Children in Scotland

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Devolution (Further Powers) Committee
The Scottish Parliament
Edinburgh
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1. Introduction

Children in Scotland is the national membership organisation for the children’s sector in Scotland, consisting of over 440 member organisations in the public, voluntary, community and independent sectors.

We welcome the opportunity to respond to the Devolution (Further Powers) Committee (the Committee) on the provisions of the Scottish Elections (Reduction of Voting Age) Bill (the Bill).

In line with our response to the consultation on Scotland’s Electoral Future and our submission to the Smith Commission, Children in Scotland strongly supports proposals to extend the franchise to 16 and 17 year olds.

We are encouraged to see that the issue of extending the franchise to young people has achieved cross-party support and would like to congratulate the Committee and the Bill team on their efficient deliberation of this Bill, which will ensure that this necessary reform will commence on 5 April 2016 as originally outlined.

2. General Comments on the Scottish Elections (Reduction of Voting Age) Bill

Children in Scotland believes that it is vital that 16 and 17 year olds are able to participate directly in the democratic process, and strongly supports the extension of the franchise to young people.

This Bill will play an important role in addressing the discrepancy that young people aged 16 and 17 continue to face as far as their democratic rights and responsibilities are concerned.
At 16 and 17 years of age, young people are expected to make important decisions which affect their own lives and the lives of those around them. Whether taking up employment, continuing in education or embarking on an apprenticeship, it is clear that by this stage in life, young people have a stake in society and are significantly and directly affected by the policies and decisions of political parties.

Young people should be afforded the same opportunity to influence decision makers as anyone else so affected, and should be entitled to have their views and opinions not just heard by their political representatives, but listened to and acted upon.

The experience of the Scottish Independence referendum proved that when given the opportunity, young people are more than capable of exercising their democratic rights and responsibilities with the level of maturity and responsibility that society expects of all of those who cast a vote.

A recent study conducted by Dr Jan Eichhorn on behalf of the University of Edinburgh\(^1\) confirmed that as many as 40% of young people took a different view to their parents as to how to vote in the referendum and utilised a broader range of information sources than those in other age groups in order to inform their decisions.

In this, as well as in all other considerations, young people have proven themselves to be serious, passionate and committed citizens with high levels of political literacy and an enthusiastic approach to taking part in the democratic process. This view was confirmed in an ICM survey conducted shortly after the referendum\(^2\), which noted that 75% of 16 and 17 year olds voted in the referendum, compared with 54% of 18-24 year olds and 72% of 25-34 year olds.

As a result of the Scottish Independence referendum, there are now over 109,000 16 and 17 year olds on the electoral register. This accounts for less than 3% of the electorate, but the positive impact that these young people will have on our democracy is much greater than what can be measured in figures alone.

Research evidence from Norway and Austria\(^3\) suggests that 16 and 17 year-old first-time voters are more likely to vote than older first-time voters, and people that vote in the first election they are eligible to vote in are more likely to vote in the future.

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1 2014 survey of 14-17 year old persons living in Scotland on the Scottish independence referendum’ (briefing paper available from: http://aqmen.ac.uk/youngscotsurveyresults)
3 http://www.democraticaudit.com/?p=1536
The Committee’s own survey into first-time voters shows that 26% of those questions had joined a political party as a direct result of being able to vote in the referendum\(^4\).

Such positive engagement with the political process should be encouraged as much as possible, as the fact remains that the three lowest post-war electoral turnouts in the UK occurred in the last three general elections.

Low electoral turnout should concern us all, as the mandate to govern is derived solely and directly from the collective will of the people.

If we harness the energy, enthusiasm and inquisitiveness of Scotland’s young people by extending the franchise, we will take an important and necessary step towards increasing interest and participation among future generations in electoral politics, and encourage involvement in other areas of political activity that are essential to our democratic process, such as political activism and campaigning.

Finally, this Bill presents an invaluable opportunity to display the commitment we have as a society to young people and the rights of the child. In extending the franchise in the manner proposed in this Bill, we will be making a powerful and progressive statement to the rest of the world that Scotland values and esteems the views of our young people.

3. Specific Comments on the Bill’s Provisions

We would first like to record our support for the approach taken by the Committee in engaging and involving young people throughout the development of the Bill.

Children in Scotland advocate policy that is evidence and participation led, and we are heartened by the efforts taken by the Committee to achieve this. We also welcome the publication of the Committee’s survey of 16 and 17-year-old first-time voters on their experience of the independence referendum, which represents an important addition to the body of available research on young voters in Scotland.

Children in Scotland believes that young people should be actively involved in making decisions that directly affect their own lives.

Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) requires that the views of children are given due weight in accordance with their age and maturity and Article 5

\(^4\)http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83973.asp
recognises the evolving capacities of children when exercising those rights.

There are few more symbolic or significant means of influencing decision making than having a direct stake in the democratic process. This Bill will have an immediate effect in harmonising Scotland’s approach to the rights of the child with the UNCRC as well as empowering young people so that they have a greater stake in decision making at a national and local level.

However, if the Bill is to achieve this effectively, Children in Scotland would like to stress that every effort should be taken to ensure that as many young people as possible receive the support they need to engage with each step of the electoral process – from registration to casting their ballot.

Legislative reform must be combined with nationwide efforts to raise both young people’s awareness of the electoral process and children and young people’s levels of political literacy, in order to ensure that the extension of the franchise is truly meaningful.

The responsibility for this will most likely fall on local authority employees e.g. teachers and school staff. As far as this is concerned, it is worth drawing attention to the fact that oral evidence received in Committee served to highlight the fact that the experience of young people during the independence referendum was by no means uniform across Scotland.

It has been suggested that some local authorities and schools were concerned about displaying bias in how they presented information about the referendum and were unclear as to what action they could and could not take in order to promote participation and engagement.

Given the central role that local authority employees will have in ensuring that children and young people are politically literate and registered to vote, it is essential that local authorities and schools are properly supported by national guidance so that they may carry out their duties with confidence and without fear of reproach.

The necessity of instilling confidence among employees who are in direct contact with children and young people and are in a position of trust and responsibility is of central importance, and this is particularly true where children and young people with additional support needs are concerned.

Children in Scotland manage Enquire, Scotland’s national advice service for additional support for learning. Our experience of working directly with and for children and young people with

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5 http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9925
additional support needs gives us a unique insight into this group of young people as far as the Bill is concerned.

In order to ensure that young people with additional support needs are not disenfranchised and are able to participate in elections on equal terms, due regard must be paid to putting in place measures to provide the support they need and to mitigate any potential barriers to their participation.

This would include identifying young voters with additional support needs at an early stage and ensuring that registration and election information is available in a variety of formats that are is accessible, unambiguous and in a format that they can understand.

Discussions should be held in advance with young people over any adaptations or accommodations that they may need to facilitate their involvement in the electoral process. This could include help with appointing a proxy or information on how to act as a proxy if a young person has caring responsibilities. Likewise, support in arranging a postal vote for young people who would be unable to get to a polling station, and assistance for young people attending polling stations should also be considered.

Children in Scotland is encouraged by the fact that the Section 15 of the Bill will include the requirement to “(a) promote awareness among children who are looked after by the authority of the arrangements for registration as local government electors that apply to the children”, and to “(b) take such action as the authority considers necessary to help such children register as local government electors.” We also welcome Section 8 of the Bill which seeks to amend the Representation of the People Act 1983 to enable looked after young people who are living in placements away from home to declare a local connection.

4. Final Comments

Following the Scottish Independence Referendum, Children in Scotland joined 14 other national charities working with children and young people across Scotland to call on the Smith Commission to recommend the extension of the franchise to include young people in all future elections.

Published in October 2014, the joint statement said:

“Scotland will be viewed as a world leader by fully engaging and empowering its 16 and 17 year olds as fully franchised citizens active in the political life of the country. The past few months have clearly marked a new era of democratic engagement. The Independence Referendum engaged young
people in the political landscape in an unprecedented way. Over 100,000 16 and 17 years olds registered to vote.

Many young individuals dedicated countless hours to campaign for both sides.

On September 18th 2014, queues of young people entered polling stations for the first time in order to have their say on Scotland’s future, valuing that responsibility and casting their vote.

We, as an alliance of Scottish Youth Charities, representing 1.1 million young people, are united in our belief that we cannot let young people down and must continue to fully engage them in the democratic process. We as a country need to capture this emergent enthusiasm for the democratic process. We need to stimulate their ongoing involvement and we need to value their contribution.

We are therefore calling on Lord Smith to recommend a mechanism for the franchise for all future elections in Scotland to be extended to 16 and 17 year olds.

The Smith Commission should build in enfranchisement of our young people as a key principle and a core value in a fully engaged and effective devolved administration.

This ground breaking enfranchisement of young people will ensure their voices are heard now and for generations to come. We, as national third sector organisations working with young people in communities across Scotland, stand ready to support them.6

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6 The organisations which were part of the alliance were: Aberlour Child Care Trust, Barnardo’s Scotland, The Boys’ Brigade Scotland, Children in Scotland, Children’s Parliament, Girlguiding Scotland, Girls’ Brigade Scotland, LGBT Youth Scotland, NUS Scotland, Scottish Youth Parliament, Scouts Scotland, Who Cares? Scotland, Youth Scotland, Young Scot and YouthLink Scotland. The Electoral Reform Society and Scotland’s Commissioner for Children and Young People also supported the statement.
Children in Scotland is Scotland’s national agency for organisations and professionals working with and for children, young people and their families. It exists to identify and promote the interests of children and their families and to ensure that policies and services and other provisions are of the highest possible quality and are able to meet the needs of a diverse society. Children in Scotland represents over 470 members, including 90% of Scottish Local Authorities, all major voluntary, statutory and private children’s agencies, professional organisations, as well as many other smaller community groups and children’s services. It is linked with similar agencies in other parts of the UK and the European Union.

The work of Children in Scotland encompasses extensive information, policy, research and practice development programmes. The agency works closely with MSPs, the Scottish Government, local authorities and practitioners. It services a number of groups such as: the Cross Party Parliamentary Group on Children and Young People (with YouthLink Scotland) and the National Voluntary Children’s Forum. Children in Scotland also hosts Enquire - the national advice service for additional support for learning, and Resolve:ASL, Scotland’s largest independent education mediation service.

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