SCOTTISH INDEPENDENCE REFERENDUM (FRANCHISE) BILL
THE ELECTORAL REFORM SOCIETY (ERS)

Introduction

The Electoral Reform Society (ERS) Scotland welcomes the Scottish Government’s proposal to allow 16 and 17 year olds to vote in the independence referendum in 2014. ERS is a supporter of votes at 16 as we believe that engagement of 16 and 17 year olds in important political debates is vital for the future health of our democracy.

We recognise that the franchise in most public elections is a reserved matter. Once Scottish young people have voted in the referendum we believe that it becomes illogical to deprive 16 and 17 year olds in other parts of the UK, or indeed in Scotland in elections other than the referendum, the opportunity to vote in public elections.

Our original response to the Scottish Government ‘Your Scotland, Your Referendum’ consultation expressed concern about the plans to provide only for ‘attainers’ to vote rather than all 16 and 17 year olds. We felt this risked creating a ‘false franchise’ that would both demean the intention behind the proposal and would potentially provide grounds for questioning the result of the referendum. We welcome therefore the change of approach in order to allow all 16 and 17 year olds to vote in the referendum.

We also agree that the most straightforward franchise is the residency requirement as used in Scottish Parliament Elections. This follows the precedent set by the 1997 referendum, and all other devolved issues. We acknowledge the interest of Scots or recent Scottish residents who now live outside Scotland in the referendum, but to change the definitions at this moment would mean re-assessing the franchise nationwide.

Having raised franchise issues in our consultation response, ERS Scotland was pleased to be invited to comment on an early draft of the Scottish Independence Referendum (Franchise) Bill at the beginning of 2013. Our response can be accessed on the ERS website.

We welcome the draft Bill as laid before Parliament on 11 March 2013. The majority of concerns we expressed in our submission to the Scottish Government have been met, and we are satisfied that the procedure laid out in the Bill for registering 16 and 17 year olds is the best way forward.

There are two issues we would raise with the Committee:

Availability of the merged register. One of the issues we raised at the start of the year was around clarity as to the availability of the merged register. We are

still unsure as to who will be able to access the register and would welcome clarification on this point.

**Ensuring registration and information is available to 16 and 17 year olds.** Included in our submission was a recognition that there are of course opportunities presented by the referendum to engage potential first time voters in citizenship education around a real event, and an actual act of voting much closer to their time in formal education. Safeguards are important to ensure any such education is not partisan; a consideration which we are confident Modern Studies teachers and other professionals can incorporate into their teaching. Any timidity in utilising these unique circumstances to encourage young people’s consideration of governance, citizenship and democracy through schools or project based initiatives would be a missed opportunity.

We would suggest that the Electoral Commission and EROs be encouraged to undertake innovative approaches to ensuring as high a registration as possible of 16 and 17 year olds. **We would welcome consideration of registration through schools, such as currently takes place in Northern Ireland.** Such a programme would ensure young people were aware of their right to vote in the referendum and could include the possibility for them to formally debate the issues amongst their peers.

If we can get young people registered early and into the habit of voting, we will not only see lasting improvements in turnout, but also lasting improvement in the health of our democracy.

**The Electoral Reform Society feels that the referendum offers Scotland the opportunity to embrace and nurture the aspirations of our young people,** and reassure them that their opinion is as valid and as important as that of those aged 18 and over. The understandable reticence of some young people who may feel under-informed should be challenged. Indeed, their willingness to admit they are uncertain, and ability to consider and listen to arguments before making a choice on polling day should be seen as an asset rather than a failing.

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