

## **Annex A**

### **Item 1 –**

**From:** Renwick, Alan <a.renwick@ucl.ac.uk>  
**Sent:** 02 May 2023 10:46  
**To:** [redacted]  
**Subject:** RE: Thanks, and possible follow-up with Minister

Dear [redacted]

It was great to meet you all and to take part in the discussion: it was fascinating to hear what you are thinking about and to explore some of the tricky questions.

I would be very happy to have a follow-up meeting, and I'm sure my colleagues would be happy to. I shall raise it at our weekly team meeting tomorrow. Could you perhaps say a little more about the specific questions that you think he would be most interested in? On that basis, I can think further about other people.

In terms of timing, now that we are outside the teaching term, we have pretty irregular diaries. [redacted] Otherwise, I suspect we are pretty flexible. Might you nominate a few dates that might be possible for you, and we can look at them in detail.

I promised that I would give you information on the event that we did last year on running inquiries. Here it is:  
<https://www.youtube.com/watch?v=eHMXwKEXFzs&list=PLdUKxuxLtsJCeXZJ3qwo0AB1cWEbcloydO&index=22>. The speakers were Lord Phillips, chair of the BSE Inquiry (1998-2000); Sir Brian Leveson, chair of the Inquiry into Press Regulation (2011-12); and Margaret Aldred, secretary of the Iraq Inquiry (2009-16) chaired by the late Sir John Chilcot.

Very best wishes,

Alan

Alan Renwick  
Professor of Democratic Politics and Deputy Director of the Constitution Unit  
Department of Political Science, UCL  
<https://www.ucl.ac.uk/constitution-unit/people/alan-renwick>  
[Follow me on Twitter](#)

**From:** [redacted]  
**Sent:** Friday, April 28, 2023 4:19 PM  
**To:** Renwick, Alan <[a.renwick@ucl.ac.uk](mailto:a.renwick@ucl.ac.uk)>  
**Subject:** Thanks, and possible follow-up with Minister

Prof Renwick,

It was lovely to meet you yesterday, and I just wanted to drop you a line to say again how much we all enjoyed your presentation and the discussion in St Andrew's House yesterday. Really useful stuff [redacted] Thanks for taking the time to meet with the Ministers and the wider team, and I hope you've had a smooth journey back, if you were heading south again yesterday.

As I briefly mentioned to you before the meeting broke up, Jamie Hepburn, our Minister for Independence, was really interested in the points you were raising, and he's come back asking if it would be possible to arrange a follow-up discussion with you and your colleagues in London. Would you be happy to have him visit, and, if so, are there days/times that are better or worse for you?

(And also – while he's down in London, if you had any suggestions for other meetings/visits he should consider, please do let me know! I always think it's worth squeezing as much as we can into these trips..)

Many thanks and best wishes,

[redacted]

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[redacted]

Constitutional Futures Division

I am hybrid working from home and St Andrew's House - please **email, Teams IM, or call me on [redacted]**

*I work on [redacted]*



Item 2 -

**From:** [redacted]

**Sent:** 03 May 2023 10:20

**To:** Cabinet Secretary for Constitution, External Affairs & Culture <CabSecforCEAC@gov.scot>; Minister for Parliamentary Business <MinisterforPB@gov.scot>; Minister for Independence <MinisterforIndy@gov.scot>

**Cc:** David Rogers <David.Rogers@gov.scot>; [redacted] Audrey MacDougall <Audrey.MacDougall@gov.scot>; Brian Dornan <Brian.Dornan@gov.scot>;

[redacted]

**Subject:** Minutes for 27 April Professor Alan Renwick briefing on public attitudes to the UK's democratic system

PS / Cabinet Secretary

PS / Minister for Parliamentary Business

PS / Minister for Independence

Please find attached minutes for the Professor Alan Renwick briefing on public attitudes to the UK's democratic system, which took place last Thursday (27 April). The eRDM link is: Minutes of Meeting - Alan Renwick briefing - 27 April 2023 details - Objective ECM (scotland.gov.uk)

Professor Renwick's slides are also attached, and officials are working to action Mr Hepburn's request for a follow up meeting.

If you have any queries, please don't hesitate to get in touch.

Kind regards,

[redacted]

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[redacted] Constitution, International and Migration Analysis | SG Central Analysis Division | Scottish Government | 2W St Andrew's House, Regent Road, Edinburgh, EH1 3DG | [redacted]

**Item 3 (attached to item 2) –  
Minutes of briefing on Public Attitudes to the UK's Democratic System Report -  
Professor Alan Renwick, UCL  
27 April 2023**

**Attendees**

- Angus Robertson MSP, George Adam MSP, Jamie Hepburn MSP
- Professor Alan Renwick, University College London
- Officials: David Rogers, [redacted] Audrey MacDougall, [redacted] Dornan, [redacted]

**Background**

Professor Renwick had offered Ministers and officials a briefing on the findings of UCL's recent report on public attitudes to the UK's democratic system. This was accepted and arranged as a hybrid seminar in SAH.

**The work of the UCL Constitution Unit**

After introductions, Professor Renwick first outlined the wider work of the UCL Constitution Unit, including: Robert Hazell's work on the monarchy, the prerogative and regulators as well as his contribution to the 2002 Jo E. Murkens book, *Scottish Independence: A Practical Guide*; Meg Russell's work on the role of parliament, scrutiny, the House of Lords and bicameralism; and his own work on:

- Electoral systems (how reform happens, merits of different systems, Senedd: votes at 16, boundary reviews)
- Referendums (role and conduct, including informed choice, misinformation and disinformation, unification referendums in Northern Ireland)
- Reform processes (what role the public can play in constitutional reform, how the public can best be involved, citizens' assemblies – need for them not to be one off processes, and to carefully consider a manageable remit)
- Public opinion on democracy (see below)

## **Public Attitudes to Democracy in the UK**

Professor Renwick outlined the findings from two surveys and a citizens' assembly on democracy undertaken as part of this project. Their findings included that, while most people in the UK did not have much knowledge of or interest in specific institutions, they were interested in the overall health of democracy and in particular wanted to see more honesty in political discourse (both from politicians and in media reporting). They found that, amidst low levels of trust in politicians, there was support for: the role of judges and the courts in protecting rights, for stronger mechanisms to uphold integrity among politicians, including more powerful independent regulators; for parliament to have a stronger role in scrutinising ministers' proposals and setting its agenda (rather than government), and for a wide range of people to be involved in decision-making.

The presentation was followed by Q&A facilitated by David Rogers.

Professor Renwick indicated that he would be happy to continue the conversations begun on various themes during the briefing.

[redacted], Central Analysis Division, 28 April 2023

**Item 4 –**

[redacted]

**Item 5 –**

**From:** [redacted] **On Behalf Of** Constitutional Futures

**Sent:** 13 July 2023 09:38

**To:** a.renwick@ucl.ac.uk

**Subject:** Freedom of Information request

Good morning,

I am writing to advise you that the Scottish Government has received a request under the Freedom of Information (Scotland) Act 2002 (FOISA) for a list of names of any external individuals or organisations that members of staff working within the Constitutional Futures Division have met with since March 2021.

You have an interest in the information which has been requested because you have attended a meeting which included staff within the Constitutional Futures Division.

Therefore, I am writing to advise you that your name will be included in the list within the response to the FOISA request. We expect this to be issued in the coming days.

I should also explain that we can withhold information only if an exemption under FOISA applies to that information and, where applicable, the public interest in disclosure is not outweighed by the public interest in upholding the exemption. You can find detailed information about FOISA on our website at: <https://www.gov.scot/about/contact-information/how-to-request-information/> or on the Scottish Information Commissioner's website at: <https://www.itspublicknowledge.info/>.

Kind regards

**[redacted]**

Constitutional Futures Division  
Directorate for Constitution  
The Scottish Government  
2W, St Andrew's House, Edinburgh, EH1 3DG

Item 6 –

**CABINET SECRETARY FOR CONSTITUTION, EXTERNAL AFFAIRS  
AND CULTURE  
MINISTER FOR PARLIAMENTARY BUSINESS  
MINISTER FOR INDEPENDENCE**

**Meeting/Event Briefing**

<b>What</b>	Briefing for Ministers, advisers and officials from Professor Alan Renwick on UCL Constitution Unit Report: Public Attitudes to the UK's Democratic System
<b>Who</b>	<p>Professor Alan Renwick, Deputy Director of the Constitution Unit and Professor of Democratic Politics at University College London (see biography at Annex B)</p> <p>The briefing by Professor Renwick (in person) will be attended by:</p> <ul style="list-style-type: none"> <li>• Cabinet Secretary for Constitution, External Affairs and Culture (in person)</li> <li>• Minister for Parliamentary Business (in person)</li> <li>• Minister for Independence (in person)</li> <li>• David Rogers, Director (facilitator)(in person)</li> <li>• Approximately 20 officials (in person and online)</li> </ul>
<b>When</b>	Thursday 27th April from 10:00 to 11:00
<b>Where</b>	Room 4E.01 in St Andrew's House. The seminar will be hybrid (in person and on Teams)
<b>Why</b>	Professor Renwick wrote to you on publication of the Constitution Unit's report, and offered a briefing for Ministers, advisers and officials. This has been accepted and organised as a hybrid seminar-type event, incorporating a presentation from Professor Renwick followed by a Q&A session facilitated by David Rogers

<b>Official support</b>	[redacted]
<b>Comm/ Media</b>	n/a

<b>Intended outcome</b>	<ul style="list-style-type: none"> <li>• An understanding of the latest research into UK public attitudes to democracy, focusing on integrity and accountability, with potential lessons for Scotland's democratic institutions.</li> <li>• An opportunity to discuss Professor Renwick's wider work on referendums, constitutional conventions, citizens assemblies and electoral reform</li> </ul>
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<b>Key message</b>	While the report shows that trust in politicians at UK level is low, trust in Scotland's devolved democratic institutions remains high. Both the Scottish Parliament and Scottish Government will continue to support and develop strong mechanisms for upholding integrity and accountability.
<b>Sensitivities</b>	None. Alan Renwick is an experienced academic, familiar with the Scottish Government's work (including on the Citizens' Assembly of Scotland and the Referendums Framework Bill). We do not think there are particular sensitivities to note for this session

<b>Agenda/ Running Order</b> (agreed with participants)	Chair: David Rogers 10am – start and introductions 10.05 – 10.30am – briefing by Professor Renwick 10.30 – 11am – Q&A 11am – close
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<b>Briefing Contents</b>	Annex A: Agenda  Annex B: Professor Renwick biography  Annex C: Constitution Unit Democracy in the UK after Brexit Project, including report key findings  Annex D: Electoral Reform
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## **Annex A: Agenda**

Thursday 27th April

Facilitator: David Rogers

10am: Start and introductions

10.05-10.30: Briefing by Professor Renwick  
(briefing on public attitudes to the UK's democratic system, plus brief outline of other areas of the UCL Constitution Unit's work)

10.30-11am: Q&A facilitated by David Rogers  
(coming to Ministers first for questions / comments, followed by officials)

11am: Close



## **Annex B: Professor Renwick biography**

Position: Professor of Democratic Politics and Deputy Director of the Constitution Unit at UCL

The following is largely taken from Alan Renwick's profile page on the UCL website.

Alan Renwick's research focuses on the mechanisms through which citizens can engage in formal democratic politics and policy-making, particularly elections, referendums, and citizens' assemblies.

### **Democracy in the UK after Brexit**

Alan is leading the Unit's ESRC-funded project on [Democracy in the UK after Brexit](#), which is employing large-scale surveys and running a citizens' assembly to explore how people in the UK think of democracy and their broad conceptions of democracy relate to their more specific preferences on how democratic institutions should operate.

### **Elections and Referendums**

Much of Alan's current research focuses on the conduct of elections and referendums. Between 2019 and 2021, he chaired the [Working Group on Unification Referendums on the Island of Ireland](#), which examined how any future referendums on the unification question in Ireland would best be designed and conducted. In 2019, he completed a project looking at ways of improving the [quality of the information and discussion](#) during election and referendum campaigns. This work fed directly into the 2018 report of the [Independent Commission on Referendums](#).

Alan is one of the world's leading experts on processes of [electoral reform](#): he has written two major academic books on the subject and a third book aimed for a general audience. He has also contributed to public debates in the UK and elsewhere. His most recent research focuses in particular on the 'personalisation' of European electoral systems.

He was [highly critical](#) of the UK Government's proposal – now part of the Elections Act 2022 – for the UK Government to set *out a Strategy and Policy Statement in relation to the Electoral Commission, arguing that it “risks violating the independence of the Electoral Commission”*. He also argued that “a review of Electoral Commission accountability is needed in light of the devolution of many electoral matters to the Scottish Parliament and Senedd.”

## **Citizens' Assemblies**

Alan is a leading voice in debates about the development of more deliberative approaches to democracy, particularly through citizens' assemblies. Besides the current project on [Democracy in the UK after Brexit](#), with its Citizens' Assembly on Democracy in the UK, he led the project to run a [Citizens' Assembly on Brexit](#) in September 2017, which gave unique insights into what kind of Brexit members of the public preferred once they had had the chance to learn and think in depth about the options. This project was part of the ESRC-funded [UK in a Changing Europe](#) initiative. Before that, he was part of the [Democracy Matters](#) project, and he has examined in depth the idea of establishing a [constitutional convention](#) to consider issues of constitutional and democratic reform in the UK.

Alan was on the stewarding group for the Citizens' Assembly of Scotland.

He was also a member of the Expert Working Group on Institutionalising Participatory and Deliberative Democracy Working Group which delivered its recommendations to Scottish Government in October 2022 [IPDD report](#).

## Annex C: Constitution Unit Democracy in the UK after Brexit Project

The report, *Public Preferences for Integrity and Accountability in Politics*, that Alan Renwick will be briefing on the third of four reports that will be published by the UCL Constitution Unit as part of its Democracy in the UK after Brexit project, examining public attitudes to democracy in the UK today.

The first report, published in January, set out the findings of a survey of public opinion conducted in July 2021.

The second report, published in April 2022 set out the findings of a citizens assembly on democracy in the UK, which ran between September and December 2021.

This third report sets out the survey findings of public attitudes to the operation of the UK's democratic system,

The final report will present an overarching analysis of public attitudes to democracy across the UK today.

The **main findings of the third report**, which draws its findings from a UK-wide survey of over 4000 people, conducted in August and September last year, were set out by Professor Renwick in his initial correspondence:

- Public trust in politicians and confidence in their ethical standards is low, with most respondents believing that the system for protecting standards needs to be strengthened.
- Those in power should be held accountable by a strong system of checks and balances, provided through parliament, the courts, and other independent institutions.
- While the cost of living and the NHS are most people's top priorities, people do also care about the health of democracy in the UK – and want political discourse to be more honest.

Professor Renwick noted that, while much of the report concerns itself with public attitudes towards the Westminster parliament and the UK government, many of its findings are relevant to the devolved legislatures and administrations, as are thematic insights into public trust, checks and balances, the health of democracy, and public participation.

Other areas considered by the report include:

- Relations between government and parliament
- Electoral reform
- Lords reform
- Referendums and citizens' assemblies
- Role of judges

## **Annex D: Electoral Reform**

The SG [consultation](#) on electoral reform closed on 15 March 2023. It:

- Considered extending candidacy rights to 16 and 17 year-olds and to foreign nationals with limited leave to remain
- Highlighted possible changes to assist candidates in Local Government elections, such as freepost communications and the presentation of candidate address information.
- Sought views on how to increase voter registration
- Sought views on how to improve accessibility in elections, to ensure all people can vote independently and in secret. This included work to explore alternatives to the Tactile Voting Device (TVD) that could be made available in polling places to assist people with sight loss to vote in person, such as ballot papers with tactile additions.
- Considered the small number of people resident in Scotland without voting rights, such as asylum seekers and people detained under mental health legislation (note: those granted refugee status have been able to vote in Scottish devolved elections since 2020).
- Looked at options for rearranging scheduled elections in response to exceptional circumstances.
- Considered further changes in relation to the Electoral Commission (including a greater oversight role by the Scottish Parliament), the Electoral Management Board for Scotland and Boundaries Scotland (including making boundary change recommendations apply automatically without Parliamentary approval).
- Addressed questions arising from the UK Elections Act 2022, including the possible adoption for devolved elections of measures on campaign finance, undue influence, intimidation and notional spending.
- Discussed the implications of the Elections Act overriding Scots law on digital imprints and asks if any elements of the Scottish system should be retained.

### **Accessibility Of Elections**

- The Scottish Government wants to ensure that elections are accessible to all voters and is keen to address any barriers to voting and engaging in the electoral process more widely. We are exploring multiple options in the 2023 consultation, including changing the legislative requirements on polling station staff to provide a greater range of support options for voters.
- We are also exploring public views on whether the maximum number of people one person can assist in a polling station (called a 'companion') should be increased. At present, this is limited to two people per companion per election – This approach may add complications for example if someone had multiple care responsibilities in one family. Some people feel a limit of two helps prevent one companion from influencing too many people in an election.

- The Government is interested to hear views on whether voters should be able to choose to receive poll cards digitally in the future. Currently all poll cards are sent out in paper format to voters ahead of an election - a future digital option could benefit people who are blind or have sight loss. It might also help ensure that people who are away from home – such as students in term-time residences – receive their poll cards.

## UK Elections Act 2022: Electoral Commission

- Elections Act changes in relation to the Electoral Commission are now in force.
- The UKG consultation on a draft [statement](#) guiding the Electoral Commission closed on 5 December 2022. A final version has not yet been announced.
- The Minister for Parliamentary Business [wrote](#) to the Levelling Up, Housing and Communities Committee on 2 September reiterating that the Statement is an unwelcome and unnecessary interference with the independence of the Electoral Commission.
- The Committee's [Report](#) on the draft Statement published on concluded:  
*“The overwhelming viewpoint from the evidence received was that no Statement is necessary at the current time: and no evidence has been provided justifying it. However, if there is to be a Statement, the current draft needs to be fundamentally rewritten.”*

## UK Elections Act 2022: voter ID and other changes

- Remain opposed to introduction of voter ID. It risks significant voter confusion and has not been introduced in response to any clearly identified problem. Few people accepted the rationale that was set out by the UK Government or approved of its plans.
- Voter ID will mean additional responsibilities for returning officers and polling staff in Scotland at UK parliamentary elections. That fact – along with the different electoral systems and franchises in operation - underlines the need to avoid elections to the UK Parliament being held at the same time as a devolved poll. The consultation proposed a presumption against a devolved election being held on the same day as an election to the UK Parliament in the same area.
- The consultation sought views on adopting the Elections Act changes on campaign finance and campaigning for devolved elections. While legislative consent was refused for the Elections Bill, the Government indicated a willingness to consider legislation on these issues.

## Candidacy for 16 and 17 year olds

- We have committed to bringing forward legislation on electoral reform, to be in force before the next Scottish Parliament elections, that will enable more people to stand as candidates at Scottish Parliament and Local Government elections.
- 16 and 17 year olds represent one of a small number of groups which have voting rights but not candidacy rights for Scottish Parliament and Local Government elections.
- There could be several benefits to extending the right to stand – it may help foreground younger perspectives on key issues, and avoid the impression that frontline politics is only of interest/accessible to older sections of the population.
- According to recent University of Edinburgh research, the extension of voting rights has resulted in a long-term increase in turnout among young people.
- The consultation has highlighted several issues to overcome if 16 and 17 year-olds are to be allowed to stand for election. These include wellbeing concerns; the potential exposure of young people to intimidation; working hours; impact on education and data protection issues.

**S.38(1)(b) (Personal Information)**

We are unable to provide some of the information you have requested because an exemption under section 38(1)(b) (Personal Information) of FOISA applies to that information. This is because it is personal data of a third party, specifically the personal details of individuals below Senior Civil Service grade, and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018.

This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

**Section 30(b)(ii) – Free and Frank Exchange of Views for the Purposes of Deliberation**

An exemption under section 30(b)(ii) of FOISA (Free and Frank Exchange of Views) applies to some of the amount of the information requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank exchange of views for the purposes of deliberation. This exemption recognises the need for a private space to discuss and explore options with stakeholders. Disclosing the content of free and frank discussions will substantially inhibit such discussions in the future and may deter stakeholders from entering into discussions with the Scottish Government if they believe their comments will be published.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing a private space within which to engage with stakeholders and external experts. This private thinking space is essential to enable all options to be properly considered, so that good policy decisions can be taken. Premature disclosure is likely to undermine the full and frank discussion of issues, which in turn will undermine the quality of the policy making process, which would not be in the public interest.

**Section 30(c) (Prejudice to the Effective Conduct of Public Affairs)**

The reason why this exemption applies is because releasing content sharing with the Scottish Government by external parties may discourage stakeholders from sharing material with the Scottish Government in future, thereby undermining the Scottish Government's ability to effectively and accurately engage and communicate with the public.

This in turn would be likely to impair the Government's ability to take forward its work on policy development for an independent Scotland. This would constitute substantial prejudice to the effective conduct of public affairs in terms of the exemption.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in enabling the Scottish Government to effectively and accurately engage and communicate with the public on its proposals for an independent Scotland without the risk of these proposals being prejudiced due to a lack of ability to engage with externals in confidence.