Dear Sir/Madam

CALL FOR WRITTEN EVIDENCE: SCOTTISH ELECTIONS (REDUCTION OF VOTING AGE) BILL

I refer to the call for evidence in relation to the above Bill, to which I respond on behalf of the Scottish Courts and Tribunals Service (SCTS). The response is submitted by SCTS acting in its role to provide efficient and effective administration to the courts and does not include the views of the Judiciary.

Whilst SCTS cannot comment on matters of policy, I would like to highlight the potential impact that the provisions of the Bill will have on SCTS in relation to jury service.

There are a number of requirements that have to be met in order for a person to be qualified for jury service. For example they cannot be under the age of 18 and they must be registered as a parliamentary or local government elector. In order for the SCTS to select potential jurors, use is made of electoral registers which are sent to SCTS by local authorities. At present, dates of birth are available for those aged 16 and 17 through the annual canvas information collected by electoral registration officers, a qualifying date is shown against their details on the register and as a result they can be weeded from our systems. However as the Bill proposes no longer collecting dates of birth for 16 and 17 year olds, there will be an impact on SCTS jury selection and citation processes.

SCTS would potentially be sending out documentation regarding jury service to those aged 16 or 17 requiring them to return a form stating they are ineligible for jury service as they are under the age of 18. If they fail to do so they may be liable for a fine of up to £200. To ensure that SCTS maintains a sufficient number of eligible potential jurors, we would need to send out an increased number of notices of selection for
potential jury service and additional time will be taken in dealing with responses to these.

There will therefore be cost and resource implications for SCTS. National Records for Scotland reported that by March 2014, over 98,000 16 or 17 year olds had registered to vote in the Independence Referendum, which represented around 80% of the 16 and 17 year olds in Scotland. If similar trends were followed, then we would anticipate around 100,000 16 and 17 year olds being added to the registers we receive. This would increase the percentage of jury notices returned to us due to the juror being ineligible, resulting in an increase in related postal costs and in the resources required to manage the associated administrative tasks.

Consideration should also be given to the voters under the age of 18 who will be inconvenienced by the requirement to return relevant jury notices on receipt.

This was not an issue for SCTS at the time of the referendum given the use of the separate register and we would look to agree some form of recording of this new information for 16 and 17 year olds on the electoral register which could provide a solution to the issues we face in respect of juror selection.

I understand that the Bill provides that Electoral Registration Officers will be generally prohibited from supplying information on 14 and 15 year olds so there should be no difficulties for SCTS in relation to that age group.

I hope these points are of assistance to you. If you require any further information at this stage, please do not hesitate to contact me.

Yours faithfully

Nicola Anderson
Deputy Head of Policy and Legislation Branch