

## RNIB Scotland Response to the Scottish Government Consultation on Electoral Reform, March 2023

## Introduction

RNIB Scotland works on behalf of and with blind and partially sighted people to create a fairer world for people with sight loss. RNIB’s most recent Sight Loss Data Tool indicates that around 183,000 people live with a significant degree of sight loss in Scotland.

We campaign across a wide variety of areas that are the responsibility of the Scottish Government including transport, active travel, public realm design, health and social care, education, and the devolved aspects of social security, as well as accessible voting.

The right to vote independently, and in secret, is a cornerstone of our democracy. Yet over 150 years after the 1872 Ballot Act - which guaranteed the right to vote in secret - people with sight loss still face unacceptable barriers to exercising their democratic right to vote. RNIB’s [Turned Out 2022 report](https://www.rnib.org.uk/documents/1439/RNIB_Turned_Out_2022.docx) on the May 2022 elections around the UK found that only one in five blind and partially sighted people felt they could vote both independently and in secret.

We welcome the opportunity to respond to the Scottish Government’s consultation on electoral reform and its stated desire to do more to break down barriers to voting:

“Everyone should have the right to vote independently and in secret, but we recognise that more must be done to break down barriers to voting where they exist within our society. With this in mind, we also want to hear your views on how these barriers can be removed and how legislation can best support this aim, including for people with sight loss.”

## Consultation questions

While the consultation raises wider and important questions including on the roles of the Electoral Commission and the Electoral Management Board for Scotland, our response focuses on the issue of enabling blind and partially sighted voters to cast their votes in confidence and with the confidence that they have voted correctly for their chosen candidates.

We have replied to the following questions:

* Questions 13, 15, and 16 on changes to accessibility measures; and
* Questions 24 and 25 on the implications of the UK Elections Act 2022 relating to the requirement for voters to prove their identity in voting at Westminster elections and changes to postal voting.

### Summary of responses

Question 13 – our preference is for “other” among the accessibility options presented. This is because we want to see change and because we need more than TVDs or tactile aids to enable blind or partially sighted people to vote in confidence and with confidence of voting as they intend.

We are concerned that removing the requirement for all polling stations to have the prescribed TVD from the face of the legislation could result in accessibility at the polling station deteriorating even further. For now, TVDs should be available at polling stations with audio support while other feasible and tested alternatives are developed and made available at the necessary scale for use at elections.

However, while “other” was our preference among the options offered in the consultation, we have also suggested a possible form of wording that we would be happy to discuss further.

Question 15 - Yes – RNIB Scotland would welcome an option in the future to request a digital poll card instead of a paper poll card for Scottish elections. A digital poll card could be more accessible for some visually impaired voters while it could be linked to further online voting options.

Question 16 - We outline steps that could improve the voting experience for individuals with sight loss. These include tactile, audio, telephone, and online options as well as use of the sight loss registers and public information campaigns on changes to the running of elections.

Question 24 - The changes made by the UK Elections Act 2022 to introduce the Voter ID requirement and new postal vote renewal arrangements raise additional barriers for voters with sight loss.

Question 25 - Yes - RNIB Scotland considers that there should there be a presumption against a Scottish devolved election being held on the same day as a UK Parliament election (for example, a UK Parliament by-election on the same day as a national Scottish Parliament election).

## Changes to accessibility measures

### Question 13.

The Scottish Government intends to amend the rule requiring only a specific form of Tactile Voting Device to be provided in polling stations, to allow more flexibility and ensure the accessibility support offered can be adapted to take account of future innovations. It also intends to place a duty on the Electoral Commission to provide guidance that includes minimum standards. Which of the following options would you prefer:

* The current legal requirement for a specific Tactile Voting Device is replaced by a general requirement on Returning Officers to provide appropriate support.
* The current legal requirement for a specific Tactile Voting Device is replaced with a requirement to provide a non-specific form of tactile support.
* No change to current legislation.
* Other – this is our preferred option.

### RNIB Scotland – Answer to Question 13.

#### Options presented for accessibility measures

The UK Elections Act 2022 applies to:

* UK Parliamentary elections
* Police and Crime Commissioner elections in England and Wales
* Local elections in England and Northern Ireland
* Mayoral elections in England
* GLA elections
* Assembly elections in Northern Ireland

It does not apply to elections to the Scottish Parliament or the Senedd, or to local elections in Scotland and Wales. However, the Act applies to reserved elections in Scotland and Wales as do the duties under the Equalities Act 2010 and the Representation of the People Act 1983 which relate to ensuring voting is accessible to voters with disabilities.

The UK Elections Act 2022 removed the legislative requirement for a Tactile Voting Device (TVD) - a device for use by blind and partially sighted people to support them to vote at the polling station - to be available at reserved elections. A TVD is a plastic template that can be placed over the ballot paper to enable blind and partially sighted people to locate the voting boxes. The Scottish Government, via this consultation, wishes to explore how best to approach these changes in relation to Scottish Parliament and local government elections.

During the parliamentary passage of the then UK Elections Bill RNIB Scotland and RNIB expressed great concern over the amendments to accessibility measures in the Bill, presenting written and oral evidence to the Scottish Parliament and at Westminster.

These submissions underlined our concerns about existing barriers faced by blind and partially sighted voters and the removal of the clause to provide equipment to assist visually impaired voters to vote “without any need of assistance”.

Throughout the passage of the Elections Bill, we strongly believed that the proposed changes to accessibility measures would weaken the legal protections for blind and partially sighted people. This was because the new requirement was vaguer and provided less clarity that blind and partially sighted people would be afforded an independent and secret vote. Vigorous campaigning ultimately led to the UK Government backing an important amendment to the Bill. This strengthened the legislative wording and added a requirement that support provided to disabled voters in polling stations should enable or make it easier for them to vote independently and secretly.

The full wording of the amendment, which is now within the [Act](https://www.legislation.gov.uk/ukpga/2022/37/contents/enacted), states that Returning Officers must provide “such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently in the manner directed by rule 37 (including in relation to voting secretly).”

Instead of a prescribed device, Returning Officers, who are responsible for overseeing elections in their local areas, must now respond to local needs and provide each polling station with equipment as they consider “reasonable” to support disabled voters.

We are concerned that the provision of “reasonable” support for disabled voters may lead to a postcode lottery of provision and that voters with sight loss will not know what support they will find or can ask for.

Regarding the TVD, we know that the TVD is far from perfect.

In 2019, a Judicial Review found the Government’s previous provisions, referring to the use of the TVD, unlawful, with the judge describing the provisions as “a parody of the electoral process” because of the inability for voters to review and mark the ballot paper independently.

Successive RNIB Turned Out reports identified problems linked to the use of the TVD. These include:

* Ensuring that the TVD is placed correctly on the ballot paper so that candidate position can be identified, and the voting mark made on the preferred candidate;
* Finding out the order of the candidates in advance so that visually impaired voters know how many TVD boxes to trace down;
* Relying on polling station staff to be trained to know what a TVD is and how to use it.

In the long run, we look forward to the replacement of the TVD and are ready to consider a range of options. We are very encouraged by the Scottish Government testing of a tactile perforated ballot paper. The potential for this new tactile solution is more fully covered in our answer to Question 16.

However, we remain concerned that simply removing the requirement for all polling stations to have the prescribed TVD from the face of the legislation could result in accessibility at the polling station deteriorating even further.

For now, TVDs should be available at polling stations with audio support while other feasible and tested alternatives are developed and made available at the necessary scale for use at elections.

The Scottish Government is interested in how legislation can be framed to improve accessibility for voters who experience barriers, including how prescriptive it should be on specific solutions, and how it might be futureproofed.

We have indicated our preference for “other” from the series of options presented by Question 13.

This is because we want to see change and because we need more than TVDs or tactile aids to enable blind or partially sighted people to vote in confidence and with confidence of voting as they intend.

Visually impaired voters must know the position of the candidates on the ballot paper. Some form of audio support is essential to let them know the order and to allow them to select their preferred candidate or candidates. It is not possible to review the ballot paper, and know the order of the candidates listed, using the TVD or tactile ballot paper alone.

Selecting “other” helps to address this. It also helps to look towards other future voting solutions.

However, as a further option, we also suggest a possible form of wording for the law that we would be happy to discuss.

Whilst, in the interim, we want to be sure that at least the TVD is available at polling stations, we do recognise that there may be ways of framing legislation, so it still provides legal protections, but doesn’t have to specify the TVD. The [Representation of the People Act 1983 as amended by the Elections Act 2022](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.legislation.gov.uk%2Fukpga%2F1983%2F2%2Fschedule%2F1%2Fpart%2FIII%2Fchapter%2Fn2%2Fcrossheading%2Fequipment-of-polling-stations&data=05%7C01%7CCatriona.Burness%40rnib.org.uk%7C7eb534a0b5a24768d93a08db3035e7a5%7C5d45337cd19243fcaa5805557c9171bc%7C0%7C0%7C638156780289597165%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=uTBP0xCmDYBHqsXqM78oVYH2SD0xd3YMhJcupxocriM%3D&reserved=0) says the following on equipment of polling stations:

“(3A) The returning officer shall also provide each polling station with-

“(a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and

“(b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.”

We propose retaining the original (b) but with “equipment” replacing “device” so that clause 3A would read as below:

“(3A) The returning officer shall also provide each polling station with-

“(a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and

“(b) equipment of such description as may be prescribed for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion; and

“(c) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.”

#### Electoral Commission guidance

In the context of changes to accessibility measures the Scottish Government intends to place a duty on the Electoral Commission to provide guidance that includes minimum standards. Clear and robust guidance for Returning Officers is vital.

The Electoral Commission recently consulted on guidance for Returning Officers: Assistance with voting for disabled people. RNIB across the UK expressed serious concerns on both the initial draft and updated guidance. RNIB Scotland endorses the detailed submissions made by RNIB to the Electoral Commission.

Elements of the UK Elections Act 2022, for example, the photo ID requirement, will not be applied at Scotland-only elections but will apply at Westminster or other UK-wide elections in Scotland, so guidance for Returning Officers in Scotland will have to reflect this.

RNIB Scotland is willing and ready to support the Electoral Commission in Scotland to ensure that guidance to Returning Officers reflects the views and experiences of blind and partially sighted people.

### Question 15.

Currently all polling cards are sent out in paper format to voters ahead of an election. The Government is interested in whether consultees think that voters should be able to choose to receive poll cards digitally in the future.

Should there be an option in the future to request a digital poll card instead of a paper poll card for Scottish elections?

Yes/No

### RNIB Scotland – Answer to Question 15.

Yes – RNIB Scotland would welcome this as an option. A digital poll card could be more accessible for some visually impaired voters while it could be linked to further online voting options.

Although we are keenly aware of the digital divide that exists in Scottish society, blind and partially sighted voters have consistently told us that they are interested in widening voter options to both online and telephone solutions.

This is also noted in our response to Question 16.

Regarding the option of being able to request a digital poll card per se, RNIB’s Turned Out 2022 report highlighted the poor accessibility of pre-election materials and information.

This includes poll cards sent out by local councils as well as any information sent by political parties, for example, leaflets about the candidates. Poll cards let the voter know the time, date and location of the polling station, and information sent from political parties gives candidate information that will help individuals make informed choices about who to vote for.

It is important that these resources are accessible to people with sight loss as they contain essential information.

The Turned Out 2022 report found that only 15 per cent of blind people and 27 per cent of partially sighted people said they were able to read all the information sent to them by their local council about the various elections taking place, including the Scottish local government elections. Just under half (49 per cent) of blind people and 15 per cent of partially sighted people said they could not read any of the information the council sent them.

This finding has been consistent over the years, meaning that up to half of blind people who have contributed to RNIB voting experience surveys since 2015 have not been able to access election materials in an equitable way to their sighted peers.

This is particularly concerning as poll cards may in future include additional information for voters in upcoming elections because of the UK Elections Act 2022.

This could risk blind and partially sighted voters in Scotland not being aware of the requirement for voter ID for Westminster elections.

To ensure that blind and partially sighted people have the information they need to be able to vote, there should be significant changes in how local electoral services communicate with them.

Local authorities hold registers of blind and partially sighted people. Although local authority registers are frequently out of date and may not hold information about people’s preferred communication formats, maintaining and updating these registers could allow electoral services to engage with blind and partially sighted voters effectively and publicise information about elections. It could also enable electoral services – and other local authority services – to anticipate how many blind and partially sighted people they serve.

For the purposes of voting, this could help electoral services plan what support they should be providing at polling stations and to inform voters with sight loss about changes to accessibility measures.

In England an amendment made in 2017 to the [Care Act guidance](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance) (section 22.4) confirmed that sight loss registers “can also be used by the local authority to ensure that information about services is made accessible to that person for example to ask if support could be given to assist them to participate in electoral events”. Whilst this provision does not specifically apply in Scotland, Returning Officers could use the sight loss registers to inform blind and partially sighted people about the changes to the accessibility measures.

In Scotland responsibility for maintaining these registers rests with Local Authority Social Work departments. Although local authorities may contract out upkeep of the register to various sight loss charities, Returning Officers should contact Local Authority Social Work departments for information in the first instance.

Use of these registers could ensure sending information in blind and partially sighted people’s preferred format. This could be, for example, digital via email or in braille or large print.

### Question 16.

What more could be done to improve the voting experience for individuals with particular accessibility needs or requirements?

Please provide further comments

### RNIB Scotland – Answer to Question 16.

RNIB Turned Out surveys since 2015 underline that for blind and partially sighted people to vote in an equitable way, they should be able to:

* Review the candidates on the ballot paper without assistance;
* Reliably find, and mark, their chosen candidate on the official ballot paper without assistance;
* Be in sole control of the secrecy of their vote.

Below we outline steps that could improve the voting experience for individuals with sight loss. These include tactile, audio, telephone, and online options as well as use of the sight loss registers and public information campaigns on changes to the running of elections.

#### Tactile solutions

RNIB Scotland has been working with the Scottish Government and Scottish sight loss organisations to test potential accessible voting solutions for blind and partially sighted voters.

We recently collaborated with the Scottish Government Elections Team and volunteers from RNIB Scotland, the Forth Valley Sensory Centre, Vision PK and seescape to carry out usability testing on a perforated ballot paper devised by the Scottish Government Elections Team.

The ballot paper has a perforated orientation mark, which is a triangular mark/arrow pointing downwards. The ballot paper is in the correct position and right side up when the orientation mark is at the top right-hand side. The voting boxes are directly below the orientation mark with the box for the first candidate located about three centimetres below it. Each voting box has perforations that form a small square in the centre of the box.

This was the first usability test of a ballot paper with perforations in the voting boxes. The report is yet to be finalised, but the test results were most encouraging and will help to inform the next steps.

If developed further, the perforated ballot paper could potentially be used for postal votes as well as for voting in polling stations.

And perhaps all voters could use a perforated ballot paper with no hindrance to their vote whilst enabling blind and partially sighted voters to independently navigate the ballot paper and vote as they wished.

Please note, however, that the perforated ballot paper only indicates where the boxes are on the ballot paper. It does not provide any candidate information.

#### Audio options

RNIB Scotland in collaboration with the Forth Valley Sensory Centre demonstrated the use of an audio device along with the TVD in October 2021. The audio device was used to play a recording of the order of candidates and parties on a fictitious Scottish local government ballot paper. The event was to raise awareness of the difficulties blind and visually impaired voters face in voting and was attended by invited elected representatives (MP, MSPs and local authority councillors) and Scottish Government and election officials along with nine blind or partially sighted volunteers. These volunteers found the audio device helpful - “fine and simple to use” and “worked well”.

RNIB Scotland underlines the need for an audio option to assist blind and partially sighted people to vote independently.

There are other potential audio options linked to telephone use.

#### Telephone use

In this section we list:

* Electoral Commission tools;
* Norther Ireland telephone helpline;
* Australian telephone voting model.

#### Electoral Commission tools

Since the December 2019 general election Electoral Commission guidance has allowed use of mobile phones either for magnification or to “read back” the list of candidates, or use of pocket-sized video magnifiers as an additional means of supporting blind and partially sighted voters.

RNIB Scotland encouraged and welcomed the Electoral Commission’s reiteration of guidance to polling station staff on the option for voters to use mobile phones/other assistive devices at the 2022 Scottish local government elections.

In 2022 RNIB Scotland also welcomed the Electoral Commission’s postcode look-up tool that provides information about upcoming local elections and contact information. The checker was available a few weeks before the May 2022 elections, and it could be used before going to the polling station to access the name and ballot paper order of the candidates standing for election in a voter’s area. Blind or partially sighted voters could also use their own smart phones at polling stations to look up candidate order.

RNIB surveys have not so far received comments on this facility nor how often it has been used at polling stations. It may not be well-known. Nonetheless RNIB Scotland strongly recommends that the look-up tool should be available at future elections.

Otherwise, RNIB’s UK-wide surveys and focus groups on recent elections report many blind and partially sighted people being challenged about using their smartphones. Ergo, we believe it would be helpful to reference this as a barrier and to remind Returning Officers not to challenge the use of smart phones at the ballot box if it is aiding someone.

#### Northern Ireland telephone helpline

At the 2022 elections, a new telephone helpline was made available for blind and partially sighted voters in Northern Ireland (NI). They could call the helpline from their polling station to hear the list of candidates in their area, in the order they appear on the ballot paper.

For some blind and partially sighted people, this change made 2022 the first year they were able to vote independently and in secret.

One voter told RNIB NI:

“[It] was a wonderful experience today. Able to vote privately and independently. Outside with [a] big smile this time, not tears.”

Some voters who used the helpline said that additional features such as having a repeat option could make it even more accessible as: “At the moment, it just reads out the list of candidates then ends the call.”

Although there were some reported issues around polling staff’s knowledge of sight loss and a variation across polling stations of what support was available for blind and partially sighted people on the day, the helpline initiative was welcomed as a positive step forward.

More work is necessary to identify long-term solutions that can go even further to improve blind and partially sighted people’s voting experiences.

For now, we urge the Scottish Government and the Electoral Commission and the Electoral Management Board for Scotland to take note of the NI example to inform future practice in Scotland.

#### Australian telephone voting model

Australia has a human assisted telephone voting model, where a blind or partially sighted person can pre-register. On the day of the election, they can vote over the phone anonymously and therefore secretly. RNIB Scotland and RNIB colleagues across the UK are planning an online session with Australian election officials to learn more about this model. Members of the Scottish Government Elections Team and representatives of the Electoral Commission in Scotland and the Electoral Management Board for Scotland will also be invited.

#### Online voting

Many people with sight loss have told us that they would like to see an online voting option. This has been ruled out by the UK and Scottish governments to date on the grounds of security concerns and the desire to protect and ensure the integrity of the voting system. However, we hope we can draw on lessons from other countries that have successfully implemented a more accessible voting system.

#### Sight loss registers

As mentioned in reply to Question 15, the sight loss registers could help electoral services plan what support they should be providing at the polling station.

Ahead of the next set of elections we are calling on Scottish local authorities to:

* Update local registers of blind and partially sighted people;
* Collect information on their preferred formats;
* Use them to send items like poll cards in formats that voters can read.

#### Public information campaigns on changes to the running of elections

The UK Elections Act 2022 requires voters to present voter ID and has implications for what kind of accessibility assistance might be available at polling stations. A large-scale public information campaign is essential to communicate these changes. This is further noted in our answer to Question 24 on the implications of the Act.

#### The future of accessible voting

In the absence of telephone or online voting options, tactile and audio forms of visually impaired voter assistance are essential.

Throughout, and until other potential solutions have been tested and trialled and are available at the necessary scale for use at elections, TVDs should be provided at all polling stations with audio support.

We are aware of a device currently under development which may be the next generation TVD. The device consists of a single unit that has both audio and tactile functionality. In theory, it meets the crucial criteria of enabling a blind and partially sighted person to review and mark the ballot paper in private.

RNIB Scotland is ready to assist the Scottish Government and Scottish election officials with user testing of any accessible options. We hope that this can bring blind and partially sighted people closer to an independent and secret vote in the near future.

### UK Elections Act implications

The UK Elections Act 2022 made a wide range of changes to elections to the UK Parliament. This includes a requirement for voters to prove their identity in voting, changes to postal voting and changes in relation to people living overseas.

### Question 24.

What issues do you think that the changes in the Elections Act 2022 to introduce voter ID and change postal vote renewals raise for elections held in Scotland?

Please provide further comments

### RNIB Scotland – Answer to Question 24

The changes made by the UK Elections Act 2022 to introduce the Voter ID requirement and new postal vote renewal arrangements raise additional barriers for voters with sight loss. The implications for Scotland-only elections are considered below.

### Voter ID requirement

Throughout the parliamentary passage of the UK Elections Act, RNIB at a UK level raised concerns with the UK Government’s proposal to introduce photo identification to vote in UK general elections, local government elections in England and UK referenda. RNIB Scotland also underlined concerns when asked to comment on the then Bill by the Scottish Government.

The introduction of voter ID will make the electoral process even less accessible for blind and partially sighted voters, who are less likely to carry the most common forms of ID, such as a passport or a driving licence. RNIB’s Tracker Survey suggests 13 per cent of blind and partially sighted people have no acceptable form of ID, meaning that this new requirement could exclude them from casting their ballot.

The UK Government says that a locally issued voter identification certificate will ensure voters would not lose out. However, we do not believe this will be sufficient to avoid disenfranchising blind and partially sighted people, who already face many hurdles when voting.

With each additional barrier, the cumulative effect of the increasingly inaccessible system makes it more difficult for blind and partially sighted people to vote, and the less likely people are to take part in the electoral system.

At least one person with sight loss was turned away from the voter ID trials in Derby in 2019, without voting – despite having his poll card – because he had not been sent any accessible information on the trial and was therefore unaware the voter ID trial was taking place. We are extremely concerned that this could become commonplace, as historically communications related to elections have not been shared in accessible formats.

To ensure as many blind and partially sighted people as possible are informed about the new requirements, it is critical that communications concerning the new voter ID requirements are sent in blind and partially sighted people’s preferred formats.

There needs to be a clear and comprehensive plan to ensure digitally excluded voters are told about this new requirement and are given the opportunity to register for photographic ID. A large-scale outreach programme is needed, potentially like the door-knocking campaign carried out for the census or the digital switchover help scheme. This extensive logistical undertaking is necessary to ensure digitally excluded blind and partially sighted voters are aware of the change and are supported.

In Scotland the voter ID will be necessary for Westminster and any UK-wide poll but not for devolved elections. Voters need clarity on the requirements.

Implementing the changes present logistical challenges and legal responsibilities for election administrators. In July 2022 t**he Association of Electoral Administrators (AEA)** [wrote](https://www.aea-elections.co.uk/wp-content/uploads/2022/07/Letter-to-Sec-of-State-Elections-Act-2022.pdf) to the UK Government saying that: “The Association of Electoral Administrators no longer believes it is possible to successfully introduce Voter ID in May 2023.” Peter Stanyon, AEA chief executive, said:

“Voter ID needs to work from the moment it launches. If it doesn’t, we risk electors being deprived of their right to vote. Nobody running, or participating in, UK elections wants that. …

“The complexity of introducing Voter ID has been underestimated. Digital development needs time and testing to get right. Council election teams also need to recruit extra, and train all, polling station staff on Voter ID and other new processes, like postal vote handling restrictions. Every elector must be treated consistently whichever polling station they cast their vote in.”

However, the timetable remains in place and the new provisions will apply to the 2023 local elections in England. The Electoral Commission will have to report on what happens at these elections. This will have a bearing for the following set of elections, most likely a UK general election, where the provisions for voter ID and new postal voting arrangements will apply in Scotland.

### Postal voting

In April 2022 the number of people in Scotland registered to vote by post increased by 38% since December 2020, according to [statistics](https://www.nrscotland.gov.uk/news/2022/sharp-rise-in-postal-voters#:~:text=Tuesday%2C%205%20Apr%202022%20The%20number%20of%20people,23.1%25%20are%20now%20registered%20to%20vote%20by%20post.) published by National Records of Scotland (NRS). The NRS stated:

“This 38% increase in postal voters over the last year is most likely driven by the COVID pandemic.”

The figures showed that for UK Parliament elections, 23.1% are now registered to vote by post. A similar increase in registrations for postal ballots in Scottish Parliament and council elections put that figure at 22.5% ahead of the May 2022 Scottish local government elections.

RNIB’s Turned Out 2022 survey found that for respondents who were able to vote in the May 2022 elections, 63 per cent voted at the polling station and 37 per cent of blind and partially sighted respondents used a postal vote. This points to higher postal voting among voters with sight loss.

On postal voting, the Elections Act 2022 means that voters will no longer be able to make one application for a postal vote in all elections. They will instead have to apply every three years for a postal vote for UK Parliament elections and refresh their signature every five years for devolved elections.

RNIB Scotland is aware of blind voters who have had applications for postal votes turned down because their application signature did not match previous signatures.

The need for regular postal vote renewals and on different timescales for reserved and devolved elections in Scotland may add to the inaccessibility of the election process for people with sight loss.

RNIB’s Turned Out 2022 survey highlighted the existing inaccessibility of postal voting, finding that voter experiences were mixed.

Some voters welcomed the ability to vote in the privacy of their own home, particularly if they had a trusted person who could help them.

Nonetheless, of all the survey respondents who used a postal vote, 71 per cent needed assistance from another person, meaning they were unable to have an independent vote.

For those with some residual vision, having a postal vote enabled them to cast their vote in their preferred lighting conditions. It also meant they could use their own vision aids without feeling any time pressure that they might experience at the polling station. Others explained that postal voting is their preference as it is less stressful than voting at the polling station:

“[Postal voting] is far less stressful than going to the polling station and having [to] get someone to help in public where everyone can hear what is being said.”

Although postal voting works for some, it is unacceptable that people are choosing this option because voting in a polling station is stressful or inaccessible.

Meanwhile, respondents who reported more negative experiences of postal voting referred to the challenges of having to rely on another person to read out the instructions, help them cast their vote and ensure that all the documents are returned in the correct envelopes. One voter said:

“My husband helps me to vote which I don’t mind but for people who don’t have this assistance or would prefer to vote independently it would be an issue.”

Not everyone has access to support at home and one participant who chose not to vote said:

“Postal votes are totally inaccessible so there was no point. I have no one to help with this at home.”

These mixed experiences of postal voting and the new need to periodically renew postal vote applications make it critical that the accessibility of postal voting is given as much consideration as the accessibility of voting at the polling station.

We recommend that the Scottish Government reviews and revises the postal voting system to make it accessible for blind and partially sighted people. We also recommend that the Electoral Commission extends its voting accessibility guidance for Returning Officers to support postal voting, so there is a clear framework for how local electoral services can support all disabled voters, no matter how they choose to vote.

### Question 25.

Should there be a presumption against a Scottish devolved election being held on the same day as a UK Parliament election (for example, a UK Parliament by-election on the same day as a national Scottish Parliament election)?

Yes/No

### RNIB Scotland – Answer to Question 25.

Yes - RNIB Scotland considers that there should there be a presumption against a Scottish devolved election being held on the same day as a UK Parliament election (for example, a UK Parliament by-election on the same day as a national Scottish Parliament election).

There are three electoral systems in place in Scotland with “first-past-the-post” for Westminster elections; the Additional Member System electing constituency and regional list Members of the Scottish Parliament; and the Single Transferrable Vote System for Scottish local government.

The potential for voter confusion between different types of election already exists. The Scottish Government Electoral Reform Consultation paper recalls that:

“In 2007 Scotland-wide Local Government and Scottish Parliament elections were held on the same day. A report by Ron Gould stated that confusion over the use of different voting systems for each election was considered to have been partly responsible for an increase in the number of spoiled ballot papers. Since then, there has been general agreement that it is undesirable for different types of election to be held on the same day.”

We further agree with the assessment that:

“The Scottish Government considers that the changes made to reserved elections in relation to voter ID and postal voting mean that it would be undesirable for a devolved Scottish election to be held on the same day as an election to the UK Parliament. Were the votes held on the same day, voters could be confused by the need to have proof of identity for one poll but not the other and the different rules on whether they have a valid postal vote.”

## Contact

For further information on any of these points please contact:

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