that prevents us from doing that or is it up to The Commission to determine whether that is taken into consideration during the process or via our guidance on identity marks?

Any other advice possibly relevant to these matters would be much appreciated.

Happy to discuss further.

Many thanks,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 24 June 2021 11:01
To: [redacted] Complaints <complaints@electoralcommission.org.uk>
Cc: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: RE: We have shown unfairness, discrimination or discourtesy

Thanks [redacted]

Is there a particular reason that we do not consider it? Are we restricted in some way by the legislation or is it simply not part of our process or guidance?

Cheers,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: [redacted]
Sent: 24 June 2021 10:36
To: Complaints <complaints@electoralcommission.org.uk>
Cc: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: RE: We have shown unfairness, discrimination or discourtesy

Hi [redacted]

We do not specifically consider whether people with disabilities are more likely to be misled. However, our guidance (see p.20) does outline a recommended font size for emblems – emblems containing text smaller than 1.2mm in height is likely to be refused as it cannot be read at the size on a ballot paper. I don't agree with the complaint that the emblem "intentionally attempted to deceive by emulating the colours, logo/brand and emphasis on an enlargened word, 'Green'". Firstly, emblems are registered in black&white (or greyscale) so other colours (such as those used in any branding or campaign material) are irrelevant. And secondly, as alluded to already, our view is that all of the text in the emblem met the size requirements stated in our guidance.

Let me know if you need a hand drafting lines in response – but if you do, please bear in mind that today is my last day before I go on leave until Wednesday.

Thanks

[redacted]

From: Complaints
Sent: 24 June 2021 09:53
To: [redacted]
Cc: Majella La Praik <MLaPraik@electoralcommission.org.uk>
Subject: FW: We have shown unfairness, discrimination or discourtesy

Hi [redacted]

Is there any update regarding my below email, particularly my question highlighted below.

If we do not have any LTT's that is fine but I think for this particular complaint we need to address the question of whether under any part of the assessment/statutory tests we consider whether voters with disabilities are more likely to be misled.

It would be much appreciated if you could provide some clarity around this as soon as possible as the due date for this response is tomorrow.

Cheers,

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

From: Complaints <complaints@electoralcommission.org.uk>
Sent: 18 June 2021 12:51
To: Partyreg <Partyreg@electoralcommission.org.uk>
Cc: [redacted] Complaints <complaints@electoralcommission.org.uk>
Subject: FW: We have shown unfairness, discrimination or discourtesy

Hi team,

Do we have any specific LTTs that would help address [redacted] concerns regarding below that could be weaved into a wider complaint response on this topic?

Is there any provision under the mislead test, or any other statutory tests, for us to consider whether people with disabilities would be more likely to be confused by the emblem?

Cheers,

[redacted]
The Electoral Commission
[redacted]

electoralcommission.org.uk

From: noreply@electoralcommission.org.uk <noreply@electoralcommission.org.uk>
Sent: 13 May 2021 18:22
To: Complaints <complaints@electoralcommission.org.uk>
Subject: We have shown unfairness, discrimination or discourtesy

Submitted on 13 May 2021
Submitted values are:
First name
[redacted]

Last name
[redacted]

Your email
[redacted]

Your postcode
[redacted]

Your region/country
[redacted]

What is your complaint about?
We have shown unfairness, discrimination or discourtesy

Your complaint
In last week's Scottish Parliamentary Elections, the Commission allowed a party to register a name and logo for the election, in some areas, which was not only likely to cause confusion for general voting but could reasonably be assumed to be likely to cause disadvantage to protected characteristic(s), as defined by and arising from the Equality Act 2010, as well as the human rights of people with disabilities, as defined by the UN Convention on the Rights of Persons With Disabilities and all subsequent amendments to it, to which all municipal authorities across the UK are either signatories to or proxies to being a signatory. A fundamental right defined by the Convention is full and genuine Access to the democratic process.

By allowing the 'Independent Green Voice' party to register both the name and logo/brand used on ballot papers, which intentionally attempted to deceive by emulating the colours, logo/brand and emphasis on an enlargened word, 'Green', this not only caused confusion for all voters, compromising the integrity of the vote, but caused disadvantage to, and thus discriminated against, as well as breaching the human rights of people with variable eyesight/blindness as well as people with neurological or cognitive disabilities and/or people with mental impairments, for all of whom the disadvantage caused and discrimination this represents, was a direct result of the EC's decision to permit this registration without due consideration of the confusion this would cause.

As an advocate and founder of an advocacy group for people with neurological disabilities and people disabled by way of mental impairment, we have been inundated with concerns

from people we represent in other legal matters since this issue came to light. The level of concern caused continues to extend disadvantage in this vulnerable demographic and we must consider how best to proceed legally based upon your response to this complaint.

[redacted]

From: [redacted]
To: [redacted]
Subject: RE: Complaint about independent Green Voice
Date: 14 May 2021 10:19:14

Dear [redacted]
Thank you for your e-mail.
From your e-mail below, I am assuming that SGV refers to Independent Green Voice (they are not registered as Scottish Green Voice). If I am mistaken and you mean another party please let me know.
Independent Green Voice has been registered as a political party since 2003. When a party applies to register, its party name must be considered against a number of statutory tests set out in the Political Parties, Elections and Referendums Act 2000 (PPERA). Unless a name does not meet one of these tests it must be registered. You can find out more about these tests, and how we consider them, in our guidance.
We note the comparison of the party name with the 'Scottish Green Party' and the use of the word 'Green'. By law, use of an individual word by one party does not prevent its use by another party. There are over 400 parties currently registered and inevitably there are instances where the same words are used by more than one party. We are satisfied that there are clear and sufficient visual differences between the registered names to avoid it being likely to reasonably cause confusion.
We approved an application from Independent Green Voice to register a new emblem in March of this year. All applications are subject to a detailed assessment against the statutory criteria. The application was published on our website for public scrutiny and comment. Any comments we receive are given careful consideration before a decision was made. No comments were received in relation to this application.
As part of our assessment, we considered whether the new emblem was likely to cause confusion with any already registered emblems. As noted above, the use of an individual word by one party does not automatically prevent its use by another party. In this instance, the emblem includes the full party name and is visually different to any other already registered emblem.
After following our usual robust process for decisions on applications, we were of the opinion that the applied-for emblem met the statutory tests and accordingly it was registered. Where we are of the opinion an emblem meets the statutory tests we must register it.
Best wishes
[redacted]

From: [redacted]
Sent: 13 May 2021 15:20
To: Infoscotland <Infoscotland@electoralcommission.org.uk>
Subject: Complaint about independent Green Voice

I cannot believe this parties name and similar logo to the Scottish Green Party was allowed.
It is a front for BNP and Force for Good.
Many thousands of people were duped into voting for SGV thinking they were voting fir the Scottish Green Party.
These SGV votes have potentially caused the loss of 2 Green Party Seats!

Can you explain how this was allowed to happen? The name SGV obviously was trying to take votes from Scottish Greens and people thought it was SG Party they were voting for This name cannot be allowed in any future elections.
Yours sincerely
[redacted]
Sent from my [redacted]

From: [redacted]ton
To: [redacted]
Subject: RE: Complaint Over Party Registered for Scottish Elections CCM:0112403
Date: 21 April 2021 16:44:07

Dear [redacted]
Thank you for your email dated 17 April 2021.
In order to make a registration application, a party must submit all of the required documents and information specified by the Political Parties, Elections and Referendums Act 2000 (PPERA), as well as an application fee where required. Where a party supplies the necessary documents, information and fees to us, we are obliged to assess the application. Where an application meets the statutory tests, we must approve it. Where an application does not meet the tests, we must refuse it.
You can find out more about these tests, and how we consider them, in our guidance.
Please note, whether or not a party's name accurately reflects its policy positions is not a legal requirement. This is an internal party matter and not one for the Commission.
Yours sincerely

[redacted]
Tel: 0131 225 0200
www.electoralcommission.org.uk

From: [redacted]
Sent: 17 April 2021 13:14
To: Infoscotland <Infoscotland@electoralcommission.org.uk>
Subject: Complaint Over Party Registered for Scottish Elections

I recently received my ballot paper for the Scottish Parliament elections, and noticed amongst the parties, an entity called Independent Green Voice. It took me a few seconds to identify they were definitely not aligned to the Scottish Greens. Upon some digging, I see the party is registered to Alistair McConnachie, and after being dormant for some years, it had recently had its logo updated to enhance the 'Green' credentials of the party.
Further digging confirms that any recent political activity by Alistair McConnachie has been through his group 'A Force for Good' which was set up to oppose Scottish independence.
https://www.dailyrecord.co.uk/news/scottish-news/former-ukip-member-holocaust-denier-21377252.amp
It is clear this party has only been entered into Scottish parliamentary elections to confuse and split the Green vote, with the clear aim of damaging the prospects of a pro-independence majority.
I wish to make a complaint against the registration of this party on the basis that it is clearly attempting to mislead the elecorate, with an ultimate goal far removed from any perceived 'Green' agenda.
Kind regards
[redacted]

From: [redacted]
To:
Subject: RE: For info - IGV twitter response
Date: 14 February 2024 17:02:05

Thanks

From: [redacted]
Sent: Wednesday, February 14, 2024 4:42 PM
To: [redacted]
Subject: For info - IGV twitter response

Hi [redacted]
Just so you can see where we ended up at – the response to the DM from [redacted] was:

Hello, thank you for contacting us. Independent Green Voice have been a registered political party since 2003 and as such can nominate candidates and use their registered identity marks on the ballot paper. Undue influence is when someone uses, or threatens to use, force or violence to make someone vote a particular way or not vote at all, and is a criminal offence investigated by the police.

Cheers

[redacted]
The Electoral Commission
[redacted]
electoralcommission.org.uk

Press office: 0131 225 0211
Press out of hours: 07789 920414

From: [redacted]
To: Louise Edwards
Cc: [redacted] Hannah Brown
Subject: RE: Glasgow Hillhead by-election Scottish Greens/Independent Green voice
Date: 14 February 2024 15:43:57

Thanks Louise and apologies Hannah B for not copying you in.
I am not aware of any activity being carried out in Hillhead Ward (that was the complaint in 2021 that they had somehow got a shed load of votes without carrying out any activity).
I agree that it is not a 'trojan horse', I think that is just being carried over from Homeland reporting (though I'm still not clear about how that could be a trojan horse either).
I'll Discuss with [redacted] and we can keep it short and sweet as you suggest.
Think the clarity on 'undue influence' would also be useful to include.
Thanks for coming back so quickly.
[redacted]

From: Louise Edwards [redacted]
Sent: Wednesday, February 14, 2024 2:59 PM
To: [redacted]
Cc: [redacted] Hannah Brown [redacted]
Subject: Re: Glasgow Hillhead by-election Scottish Greens/Independent Green voice

Oh, I remember it. I still don't personally understand how this could work as a Trojan Horse from the registered details alone. The name and emblems are so different from the Scottish Greens. Do we know if they are doing anything in their campaigning that implies they are trying to get people to confuse them with the Greens? Not that we have the power to act if they are, but it would at least explain the narrative.
I agree let's not get into the tests themselves, it'll only lead to people speculating as to whether they meet them. I think your instinct is right. We should explain that the IGV is a registered political party and can nominate candidates and use their registered identity marks on the ballot paper.
We could also note that 'undue influence' is when someone uses, or threatens to use, force or violence to make someone vote a particular way or not vote at all, and is a criminal offence investigated by the police.
I've copied in Hannah Brown, the new Head of Registration, Compliance and Transparency, to get her into the loop on the types of registration-related issues that come up. Hannah - I'll fill you in on the background to all this at our next one to one.
Thanks
Louise

From: [redacted]
Sent: 14 February 2024 2:32 PM
To: Louise Edwards [redacted]
Cc: [redacted]

Subject: FW: Glasgow Hillhead by-election Scottish Greens/Independent Green voice

Hi Louise

I'm sure you remember the Independent Green Voice issue from the 2021 Scottish Parliament election. It's raised its head again at a local govt by-election coming up next month in the Hillhead ward of Glasgow where the Scottish Green Party have a realistic chance of getting the seat and IGV are also standing a candidate.

There's been a bit of press interest in this (but not, as I am aware, any direct queries to us) recently but the digital media team have had a query on twitter (see attached for Twitter query and also what we were saying in 2021).

The narrative in the press is that this is a trojan horse party. My instinct is just to say that they have been a registered political party since 2003 and go no further. Does that feel about right for you? Could also link over to the party reg page which sets out the criteria for registering a political party and say that if they meet these tests we must register them (though this is a registration over 20 years old so my inkling is not to get into registration tests as that might just conflate with the Homeland issue).

Grateful for your thoughts on this.

Thanks

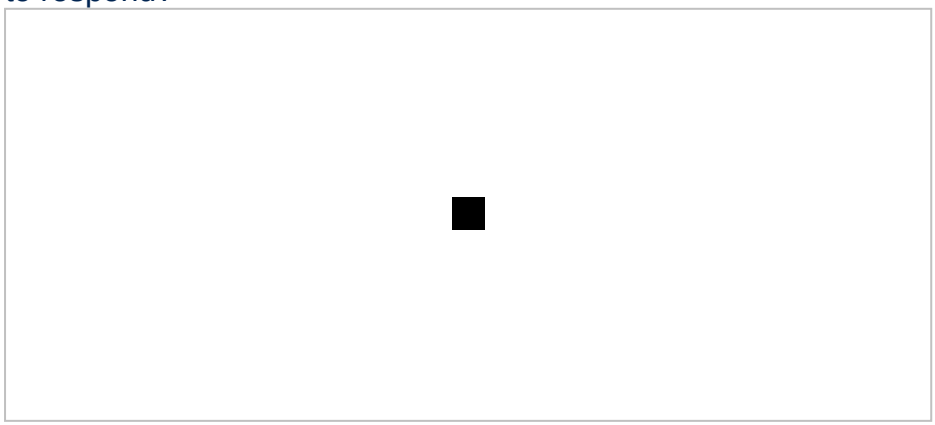
[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: Glasgow Hillhead by-election Scottish Greens/Independent Green voice
Date: 14 February 2024 13:37:24
Attachments: RE Complaint about independent Green Voice.msg
image001.png

Hi [redacted]
I've attached a response we sent to a similar query about Independent Green Voice back in 2021.
[redacted] – are you happy for this wording to be used to respond to a direct message we received on Twitter?
Thanks
[redacted]

From: [redacted]
Sent: Wednesday, February 14, 2024 10:37 AM
To: [redacted]
Subject: Glasgow Hillhead by-election Scottish Greens/Independent Green voice

Hello,
Was just wondering whether you have any lines on this or guidance on how best to respond?



Or if you think this requires a response?
It's come through via Twitter DM.
Thanks,
[redacted]

[redacted]

[redacted]

The Electoral Commission
electoralcommission.org.uk

Dear Electoral Commission.

There is the potential for 'undue influence' as termed by section 115b of the 1983 Representation of The People Act (fraudulent device or contrivance) in the upcoming Glasgow Hillhead by-election where The Scottish Greens are standing, as are a suspected trojan horse spoiler party, Independent Green Voice.

The CPS recommend "where there is clear evidence that a breach has affected the result or is likely to have done so, the public interest is more likely to require a prosecution"

Can the EC assist in any way in this situation?

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