

Supporting prisoners to vote in the upcoming Scottish council elections

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

Scottish council elections are taking place on Thursday 5 May 2022. This document explains how you can support prisoners you work with to register to vote in these elections.

Council elections

What do councils do?

Councils (sometimes called 'local government' or 'local authorities') make decisions about local issues that affect our everyday lives. Councils are responsible for local services including:

- education services
- youth and leisure facilities
- social housing
- managing parks and other public places
- social services, such as care for disabled people and the elderly
- local roads and footpaths
- rubbish and recycling
- libraries

Who represents you in your council?

The people elected to represent you in your council are called councillors. The geographic area covered by your council is divided into smaller areas called wards. Your ward could be represented by up to five councillors.

Which prisoners are eligible to vote?

Convicted persons who are serving a prison sentence of 12 months or less in a UK prisoner who would usually be resident in Scotland are eligible to vote in Scottish council

elections. However, any prisoner serving a sentence that exceeds 12 months is legally incapable of voting. Prisoners cannot vote in elections to the UK Parliament.

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

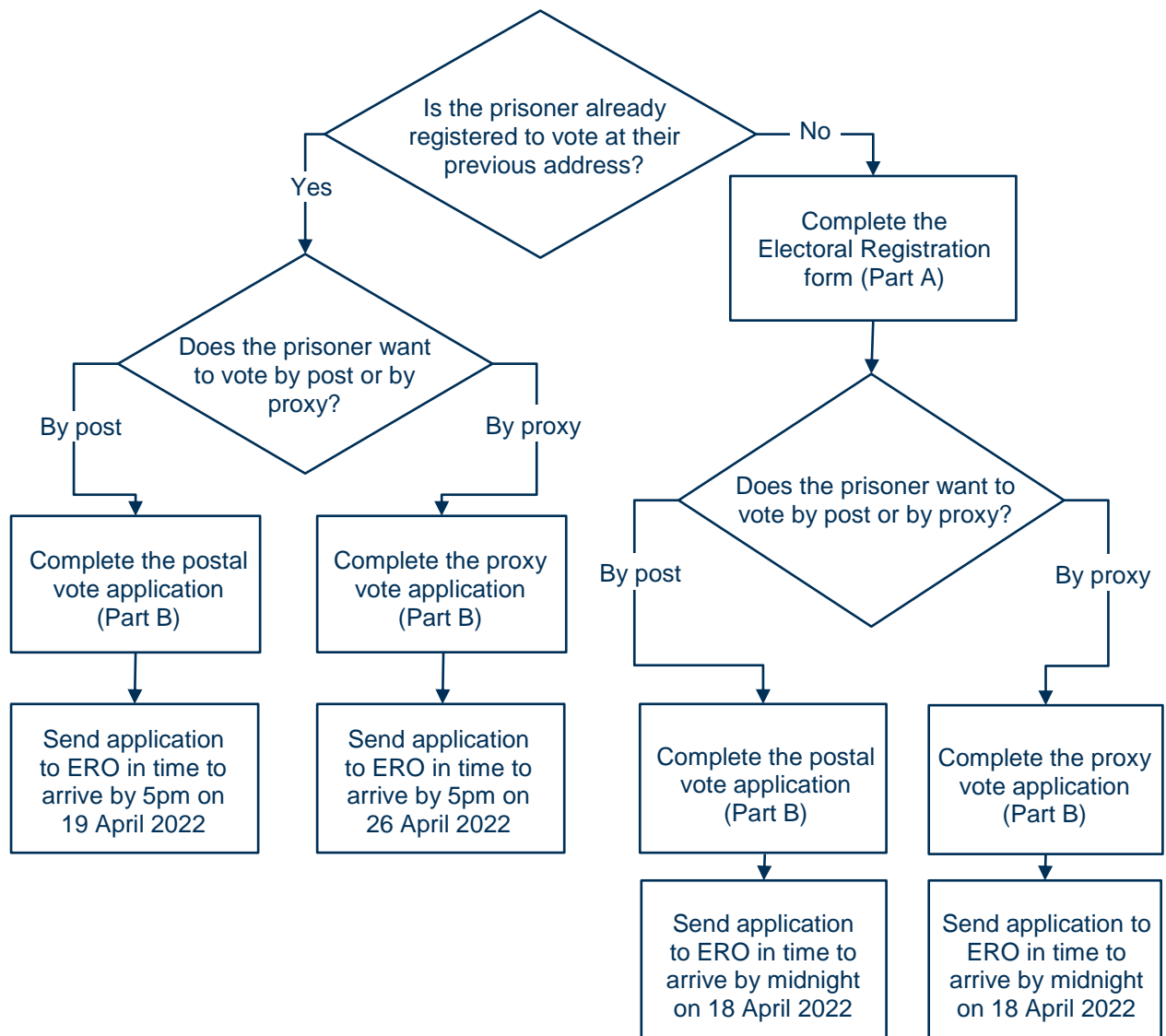
How can a prisoner register to vote?

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

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

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

The completed form must be sent to the local Electoral Registration Officer (ERO) for the address that they are registering to vote at. The deadline for registering to vote in the election is midnight on Monday 18 April 2022. The deadline to register to vote by post is 5pm on Tuesday 19 April 2022, and the deadline to vote by proxy is 5pm on Tuesday 26 April 2022. The flowchart below outlines the process, with deadlines varying depending on whether the prisoner is already registered.



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

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

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

What is the electoral register?

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

The Electoral Register

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

The Open Register

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

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

How to vote

1. By post

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

The person should complete and return their ballot papers, ensuring they leave enough time for them to arrive by 10pm on Thursday 5 May 2022.

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

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

If the selected person cannot get to the polling place, they can apply to vote on behalf of the prisoner by post. They can apply to do this by 5pm on 19 April. They can contact the electoral registration office for more details and to request an application form.

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