

# Scandinavian Style Proportional Representation

Ballot Box Briefings - #2 Allan Faulds – Ballot Box Scotland September 2021

# **Contents**

1.	Intr	oduc	etion	3
	1.1.	Bac	kground	3
	1.2.	The	Perfect Electoral System?	3
	1.3.	Prin	ciples of the Scandinavian Model	4
	1.3	.1.	How It Works	4
	1.3	.2.	Comparison with Other Forms of Proportional Representation	4
2.	Sco	otland	d's Current Electoral Systems	5
	2.1.	Нον	v They Work	5
	2.1	.1.	First Past the Post (FPTP) - UK Parliament	5
	2.1	.2.	Additional Member System (AMS) - Scottish Parliament	5
	2.1	.3.	Single Transferable Vote (STV) - Local Councils	5
	2.2.	Pro	portionality	6
	2.3.	Loc	ality	7
	2.4.	Util	ity	8
	2.5.	Spe	ecificity	9
	2.6.	Wh	y Reform Scotland's Electoral Systems?	10
	2.6	.1.	Consistency	10
	2.6	.2.	Legitimacy	10
	2.6	.3.	Better Representation	10
3.	Prc	pose	d Electoral System	11
	3.1.	Bui	ding Constituencies	11
	3.1	.1.	Constituency Boundaries	11
	3.1	.2.	Constituency Apportionment	11
	3.2.	Thr	eshold	11
	3.3.	Elec	cting MSPs	12
	3.3	.1.	Directly Elected Seats	12
	3.3	.2.	National Levelling Seats	13
	3.3	.3.	Winning Candidates	15
	3.3	.4.	The Ballot	15
	3.4.	Put	ting it Into Practice - 2021 Election	16
	3.4	.1.	Caveats	16
	3.4	.2.	The Results	16
	3.5.	Rati	ing the System	18
	3.6.	Tra	nslating to Other Elections	19
	3.6	.1.	Principles	19



	3.6.2.	UK Parliament Elections	19
	3.6.3.	Local Elections	21
4.	Conclu	sions	23
Ар	pendices		24
1	Appendix	A - Proposed Ballot Paper Format	24
ļ	Appendix	B - Actual 2021 Scottish Parliament Result	27
ļ	Appendix	C - Actual 2019 UK Parliament Result (Scotland)	28
/	\ppendix	D - Actual 2017 East Lothian Council Result	29

## **Version History**

## **Version 1**

- 1.0. Initial Publication
- 1.1. Corrections, change from D'Hondt allocation to Sainte-Laguë for directly-elected seats.

## **Version 2**

• 2.0. Updated following 2021 Scottish Parliament Election



## 1. Introduction

## 1.1. Background

Long-time followers of Ballot Box Scotland will probably have noticed the regular appearance of a hypothetical "Scandinavian Style Electoral System" in reporting of polls. This more proportional system is presented as a comparison, usually for Scottish Parliament polls, but a Westminster version has cropped up occasionally too. The purpose of the comparison is to show how Scotland's current voting systems fall short of true proportionality.

A full fleshing out of how that system works, and why it would be better than what we currently have, seemed an ideal topic for the second Ballot Box Briefing. It also means there is now a detailed resource to point people towards every time someone asks about it. This briefing focuses on how this system would be applied to the Scottish Parliament, but the basic principles would be applicable to other levels too.

If you were so inclined, you could also read an even more detailed explanation of how the <u>real-life Danish version of this system</u> works, some of the basics of which were used to help build this Scottish version.

## 1.2. The Perfect Electoral System?

There is no such thing as the "perfect" electoral system. In mathematical terms there are a lot of different desirable criteria that it is impossible for one system to meet every single one of. Those are often complex and dry, so it is instead easier to think about the following four:

- Proportionality
  - How accurately does it reflect the political diversity of the electorate?
- Locality
  - o How local is the electoral geography relative to the electorate?
- Utility
  - o How many votes count towards electing a representative?
- Specificity
  - How much choice do voters have between candidates and parties?

No system can be both perfectly proportional and perfectly local, for example, as to be more proportional you need to count votes from wider areas. By contrast, proportionality and utility are broadly complementary, as more proportional systems result in fewer votes being cast for unsuccessful candidates.

All electoral systems are some form of compromise between these criteria, and the Scandinavian system this briefing describes is no different. However, it is possible for systems to score highly on most of these measures, and it is on that basis that this kind of electoral system is to be recommended.

This briefing compares Scotland's current electoral systems and the proposed Scandinavian system based on those criteria. The worst rating is "Very Poor", and ratings improve up through "Poor", "Fair", "Good" to "Very Good". Obviously, there's an element of subjectivity to these ratings, so bear that in mind.



### 1.3. Principles of the Scandinavian Model

#### 1.3.1. How It Works

As with most of Europe, the Scandinavian countries (Denmark, Sweden and Norway) as well as Iceland (Nordic, but not strictly Scandinavian) use a form of Proportional Representation for their parliamentary elections. Although the exact implementation is unique to each country, they all follow the same basic model.

The country is divided into several PR districts, and most of the MPs in each district are elected based on the votes in that district alone via a list system. The remaining share of MPs are instead elected based on the national share of the vote, accounting for seats already won, and only for parties above a % vote threshold. Crucially, these MPs are then allocated to an appropriate district, so that every MP represents a district. This system therefore delivers a very high degree of proportionality, whilst still preserving some degree of local link for every MP.

Amongst the differences between each country are the electoral threshold (2% in Denmark, 4% in Norway and Sweden, 5% in Iceland), whether parties can easily win local district seats without passing the national threshold (only really happens in Norway), the number of nationally apportioned MPs in each district (1 per district in Norway, variable multiples elsewhere), and whether lists are open (voters can choose between candidates) or closed (party list order is set).

The proposal in this paper adds to that diversity by not exactly duplicating any one of these existing versions. As will be illustrated later, it aligns more closely with Denmark in terms of electoral threshold and open lists, but parallels Norway with regards to the ability to locally bypass the threshold and number of nationally apportioned seats.

## 1.3.2. Comparison with Other Forms of Proportional Representation

The direct election of MPs from districts separately from the national vote is a common form of PR, and indeed is somewhat familiar to Scottish voters via Scottish Parliament lists and European Parliament elections. Countries like Spain and Croatia use this simple form of PR for their elections too.

Using the national vote to deliver overall proportionality is also common. One way to do this is simply to treat the entire country as a single electoral area, which is how elections in the Netherlands and Israel operate. Other countries, such as Greece and Germany, divide the country up into smaller districts, but fill those districts indirectly by squeezing a nationally proportional number of MPs into them as best they can.

Although these features are therefore widespread, they aren't usually found together within the one system. It's the blend of directly electing most MPs from PR districts then adding further MPs to those districts based on the national vote that makes the Scandinavian model a unique branch of PR, and one worth investigating.



# 2. Scotland's Current Electoral Systems

## 2.1. How They Work

#### 2.1.1. First Past the Post (FPTP) - UK Parliament

First Past the Post is what most people in the UK would think of as the "default" electoral system. The country is divided up into individual constituencies containing a roughly equal number of voters. Voters then simply pop a cross (usually – plenty of other indicators have been accepted over the years, including a famous Chewin' the Fat gag) beside the candidate they want to vote for, and the candidate with the most votes wins.

At the local constituency level, this is simplicity itself. Unfortunately, it's also basically the least democratic option available that can nonetheless still just about get away with using the term "democracy." The UK's continued adherence to FPTP has more to do with a stubborn opposition to reform and the interests of the largest parties than democracy.

Most of the other democracies that use FPTP have some form of historic (usually colonial) link with the UK, similar to how parts of the Francophone world use variations on France's odd two-round system. The overwhelming majority of European and Latin American countries, however, use proportional representation, as do some African and Asian nations.

#### 2.1.2. Additional Member System (AMS) - Scottish Parliament

Although it was the Labour party that formally implemented Devolution in Scotland, it did so according to a blueprint from the Scottish Constitutional Convention. As well as figures from civic society, that convention involved other Scottish parties. Most prominently that included the Liberal Democrats, but also present were the Greens and even the Communists. The SNP were dissatisfied independence wasn't being considered and didn't take part, however. As one of the trade-offs inherent to building the devolution consensus, Labour ended up accepting the compromise of a partly proportional electoral system.

This system combines an FPTP element in 73 constituencies with a PR list element in 8 regions (made up of 8-10 constituencies each) electing the other 56 seats, resulting in a mix called the Additional Member System. The intention was to preserve the "constituency link" and familiar aspects of FPTP whilst compensating for the lack of proportionality, ensuring most voters in each region have at least one MSP from the party they voted for. It's a massive improvement on pure FPTP, but it still has flaws.

#### 2.1.3. Single Transferable Vote (STV) - Local Councils

As used for Scottish Councils, STV divides the overall council area up into wards electing 3 or 4 councillors – though pending changes following the Islands Act will allow wards containing Islands to have as little as one councillor, whilst the Electoral Reform Act will broaden the range elsewhere to between 2 and 5. Voters rank the candidates in their ward in order of preference 1, 2, 3 etc. Candidates meeting a "quota" of votes are elected, and any votes above the quota redistributed to later preferences. Similarly, candidates with lower votes are eliminated and their votes distributed.

This gives a result that's much more proportional than FPTP, but as it necessitates electing relatively small numbers of representatives per area, that proportionality can be limited. As with AMS, STV is also something of a compromise system, having been the Liberal Democrats' price for entering their second coalition Executive with Labour in the early days of Devolution. Despite often being seen as the "default" form of PR in UK-based discussions, it's quite rarely used elsewhere – limited to Ireland, Northern Ireland, Malta, and Australia.



## 2.2. Proportionality

#### 2.2.1. FPTP - Very Poor

As FPTP only accounts for votes in one area it isn't proportional at all and can deliver some truly weird results, being entirely dependent on how each party's share of the vote is spread. That's how the SNP ended up winning 81% of the seats in 2019 on 45% of the Scottish vote, whilst Labour won just a single seat on 19% of the vote but the Lib Dems won 4 on 10%.

When you then zoom even further out to the UK-wide result, when the SNP won 48 seats for 4% versus 11 for the Lib Dems on 12%, no one can seriously claim that seats in parliament are accurately reflecting the views of voters.

#### 2.2.2. AMS - Fair

Proportionality, though far better than FPTP, is imperfect. The division into regions results in a hurdle of between 5% and 6.5% (other party results depending) to win a seat in a given region, and means votes between that hurdle and whole multiples of it are basically useless. Just like FPTP, parties winning about that much or less nationally will then win a disproportionate number of seats depending on their vote in each region.

An additional issue is a phenomenon known as "overhang", meaning parties can win more seats than their proportional share of seats in a region. That means that occasionally, even the regional proportionality isn't accurate. In 2021 this was moderate, at 4 seats impacted, versus 1 in 2016 & 2011 and 2 in 2007. However, it can be much more substantial, peaking at 7 seats in the first two elections in 2003 and 1999.

#### 2.2.3. STV - Fair

Again, STV fares much better than FPTP but it's far from fully proportional. As STV relies on candidates meeting a quota of votes to be elected, parties with widely spread support can still suffer. A 3 seat ward has a quota of just over 25%, and a 4 seat ward just over 20%. In Glasgow in 2017, despite the Conservatives winning 14.6% versus the Greens' 8.7%, they only won one seat (8) more than the Greens did (7). That was because Conservative support wasn't spread particularly well and they weren't a high preference for transfers, whereas Green support was concentrated in key areas and they were transfer friendly.

A common defence of STV's proportionality is to suggest it is proportional when later preferences are taken into consideration. Apart from being quite fanciful to imagine that most voters wouldn't rather be represented by their first preference than one lower down, mathematically there just isn't any mechanism which makes later preferences proportional.

For example, imagine that every single voter in a four seat area marks a given candidate with either their first or second preference. Let's say that candidate is a Liberal Democrat, as historically they held the "natural compromise party" status. However, only 10% of those votes are first preferences, and 90% are second preferences. If four of the other candidates have just over 20% of first preferences each, they win the four seats up for grabs. The Lib Dem doesn't get a look in, regardless of the fact everyone else had them marked as their second preference, quite possibly making them the most preferred candidate overall.

In that respect, AMS is much better for parties with moderate levels of support than STV is, as the effective threshold is lower. On the other hand, STV allows more of an opening for smaller parties with highly concentrated vote shares. Although they only won 2.4% across the whole of Dumfries and Galloway in 2017, strong support in one ward allowed the Lib Dems to win a councillor. STV has therefore been pegged as roughly on par with AMS.



## 2.3. Locality

#### 2.3.1. FPTP - Good

This is seen as FPTP's main strength, giving people a single representative for their local area and thus notionally a strong connection between the two. So why only "good" rather than "very good"? Basically, as FPTP aims to ensure there are a roughly equivalent number of voters in each constituency, boundaries don't always make sense, and they also need to be regularly reviewed to keep up with population changes.

As a current example, "East Dunbartonshire" doesn't actually cover the whole East Dunbartonshire area. The town of Kirkintilloch is split in two, with part in the East Dunbartonshire constituency, and the rest tied to Cumbernauld and Kilsyth in North Lanarkshire. It isn't very good local representation to divide a medium sized town like that, but it was necessitated by the numbers.

Even small local council wards weren't immune to this issue. The Beechwood area of the Vale of Leven in West Dunbartonshire wasn't in a ward with other parts of the Vale during the FPTP council wards era. It was instead part of the "Dumbarton North" ward with the Bellsmyre area of Dumbarton, with no direct link between the two. So, parents of children attending the (then) Highdykes Primary School from Beechwood didn't just have to approach a different councillor compared to families living in Braehead or Redburn if they had an issue with education, most of that councillor's patch was in a different town entirely.

Boundary changes can also chop and change which communities are linked, so "local" may be different from poll to poll. All of that said, in most cases it does result in a relatively clear sense of who represents what area, without those areas feeling overly large.

#### 2.3.2. AMS - Fair

As AMS combines an FPTP and then a wider regional PR element, it's operating to two different levels of locality. The FPTP constituency element is obviously "good" as per pure FPTP, but the PR regions are "poor", so it comes out at "fair" overall.

Given the regions are also intended to be roughly equally sized, they are quite arbitrary and don't really reflect natural divisions. To list some examples, the Lothian region is missing a large portion of Midlothian and most of East Lothian, the historic county of Ayrshire is divided between the West and South regions, and the single council area of South Lanarkshire is split between a whopping three regions - Glasgow, Central and South.

#### 2.3.3. STV - Fair

Like AMS, STV necessitates electing multiple representatives from the one area. It therefore ends up with less local areas than FPTP, though more local than an AMS region. As the number of representatives elected under STV is quite small, it can suffer from the same problem that FPTP does in terms of causing weird splits down the middle of towns.

Referring again to West Dunbartonshire, whereas under FPTP the Vale's Beechwood area was tied to Dumbarton's Bellsmyre, under STV it's Bellsmyre that has been separated from its natural surrounds. It forms part of the Leven ward which otherwise covers the southern half of the Vale of Leven, rather than the Dumbarton ward. Overall, STV comes down roughly middle of the range as a result.



## 2.4. Utility

#### 2.4.1. FPTP - Very Poor

To win a seat under FPTP, a candidate simply has to win one more vote than the second best performing candidate. That leads to vast numbers of votes doing absolutely nothing, as votes for unsuccessful candidates and votes for the winner more than that one vote over were completely unnecessary. The majority of votes cast in UK elections do not count after the fact, though it's always worth emphasising this is a post-election mathematical measure and that it doesn't mean people simply shouldn't vote.

There is however a pretty widespread understanding of the fact most votes don't really count, which is why we've ended up with the phenomenon of "tactical voting." This is where someone votes for a party that wouldn't normally be their first choice, in order to prevent a party they like even less from winning their local constituency, because they know their first choice won't win. This also inhibits the growth of smaller and/or new parties. Knowing that smaller parties can't win discourages people from voting for them at all.

#### 2.4.2. AMS - Poor

AMS is a weird one on this front. If you consider the two votes entirely separately, there is massive potential for wastage. The FPTP portion has exactly the same problems as pure FPTP, whilst the list vote for parties that have already won their fair share of seats via the FPTP element can also be seen as wasted. The latter point is mathematically arguable, as you could consider those votes as counting towards estimating the correct proportional share of seats in that region.

This leads to two different forms of tactical voting becoming prominent features of AMS. In the FPTP element, we see the same classic "vote X to keep Y out" behaviour as in pure FPTP, whilst the list vote regularly sees debate about how best to use your vote there when one party is expected to dominate the constituency results. The actual effect of this kind of voting on seats won is likely to be very small, as the list seats mostly balance out constituency disproportionality and only true political obsessives really try the tactical list vote thing, but the impact on campaigning and political culture can be substantial.

Vote spread also matters. In 2021 the Greens came just 115 votes short of winning an MSP in South Scotland. In neighbouring West, they were 9,669 votes from a second MSP, but (notionally) had 14,689 more than needed to elect one MSP there. Between the two regions they had enough votes for two MSPs, they just weren't distributed in the right way to give that result. Other countries that use similarly mixed systems – chiefly New Zealand and Germany – don't have this problem as the national vote drives list seat allocation there.

#### 2.4.3. STV - Fair

It often comes as a surprise to hear that, despite being a transferrable voting system, STV doesn't actually reduce the number of wasted votes all that much. Just like with proportionality, this comes down to the quota. As a wasted vote is any vote which did not count towards electing a candidate, and candidates need a quota to be elected, there will always be almost one whole quota of votes going entirely spare.

With 3 seats it's just under that 25% that's guaranteed not to count, versus just under 20% for 4. Looking at the newly available seat numbers, it's just under 50% with 1, 33.33% with 2, and 16.67% with 5. Even if you bumped it up to an unwieldy 9 seats per electoral area, it's still a guaranteed just under 10% minimum wastage.



## 2.5. Specificity

#### 2.5.1. FPTP - Very Poor

Rating FPTP as "very poor" for voter choice often surprises people. After all, compared to the list systems we're familiar with in Scotland, you're getting to vote for a specific candidate! Their name is right there on the paper! Truly, voters are massively empowered to decide who represents them by the power of a name on some paper, right? Actually, no.

One of the biggest political lies we tell ourselves in the UK is that people are voting for candidates – in reality, we're overwhelmingly voting for parties. In any case, FPTP completely fuses the two such that for the majority who do vote on party lines, you must vote for the one candidate they have, and if you're the rare person who does want to vote for the candidate, you must also vote for the party they belong to. You cannot separate the two.

Think particularly about how divided political parties have been lately. If you had a Labour MP who was an outspoken critic of Corbyn but were yourself strongly supportive, how could you express that? Or if you were a pro-EU Conservative with a leading Brexiteer for an MP? You got who you were given or had to vote for a different party. And that assumes an alternative party of your choice was able to both scrape together the deposit to stand in your constituency, and wasn't compelled not to stand by tactical considerations.

#### 2.5.2. AMS- Poor

The FPTP element of AMS suffers from exactly the same problems as pure FPTP does, but overall voter choice is improved somewhat by the lists. A wider variety of options are generally available on that ballot, and those options have a better likelihood of being elected too. However, since the lists are closed and voters are unable to pick between candidates in a given party, it's only marginally better than FPTP.

#### 2.5.3. STV - Poor

This is another area where STV is claimed to have great advantages it simply does not possess. Having larger areas does mean more parties are likely to be on the ballot than under FPTP, but the fact they are smaller than your typical list system still presents a barrier to some parties standing everywhere, which limits choice in those areas.

Additionally, the mechanics of STV typically encourage parties to stand as many candidates as they think they can get elected in each area. Every party will have at least a few places where they only stand a single candidate, and therefore give voters the same choice they have under FPTP – back the party and its candidate, or don't back either.

Where a party stands multiple candidates, voters do have the option not to preference any candidate they don't like, but at the potential cost of causing that party to win fewer seats. As that may then reduce that party's influence following the election, there is therefore still an impetus to favourably preference poor candidates from that party, if only to effectively boost the better candidates' influence.



## 2.6. Why Reform Scotland's Electoral Systems?

#### 2.6.1. Consistency

Scotland is quite possibly the only country in the world that uses a completely different system of election for every type of election in the country, as outlined in the previous section. With three (formerly four) different systems to grapple with, it's no surprise that voters can find it difficult to keep tabs on what system is used, when, and how it works.

The use of different systems is also to blame for those weird geographic splits identified earlier, including the three-way split of South Lanarkshire Council area at Scottish Parliament level. For a country that places a lot of emphasis on how important "local" representation is, it doesn't make much sense to create situations where close neighbours are approaching the same councillors but different MSPs to resolve the same issues.

Adopting the general blueprint of a system to be used at every level of election would certainly improve voter understanding of elections. They wouldn't have to re-learn a different system every time they vote, and it'd be easier to align boundaries between levels, ensuring that communities aren't counted together at one level and separately at another.

## 2.6.2. Legitimacy

Scottish Parliament elections in particular have another flaw – the split ballot, where one is the familiar FPTP. This leads too many people to make claims about voter intentions that there is no data to back up. At present, this is best illustrated by the Greens, who in 2021 elected MSPs exclusively from the lists and only stood in 12 of the 73 FPTP constituencies.

The argument runs that the constituency is the "real" vote, and the list a "second preference", thus Green MSPs are only there thanks to sympathy or tactical votes from SNP voters. However, evidence from the Scottish Election Study suggests just 10% of Green list voters in 2021 based their vote on tactical considerations, versus 62% who felt the party had the best policies. That finding doesn't make for such fiery Twitter discourse, unfortunately.

More broadly, list MSPs of all parties are also widely painted as being illegitimate losers – generally, of course, by folk who don't like their party. Too many folk believe that only the FPTP seats are properly elected, even though that's complete nonsense. Nonsense or not, this attitude is deeply frustrating to encounter and undermines our democracy.

Moving to an electoral system where voters have just one ballot for one form of representative, and in which the need to vote tactically has been reduced as far as is possible, should end those tiresome arguments about legitimacy. Whilst we'll never be able to perfectly identify what motivates voters to vote the way they do, we can at least be as close to certain as possible that vote represents their most preferred party and/or candidate.

#### 2.6.3. Better Representation

Having given a ranking to Scotland's current electoral systems on a range of different measures earlier in this chapter, it should be pretty clear that each of those systems actually fares quite poorly overall. Only one system, and for only one measure, rates more than "fair".

Although there's no such thing as a perfect electoral system, we can do a lot better. By improving proportionality, we can more accurately represent the diversity of views in society. By increasing the number of useful votes, more of our votes will matter to the result. And by broadening voter choice, we can be more certain the people who are taking decisions about are lives are those we most wanted to do so.



# 3. Proposed Electoral System

## 3.1. Building Constituencies

### 3.1.1. Constituency Boundaries

Compared to either FPTP or AMS, it's easier to construct sensible constituency boundaries if following the Scandinavian model, albeit that they are less local. It's also easier to ensure consistency between different levels. For example, that three-region split that South Lanarkshire Council currently suffers from can be resolved by bunching North and South Lanarkshire into a single electoral area.

For this example, Council areas have mostly been used as building blocks for constituencies, with the exceptions of Argyll & Bute and Highland, which are split using Scottish Parliament constituencies. Given the geographic extent of the Highlands, avoiding a single constituency seemed reasonable. Otherwise, councils have been bunched into what should be reasonably natural regions. These have some similarities to the previous Local Government Regions, and the Regions from the BBS-linked New Municipalism project.

In total, this proposal redraws Holyrood's 73 Constituencies and 8 Regions into a single layer of 13 Districts. In practice these would still be referred to as Constituencies, the term District is simply being used here to differentiate the proposals from the existing single-member constituencies.

#### 3.1.2. Constituency Apportionment

Taking something of a cue from Norway, where both population and geographic extent factor into the number of seats per district, seats are apportioned to districts in two distinct blocs. The two Highland districts plus Dumfries and Galloway, which cover the largest rural areas, share a pool of 17 seats between them that gives them about 13% of seats for 10% of population. The remaining ten districts share out the other 112 seats.

In each bloc, seats are apportioned to districts according to overall population using the largest remainder method. Population is specifically used rather than electorate partly to reflect the substantially expanded franchise under the recent Scottish Elections (Franchise and Representation) Act 2020, and partly just out of the principle that elected representatives have a duty to the whole public, not just registered voters. This gives a range of seats from 5 MSPs in the smallest districts, a tie between Dumfries & Galloway and Highlands North & the Islands, to 14 in the largest, Lanarkshire.

#### 3.2. Threshold

The electoral threshold is a key aspect of any form of PR that uses the overall vote to allocate seats. Only parties which cross this threshold are allocated seats. The Parliamentary Assembly of the Council of Europe recommends a 3% threshold as the maximum for an established democracy, and I've used that here. Independent candidates can bypass this threshold, as it wouldn't be fair to expect them to achieve that many votes. With 129 seats up for grabs, they'd instead face an informal threshold of roughly 0.4% of votes – for context, Margo Macdonald used to win around 1% of the national vote in her time.

No threshold is applied to seats directly elected from the districts. A party which wins less than 3% of the national vote can therefore still win seats if they are strong enough in a particular district. This aims to strike a balance between preventing over-fragmentation whilst giving another route into parliament for new or regionally focussed parties.



## 3.3. Electing MSPs

#### 3.3.1. Directly Elected Seats

Most seats in each district are elected "directly" using the votes cast in that district. Where the total number of seats in a district is in single digits, all but one seat is filled in this manner. For districts with seats in the double digits, all but two of the seats are filled this way.

This uses the Sainte-Laguë rather than the current D'Hondt method to ensure maximum proportionality. At each stage in the process, a party's vote is divided by one more than the number of seats it has won so far, with the highest number winning the next seat. This process repeats until every directly elected seat has been allocated, as in the below example, for the Edinburgh district using 2021 results.

		Edin	burgh				Seats	12
Party	SNP	Con	Lab	LD	Grn	Alba	AFU	Total
V%	32.82%	19.98%	18.23%	9.23%	15.05%	1.53%	0.58%	97.42%
Seat 1 Value	32.82%	19.98%	18.23%	9.23%	15.05%	1.53%	0.58%	
Seat 1 Winner	1	0	0	0	0	0	0	N
Seat 2 Value	10.94%	19.98%	18.23%	9.23%	15.05%	1.53%	0.58%	
Seat 2 Winner	0	1	0	0	0	0	0	С
Seat 3 Value	10.94%	6.66%	18.23%	9.23%	15.05%	1.53%	0.58%	
Seat 3 Winner	0	0	1	0	0	0	0	L
Seat 4 Value	10.94%	6.66%	6.08%	9.23%	15.05%	1.53%	0.58%	
Seat 4 Winner	0	0	0	0	1	0	0	G
Seat 5 Value	10.94%	6.66%	6.08%	9.23%	5.02%	1.53%	0.58%	
Seat 5 Winner	1	0	0	0	0	0	0	N
Seat 6 Value	6.56%	6.66%	6.08%	9.23%	5.02%	1.53%	0.58%	
Seat 6 Winner	0	0	0	1	0	0	0	D
Seat 7 Value	6.56%	6.66%	6.08%	3.08%	5.02%	1.53%	0.58%	
Seat 7 Winner	0	1	0	0	0	0	0	С
Seat 8 Value	6.56%	4.00%	6.08%	3.08%	5.02%	1.53%	0.58%	
Seat 8 Winner	1	0	0	0	0	0	0	N
Seat 9 Value	4.69%	4.00%	6.08%	3.08%	5.02%	1.53%	0.58%	
Seat 9 Winner	0	0	1	0	0	0	0	L
Seat 10 Value	4.69%	4.00%	3.65%	3.08%	5.02%	1.53%	0.58%	
Seat 10 Winner	0	0	0	0	1	0	0	G
Total	3	2	2	1	2	0	0	10

As Edinburgh has a total of 12 seats, 10 of those are filled via the direct election method. It's worth noting here why, even with systems broadly classed as "PR", you can still end up with disproportionate results if you only use subdivisions of the whole to allocate seats. The Conservatives, Labour and Greens all end up with 2 seats, even though their vote shares span roughly a 5% band, whilst the SNP only have one and a half times as many seats as the Greens despite having twice the vote share.

This same process is followed for every district, until all directly elected seats have been allocated. A total of 109 of the seats are elected directly, leaving 20 to be elected based on the national share of the vote.



### 3.3.2. National Levelling Seats

"National Levelling Seats" is a bit of a mouthful, but indicates the purpose of these – to level out each party's share of seats so that it matches their national share of votes. To contrast with the directly elected seats, these could be viewed as "Indirectly Elected Seats", though that isn't entirely accurate. Allocating these is a three-step process for each seat.

First, a simple quota must be calculated for each district, which is the total number of votes cast for parties above the threshold divided by the total number of seats in that district. As a simple example, a district with 10 seats will have a quota of 10% of the above-threshold vote per seat. To start with, in each district each party will then have the number of seats they won subtracted from the number of quotas they've achieved.

If we return to the Edinburgh example above, the total vote share for parties which crossed the national threshold of 3% is 95.13%. Since Edinburgh has 12 seats, that means the quota per seat is approximately 7.93%. As the SNP won 32.82% of the vote, they have 4.14 quotas. And since they won 3 of the directly elected seats, their leftover quota is 1.14.

The next step is to work out which party is next due a seat based on the national vote and seats allocated so far. This again uses the Sainte-Laguë method. Remember that a party must win more than 3% of the vote to be eligible for levelling seats, though Independent candidates bypass that threshold.

Once the party the seat will be allocated to is known, the final step is to allocate it to a district. This is where those quotas come in. The remaining quotas for the party in each district that still has levelling seats to allocated are compared, and the seat is finally allocated to the district where they have the highest quota. The seat is then added to their national total, subtracted from their leftover quotas in that district, and the process repeats until every levelling seat has been allocated.

We can demonstrate this process in the table below.

	Leveling Seat							
Seat 110 Value	0.21%	0.24%	0.21%	0.24%	0.18%	0.00%	0.00%	
Seat 110 Winner	0	1	0	0	0	0	0	С
Constituency								
Values Quotient	SNP	Con	Lab	LD	Grn	Alba	AFU	
Glasgow	0.00	0.62	0.00	0.00	0.00	0.00	0.00	11
Lanarkshire	0.00	0.73	0.00	0.00	0.00	0.00	0.00	12
Clyde	0.00	0.91	0.00	0.00	0.00	0.00	0.00	11
Ayrshire	0.00	0.63	0.00	0.00	0.00	0.00	0.00	8
Lothian and								
Borders	0.00	1.02	0.00	0.00	0.00	0.00	0.00	9
Edinburgh	0.00	0.52	0.00	0.00	0.00	0.00	0.00	10
Forth	0.00	0.07	0.00	0.00	0.00	0.00	0.00	7
Fife	0.00	0.73	0.00	0.00	0.00	0.00	0.00	8
Tayside	0.00	1.05	0.00	0.00	0.00	0.00	0.00	8
Grampian	0.00	0.81	0.00	0.00	0.00	0.00	0.00	11
Dumfries and								
Galloway	0.00	0.23	0.00	0.00	0.00	0.00	0.00	4
Highlands South	0.00	0.85	0.00	0.00	0.00	0.00	0.00	6
Highlands North								
and Islands	0.00	0.04	0.00	0.00	0.00	0.00	0.00	4



This is the first Levelling Seat to be allocated if we use 2021 List Vote figures. As the Conservatives are next in line at this point in the process, they win this seat. Since their highest quota is 1.05 in Tayside, that is the district where they elect an MSP at this stage.

Just to further demonstrate how this works, we can refer back to the example from Edinburgh of directly elected seats. With 19.98% of the vote, the Conservatives have 2.52 quotas there. Since they won two seats, their leftover quota in that district for this stage is 0.52, so they aren't particularly close to another seat here..

Finally, let's take a look at a seat later in the process, as one last example.

Leveling Seat								1
Seat 120 Value	0.20%	0.20%	0.20%	0.17%	0.18%	0.00%	0.00%	
Seat 120 Winner	0	0	1	0	0	0	0	L
Constituency								
Values Quotient	SNP	Con	Lab	LD	Grn	Alba	AFU	
Glasgow	-2.00	-2.00	0.29	-2.00	-2.00	-2.00	-2.00	11
Lanarkshire	-2.00	-2.00	-0.41	-2.00	-2.00	-2.00	-2.00	13
Clyde	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	13
Ayrshire	-2.00	-2.00	-0.27	-2.00	-2.00	-2.00	-2.00	8
Lothian and								
Borders	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	11
Edinburgh	-2.00	-2.00	0.30	-2.00	-2.00	-2.00	-2.00	11
Forth	-2.00	-2.00	0.57	-2.00	-2.00	-2.00	-2.00	7
Fife	-2.00	-2.00	-0.27	-2.00	-2.00	-2.00	-2.00	8
Tayside	-2.00	-2.00	0.15	-2.00	-2.00	-2.00	-2.00	9
Grampian	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	13
Dumfries and								
Galloway	-2.00	-2.00	0.56	-2.00	-2.00	-2.00	-2.00	4
Highlands South	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	-2.00	7
Highlands North								
and Islands	-2.00	-2.00	0.54	-2.00	-2.00	-2.00	-2.00	4

Note: This table is drawn directly from the spreadsheet which calculates results automatically, which is why "ineligible" district/party combos are showing as -2.00. This is to ensure that, later in the process, on the rare occasion where the only district available for a party's seat is one where they have already exceeded their quota, the calculator doesn't identify everywhere marked as "0" as the highest quota, or break because it sees "n/a" rather than a number!

For the 11<sup>th</sup> levelling seat, we can now see that there are some districts which have already been entirely filled. For example the Clyde region now has all 13 of its MSPs and can't be allocated any more, regardless of what Labour's quota there would be. Of the available districts, Forth has the highest quota, and that's where this Labour seat goes.

The net effect of this process should be that, roughly speaking, levelling seats are allocated to parties in the places they came closest to winning an additional seat. That's not necessarily the same as their best performing districts in percentage terms, however, as winning 5% in a 13 seat district will generally put a party closer to a full quota than 7% in an 8 seat district. In this way, a balance is hopefully struck between ensuring national proportionality whilst still ensuring as close a fit to local results as possible.



#### 3.3.3. Winning Candidates

The previous steps work out how many seats each party wins per district. It doesn't however identify which candidates take up those seats via open list. The simplest way to allocate these would be the "Most Open" method where you very simply hand the seats to the most successful candidates. So, if a party wins 3 seats in a district, then the 3 candidates on their list in that district who won the most personal votes will be elected as MSPs.

Alternatively, some form of quota or threshold could be applied, such as needing to win personal votes equivalent to a quarter of a quota in order to bypass the party set list order. There are pros and cons to both options, and as an example, I might suggest something like requiring one-quarter of a quota's worth of votes to overrule the list order.

#### **3.3.4. The Ballot**

One final issue to consider for how this system might work is what the ballot would look like. Under AMS, voters simply need to put a cross (or other clear mark) in one box to vote, albeit that they have to repeat that for both ballots. When using an open list system, there needs to be a clear mechanism for how to vote for a specific candidate.

Some countries, for example the Netherlands, simply put every candidate from every party on the one ballot paper. Voters then put their mark next to the candidate they want to vote for. That has the advantage of simplicity, but the disadvantage is that the paper can therefore become very large and quite hard to visually navigate.

Another option, as in Slovakia, is that each party has a separate ballot paper, with voters casting the ballot of the party they want to vote for, and disposing of the other papers in a special bin. Whilst this make a given party's ballot quite easy to vote on, it must be quite footery having to deal with multiple bits of paper, most of which you are binning. Also, even assuming that the unused ballots are then recycled, it does seem quite wasteful.

Some countries even allow an effective STV election to take place within a given party's list. That does help somewhat with ensuring the most preferred candidates are elected, but it's a significant additional layer of ballot complexity to deal with, which this system aims to avoid.

The Finnish model is also worth mentioning, where each candidate is allocated a specific number. The ballot paper is in the form of a simple bit of paper with a large circle in the middle, and voters write the number of the candidate they want to vote for inside the circle. That avoids having large or multiple ballot papers, but it does require voters to be aware of their favoured candidate's number, and it's easier to imagine people accidentally voting the wrong way without a pre-printed indication on their ballot of what party they are voting for.

A clever mix of the Dutch and Finnish options, however, could be the ideal solution. This would see each ballot paper listing every party standing in your district, as the Netherlands does, but unlike there it wouldn't list the candidates. If the voter doesn't really care which candidates were elected, they could simply put a cross in that party's box.

If they did want to vote for a specific candidate, the voting booth would have a list of the candidates standing for each party and a number associated with them. They would then mark the number of the candidate they want to vote for in the box beside the appropriate party. This strikes the balance between ensuring it's clear via the paper what party you are voting for, without that bit of paper being massively complex to navigate. (See Appendix A for an example ballot and candidate list.)



## 3.4. Putting it Into Practice - 2021 Election

#### **3.4.1. Caveats**

The demonstrate how this system would work in practice, it's useful to transpose the results of the 2021 Scottish Parliament election onto it. This simply uses the List vote, as that is the proportional element of AMS. People would likely vote slightly differently if this system did actually exist, but that's hard to account for. Also, Angus and Aberdeenshire are in different districts, but under AMS there's a constituency that incorporates portions of both. Votes from that constituency were split between regions just by the relative size of each portion.

#### 3.4.2. The Results

With those caveats in mind, compared to the actual results under AMS in 2021 (Appendix B) this system would have given (see Map 1 for detail);

National Results	SNP	Con	Lab	Grn	LD	Alba	AFU
Vote %	40.3%	23.5%	17.6%	8.1%	5.1%	1.7%	0.9%
Seats	55	32	24	11	7	0	0
Seats %	42.6%	24.8%	18.6%	8.5%	5.4%	0.0%	0.0%
Seats vs AMS	9	+1	+2	+3	+3	nc	nc
Seats % vs AMS	-7.0%	+0.8	+1.6%	+2.3%	+2.3%	nc	nc

Compared to the actual results, which substantially over-represented the SNP, this system would have delivered a parliament much more in line with the spread of votes. All four other Holyrood parties would win more seats, at the SNP#s expense. It would also have more accurately reflected the constitutional balance of votes cast, narrowing what was a 72:57 majority for the pro-Independence parties to a much tighter 66:63.

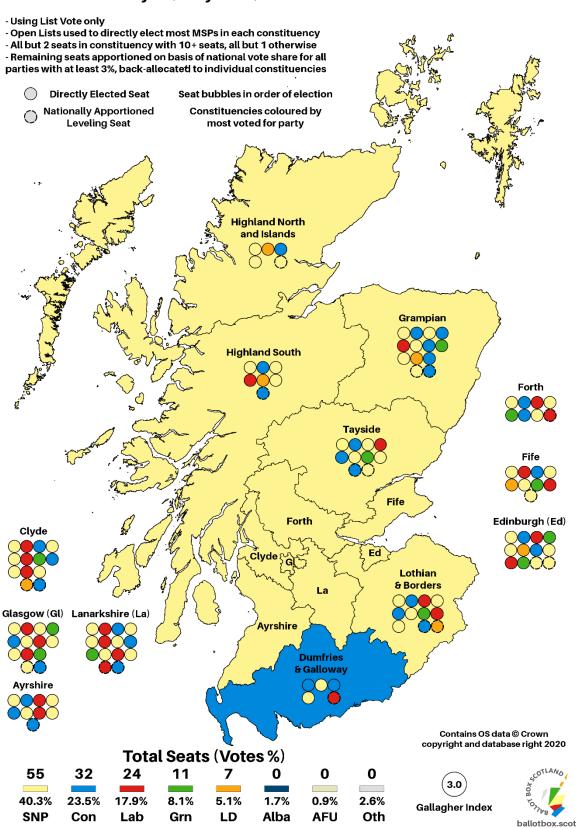
To emphasise that this system is substantially more proportional we can refer to the Gallagher Index. This is a measure of disproportionality, with a score of 0 being perfect proportionality, and larger numbers being progressively less and less proportional. AMS scored 7.2 on this index, which is to be fair pretty respectable compared to pure FPTP - it would be around 36 if we took the List vote shares but just the FPTP seats.

Under the Scandinavian system though, that'd be cut even further down to 3.0. That indicates a highly proportional system. It's worth stating it'd be very difficult to get much lower than that for the 2021 results, given just over 5% of the vote went to below-threshold parties and candidates.

For comparison, the only country in Europe I'd expect to fare better on these figures is the Netherlands, which defines its threshold as "one whole seat in parliament", or roughly 0.67% since it has 150 seats. The Scottish equivalent would be about 0.78%, so both Alba and All for Unity (AFU) would be represented if following their lead. The second most proportional country is Denmark where the threshold is 2%, which no one else crossed here in 2021. Whilst you could certainly argue for the Dutch approach, it's an outlier in the opposite direction.



## Scandinavian Style (Holyrood) - Scottish Parliament Election 2021



Map 1 - Projected results of the 2021 Scottish Parliament Election under proposed Scandinavian Style Electoral System



## 3.5. Rating the System

#### 3.5.1. Proportionality (Scandi) - Very Good

As this system uses the national vote to allocate a large portion of the seats, it is extremely proportional. The use of a 3% threshold means it isn't perfectly proportional, as parties below that (for example Alba in 2021, who won 1.7%) wouldn't win any seats. However, 3% would still be one of the lowest electoral thresholds of any country – as noted, of our European neighbours, only the Netherlands would have done better. Additionally, remember that parties can win a seat in a district where they are strong even if they don't cross the national threshold. It should therefore be fair to rank proportionality "very good."

#### 3.5.2. Locality (Scandi) - Fair

Locality is the main weakness of this proposed system. As a form of proportional representation, it has to operate over larger areas than FPTP and STV do, and so can't get right down to the most local areas. That said, the districts outlined here are smaller than the existing Scottish Parliament regions, and generally more sympathetic to historic boundaries, eliminating the division of areas like Ayrshire and Lanarkshire which AMS causes, hence fair.

This is perhaps the point where a certain degree of gradation is required in the scale, with STV being "Fair+" and this system being "Fair-." Although less likely to require cutting across historic boundaries than STV is, it would still use much larger electoral areas. Given the strong culture of "local" parliamentary representation in Scotland and the UK as a whole, this would perhaps be the biggest stumbling block to public buy-in. That's not a reason not to do this, but instead to remember that what passes for actual local government in Scotland is shockingly oversized and in need of reform, despite being the level of government much more in need of being geographically close to the people it represents.

#### 3.5.3. Utility (Scandi) - Very Good

Making sure most votes count is also a major strength of systems which use the national vote to allocate seats. Even if a vote doesn't go towards electing someone from a particular party in a given voter's constituency, it still gets added on to the national total and can thus influence the total number of seats that party wins. In 2021, only 5.4% of votes would have been wasted. When you consider that parties crossing the threshold collectively won 94.9%, almost every single one of those votes counted.

#### 3.5.4. Specificity (Scandi) - Good

Open list systems offer some of the broadest voter choice of any voting system, as there will almost always be more candidates available per party than they are likely to elect. In fact, there's an incentive to do so, as any deaths or resignations during the term would be filled from the list, so it makes sense to have candidates to spare. That means voters can choose from the widest possible field of candidates from each party to give their vote to.

Effectively, the only method giving more voter choice is by a variant of open lists known as "panachage", which is most prominently used in Switzerland. In this version voters have multiple votes – the same number of total voters per person, so mathematically equivalent to "one person one vote" – and can cast them as they like. They can use them all for candidates from one party, divvy them up between parties, and even cross off the names of candidates they don't like. That makes it complex to vote in, however, and perhaps too much of a departure from how we usually vote here.



## 3.6. Translating to Other Elections

#### 3.6.1. Principles

The general principles of this system can be adapted to other levels of election quite easily. In general terms, there should be as much consistency between levels as is possible. So, for example, the 3% (or whatever figure it is set at) threshold should apply at all levels, with broadly similar exemptions such as for Independent candidates. The overall vote for the same elected body should be used to elect a large portion of the representatives, and those representatives should all represent a distinct area.

#### 3.6.2. UK Parliament Elections

Adapting the system to Westminster should be comparatively easy, as it's another parliamentary level. However, as there are far fewer MPs (59) than MSPs (129), it wouldn't be possible to use exactly the same districts. An example using the 2019 UK Parliament Election results is below.

The main differences in boundaries are that Ayrshire and Dumfries & Galloway are combined into one district, as are the Fife and Forth areas. An additional difference is that the two island constituencies are kept as single seats whilst there's a single "mainland" Highland district. This shouldn't impact proportionality, however, as votes for parties apart from the winner in those constituencies would still be counted at the national level for allocating levelling seats. Some differences are also just down to it being easier for example purposes to stitch existing constituencies together, which wouldn't be an issue in reality.

There's actually a fully fleshed out version of this for the whole UK for both the <u>2017 Election</u> (the post also includes the detail of how this system was applied outside of Scotland) and the recent <u>2019 Election</u>, for those who are curious as to how it would work in a wider application.

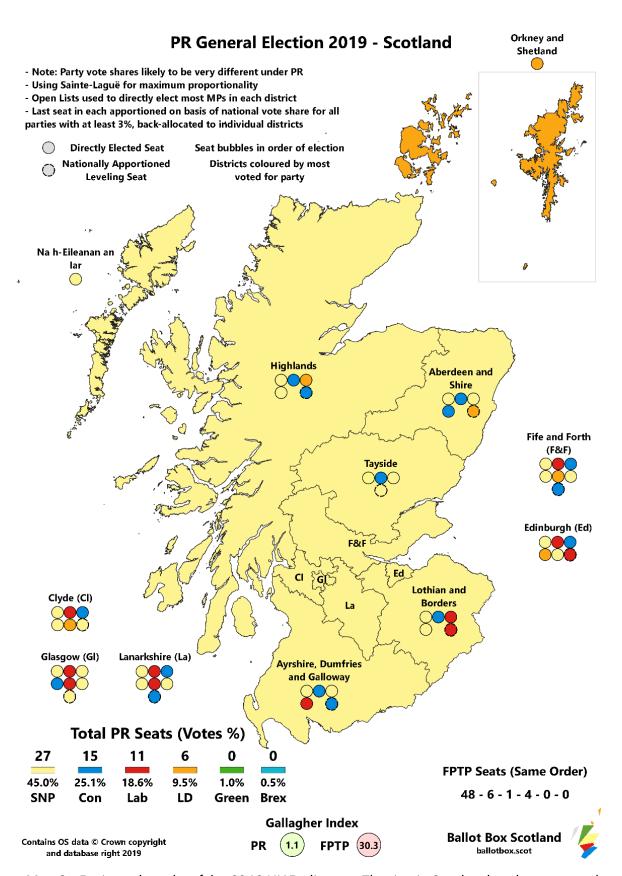
As FPTP isn't proportional, the impact of a Scandinavian style system on a Westminster election is even more dramatic. The caveats here are even stronger than they were for the Scottish Parliament version, as FPTP warped the share of the vote for smaller parties both by encouraging tactical voting and limiting candidates – out of 59 constituencies, the Greens only stood in 22, Brexit in 15, and UKIP in 7.

The evidence of every other election in Scotland (all of which are PR) tells us folk would likely vote very differently with PR. Since we can't quantify that in any useful way however, it's easiest just to use the actual results, as flawed as they are. Compared to the actual results (Appendix C), we'd have seen (see Map 2 for detail);

National Results	SNP	Con	Labour	Lib Dem	Green	Brexit
Vote %	45.0%	25.1%	18.6%	9.5	1.0%	0.5%
Seats	27	15	11	6	0	0
Seats %	45.8%	25.4%	18.6%	10.2%	0.0%	0.0%
Seats vs FPTP	-21	+9	+10	+2	nc	nc
Seats % vs FPTP	-35.6%	+15.3%	+16.9%	+3.4%	nc	nc

In the actual election, Labour were particularly badly represented, winning only a single seat for twice as many votes as secured the Lib Dems four, so rectifying that is a vast improvement in proportional terms. And that measure of disproportionality, the Gallagher Index, was a whoppingly atrocious 30.3 versus the near perfect 1.1 this achieves.





Map 2 - Projected results of the 2019 UK Parliament Election in Scotland under proposed Scandinavian Style Electoral System



#### 3.6.3. Local Elections

Council elections are a more challenging fit. Even in the Scandinavian countries, the style of system outlined in this briefing is reserved for parliamentary elections. Local elections instead use simple at-large lists across the whole electoral area (with exceptions in the largest Swedish cities, which do have multiple constituencies). That level of simplicity would be something of a culture shock here, where we expect some form of subdivision.

Of course, it's easier to use a simple council-wide list in those countries as they actually have genuinely local government rather than the jumbo-sized monstrosities we have in Scotland. If we did have something more along the European norm, which you can read about over on the <a href="New Municipalism project">New Municipalism project</a>, then that simplicity would probably work fine in most places. Only the big cities might need to be divided to end up more like the parliamentary level. However, with councils as big as they are at present, we'd still definitely need some kind of subdivision to keep vaguely in line with what we're politically accultured to.

Keeping it simple, we could just use the existing 3-4 member wards as the base for this Scandinavian system. 2-3 of the councillors would be elected entirely on the basis of the vote in that ward, with the remaining councillor allocated to each ward as a levelling seat based on the overall vote in the council.

The big complicating factor here would be Independent candidates, who are at greater risk of just missing the cut to be elected and then not having enough votes to squeak back in via the levelling seats. Again, this would be less of an issue with smaller councils as the same local base of support would be a larger share of the overall electorate.

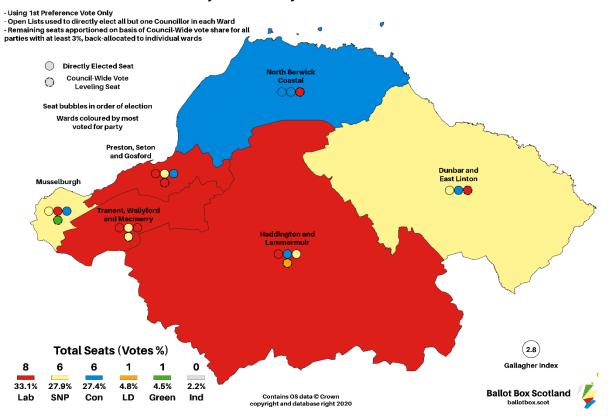
In any case, to illustrate the point, we can apply those rules to East Lothian's 2017 result (see Map 3 for detail). East Lothian was quite a neat and easy council to use for example purposes, as it has a small number of councillors overall, weak independents, and vote shares that would lead to at least one councillor each for the Holyrood parties. Compared to the actual results (Appendix D);

<b>Council Results</b>	Labour	SNP	Con	Lib Dem	Green	Ind
Vote %	33.1%	27.9%	27.4%	4.8%	4.5%	2.2%
Total Seats	8	6	6	1	1	0
Seats %	36.4%	27.3%	27.3%	4.5%	4.5%	0.0%
Seats vs STV	-1	nc	-1	+1	+1	nc
Seats % vs STV	-4.5%	nc	-4.5%	+4.5%	+4.5%	nc

This fixes the anomaly of the STV election where, thanks to transfers, the Conservatives won one more seat than the SNP despite receiving (marginally) fewer votes. It also doesn't penalise the Lib Dems or Greens for having a widely spread vote share the way STV does, accurately giving their voters the representation they deserve on the council. The result is a much-improved Gallagher Index of 2.8, versus a more strongly disproportional 8 under STV.



#### Scandinavian Style Electoral System - East Lothian Council 2017



Map 3 - Projected results of the 2017 East Lothian Council Election under proposed Scandinavian Style Electoral System



## 4. Conclusions

Adapting the general Scandinavian (Parliamentary) Electoral System model to Scotland offers several opportunities for improvement over our current systems, which are an odd mixture of unreformed and unsuitable 19<sup>th</sup> Century practices with some turn of the millennium compromises.

By applying the basic principles across all levels of election, Scottish voters would no longer be confused by facing a different electoral system every time they go to the polls. Similarly, by ensuring all representatives are given a mandate in the same manner, we could eliminate the concerning tendency to view some representatives as illegitimate in comparison to those elected by another mechanism.

As shown by the example results for each of those levels, the Scandinavian style system fares better than Scotland's current voting systems on three of the four criteria this briefing identified. It would be substantially more proportional, ensuring that the diversity of opinion that exists in the electorate would be better represented. Far fewer votes would go to waste, giving voters more certainty that their vote counts and their voice has been heard. And the use of open lists would present voters with a heretofore unparalleled level of choice and control over who represents them in parliament, handing power from the parties to people.

Acknowledging that there's no such thing as a perfect system, it would fare worse than First Past the Post (substantially) and the Single Transferable Vote (marginally) when it comes to locality of representation. This would be a major challenge in a country that has had the supposed import of the constituency link drilled into it by decades of FPTP elections. On balance, however, the seeming loss of that link should be more than compensated for by the other benefits of the system – and, if we were able to undertake a wider refresh of our democratic structures, by breaking up Scotland's over-sized local councils.

With Holyrood requiring a two-thirds majority to change the voting system, Councils largely forgotten, and Westminster completely resistant to electoral reform, the prospects for implementing this kind of system are effectively zero. Nonetheless, it serves as an interesting and useful comparison for how we could do elections if we were more willing to embrace a democratic reform agenda.



# **Appendices**

## **Appendix A - Proposed Ballot Paper Format**

booth for a list of Candidate Numbers.

Figure 1 below shows the proposed format of the ballot paper, suitable for an Open List system, as described in 3.2.4. For some reason, the logo Alba have registered with the Electoral Commission is very small, so it may look a bit nastier than the other parties listed in the example.

Beside each party is a box, in which a voter should write the number of the candidate they wish to vote for. They can also mark it with a simple cross (or similar) which would indicate no preference between candidates of their chosen party, but that should be a "saving" provision rather than an explicitly stated instruction on the ballot paper itself.

Other appropriate saving provisions would also need to be developed, for example where someone marks a party box with a candidate number not from that party. That should probably count that as a non-preferential party vote, on the assumption they're more likely to write in the box for their desired party than get the number right.

#### Ballot paper to elect members of the Scottish Parliament for the Example District

Vote **only once** in the box opposite the party of your choice using the Candidate Number for a candidate of your choice from that party. You can refer to the Notice of Candidates in your polling

Scottish Conservative and Unionist Party

Scottish Green Party

Scottish Green Party

Scottish Labour Party

Scottish Liberal Democrats

Scottish Liberal Democrats

Figure 1 - Example Ballot Paper for Open List voting



The list of numbers associated with each candidate necessary for voting should be displayed prominently both at the entrance to the polling place, and within each voting booth inside, so that voters can refer to the list whilst voting. Figures 2 and 3 show an example Notice of Candidates to accompany the ballot paper in Figure 1.

Given the need to refer to this printed list, there would need to be provision to ensure voters with any form of vision loss are able to receive the necessary assistance to vote whilst still preserving the secrecy of their ballot.

#### Notice of Candidates for the Example District (Page 1)

The following parties and candidates have been nominated for election as members of the Scottish Parliament for the above district. You may vote for **one candidate** of your choice by writing their Candidate Number in the box opposite their party on your ballot paper.

Party or List	Candidate Name and Number			
	Alex Salmond	01		
	Kenny MacAskill	02		
Alba Party	Neale Hanvey	03		
Alba Party	Christopher McEleney	04		
	Tasmina Ahmed-Sheikh	05		
MAIRA	Kirk Torrance	06		
PARTY	Eva Comrie	07		
	Cynthia Guthrie	08		
	Michelle Ferns	09		
	Corri Wilson	10		
	Craig Berry	11		
	Alex Arthur	12		
	Douglas Ross	13		
	Stephen Kerr	14		
Scottish Conservative and Unionist Party	Murdo Fraser	15		
Scottish Conservative and Ontonist Party	Rachael Hamilton	16		
	Oliver Mundell	17		
	Liz Smith	18		
	Jackson Carlaw	19		
	Miles Briggs	20		
	Edward Mountain	21		
Scottish Conservatives	Jeremy Balfour	22		
Conservatives	Alexander Burnett	23		
	Russell Findlay	24		
	Patrick Harvie	25		
	Lorna Slater	26		
Scottish Green Party	Alison Johnstone	27		
Scottish Green Furty	Ariane Burgess	28		
. <b>NAAA</b> .	Laura Moodie	29		
	Mark Ruskell	30		
<b>*</b>	Ross Greer	31		
SCOTTISH	Gillian Mackay	32		
<b>T</b> UREENS	Maggie Chapman	33		
	Kim Long	34		
	Mags Hall	35		
	Carolynn Scrimgeor	36		

Figure 2 - Example Notice of Candidates to guide Open List voting (Page 1)



#### Notice of Candidates for the Example District (Page 2)

The following parties and candidates have been nominated for election as member of the Scottish Parliament for the above district. You may vote for **one candidate** of your choice by writing their Candidate Number in the box opposite their party on your ballot paper.

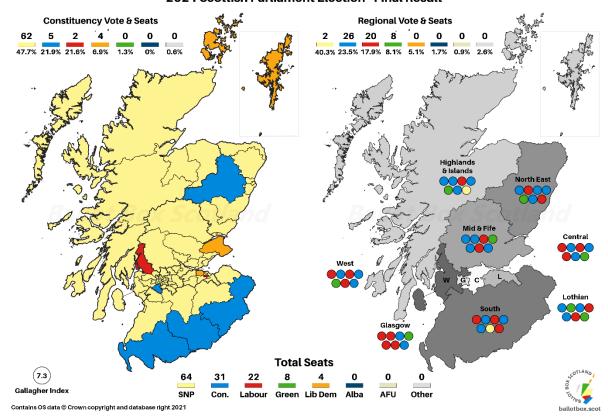
Party or List	Candidate Name and Number			
	Anas Sarwar	37		
	Jackie Baillie	38		
Spottigh Labour Darty	Martin Whitfield	39		
Scottisti Labour Party	Monica Lennon	40		
Scottish	Daniel Johnson	41		
	Sarah Boyack	42		
(100)	Colin Smyth	43		
M. M.	Pauline McNeill	44		
	Alex Rowley	45		
	Rhoda Grant	46		
Labour	Richard Leonard	47		
	Mercedes Villalba	48		
	Willie Rennie	49		
	Beatrice Wishart	50		
Scottish Liberal Democrate	Anas Sarwar Jackie Baillie Martin Whitfield Monica Lennon Daniel Johnson Sarah Boyack Colin Smyth Pauline McNeill Alex Rowley Rhoda Grant Richard Leonard Mercedes Villalba  Willie Rennie Beatrice Wishart Alex Cole-Hamilton Rosemary Bruce Liam McArthur Katy Gordon Catriona Bhatia Jenny Marr Peter Barrett Carole Ford Paul McGarry Carolyn Caddick  Nicola Sturgeon John Swinney Kate Forbes Fergus Ewing Angela Constance Fergus Ewing Shona Robison Humza Yousaf Mairi Gougeon Michael Matheson Shirley-Anne Somerville	51		
Scottish Liberal Democrats	Rosemary Bruce	52		
	Liam McArthur	53		
	Katy Gordon	54		
	Catriona Bhatia	55		
	Jenny Marr	56		
	Peter Barrett	57		
=10 01 41	Carole Ford	58		
Democrats	Paul McGarry	59		
	Carolyn Caddick	60		
	Nicola Sturgeon	61		
	John Swinney	62		
Scottish National Party (SND)	Kate Forbes	63		
Scottish National Party (SNP)	Fergus Ewing	64		
	Angela Constance	65		
	Fergus Ewing	66		
	Shona Robison	67		
	Humza Yousaf	68		
	Mairi Gougeon	69		
CNID	Michael Matheson	70		
SNP	Shirley-Anne Somerville	71		
	Keith Brown	72		

Figure 3 - Example Notice of Candidates to guide Open List voting (Page 3)



# **Appendix B - Actual 2021 Scottish Parliament Result**

#### 2021 Scottish Parliament Election - Final Result

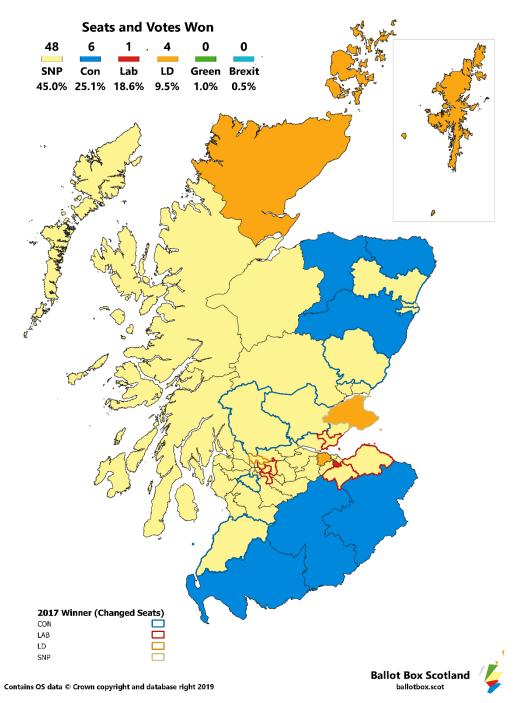


National Results	SNP	Con	Lab	Grn	LD	Alba	AFU
Constituency %	47.7%	21.9%	21.6%	1.3%	6.9%	N/A	N/A
Constituency Seats	62	5	2	0	4	0	0
Regional %	40.3%	23.5%	17.6%	8.1%	5.1%	1.7%	0.9%
Regional Seats	2	26	20	8	0	0	0
Total Seats	49.6%	24.0%	17.1%	6.2%	3.1%	0.0%	0.0%
Total Seats %	64	31	22	8	4	0	0



# **Appendix C - Actual 2019 UK Parliament Result (Scotland)**

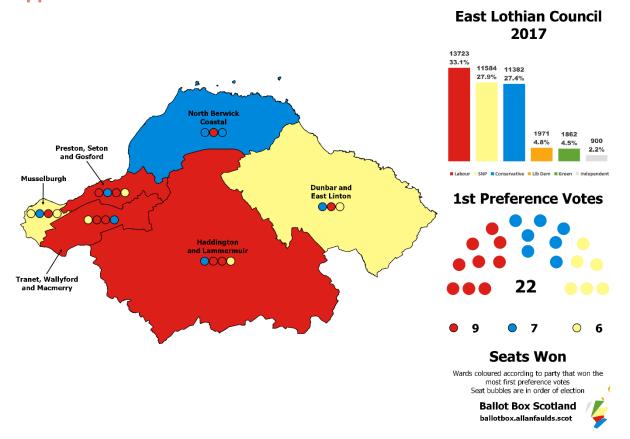
# **Scottish Seats in GE 19 (Changed Seats Highlighted)**



National Results	SNP	Con	Labour	Lib Dem	Green	Brexit
Vote %	45.0%	25.1%	18.6%	9.5	1.0%	0.5%
Seats	48	6	1	4	0	0
Seats %	81.4%	10.2%	1.7%	6.8%	0.0%	0.0%



# **Appendix D - Actual 2017 East Lothian Council Result**



<b>Council Results</b>	Labour	SNP	Con	Lib Dem	Green	Ind
Vote %	33.1%	27.9%	27.4%	4.8%	4.5%	2.2%
Total Seats	9	6	7	0	0	0
Seats %	40.9%	27.3%	31.8%	0.0%	0.0%	0.0%