Is there evidence on the implications for the administration of elections of the reduction in the minimum voting age to 16 in Scotland (for Scottish Parliament and local elections)?

Scotland has had recent experience of reducing the franchise to 16, firstly, as a legislative one off for the 2014 Scottish Independence Referendum and then permanently for Scottish Parliament and Council elections from 2016 and 2017 respectively, via the Scottish Elections (Reduction of Voting Age) Act 2015.

 **Legislation**

The Franchise Act 2013 which enfranchised 16/17 year olds at the Scottish Independence Referendum did not receive Royal Assent until 7 August, two months before the start of the 2013 annual canvass in August 2013.

While the Scottish Government had been talking with Scotland’s Electoral Registration Officers in order to ensure the legislation was capable of being implemented in a timely manner, we would have expected the legislation to be in force at least six months before the annual canvass. This would have ensured EROs had sufficient time to plan and effectively implement the changes and would also have made sure that sufficient time was available to prepare public awareness and political literacy initiatives, both at the national and local level.

The Scottish Elections (Reduction of Voting Age) Act 2015 received Royal Assent on 24 July 2015 and commenced the next day. Since this was 2 months before the autumn canvass of 2015 it did cause some administrative challenges, but lessons had been learnt from 2013/14 which meant that planning was advanced.

**Public awareness**

Public awareness campaigns are generally aimed to reach all eligible voters, with a focus on groups that our research identifies as being less likely to be registered to vote, such as students, young people, those who had recently moved home and people who rent their home. With the change of franchise to include 16/17 year olds, we felt it important to include specific activities targeting this group. This included website, social media and radio advertisements.

Our #ReadyToVote campaigns ran throughout March of each election year (2016 and 2017) and aimed to ensure all 16 and 17 year olds were registered and therefore ‘ready to vote’ in the Scottish Parliament and council elections. It involved inviting schools, colleges and youth organisations to run registration sessions where they would encourage 16 and 17 year olds to apply to register online.

We delivered the campaign with support from the Society of Local Authority Chief

Executives, the Scottish Assessors Association, the Electoral Management Board,

Education Scotland, School Leaders Scotland, Colleges Scotland, the Association of Directors of Education Scotland and the Scottish Government Learning Directorate. To help participants run their registration sessions we produced a toolkit providing them with everything they needed to get involved, details of which are on our website here: Scottish Parliament #ReadyToVote toolkit.

We also produced a political literacy briefing which provided guidance and information sources to schools, colleges, universities and all other organisations who wished to develop political literacy amongst young people.

In total 282 high schools signed up to hold registration drives in March 2016 and 294 in 2017, which represented more than 80% of all high schools in Scotland.

**Costs**

The Expert Panel should also consider the financial implications for Wales of an administrative change such as this. As a guide the following outlines the costs associated with the additional work relating to the enfranchisement of 16/17 year olds in Scotland.

From the financial memorandum published with the Scottish Elections (Reduction of voting age) Bill 2015, the total of the costs falling on the Scottish Government was expected to be within the range of £1,115,000 to £1,365,000, across the 2015/16 and 2016/17 financial years.

In relation to the Commission’s initial estimate for user testing of forms, costs were estimated at £40,000. The Commission also estimate that designing the form (and making any necessary minor changes to other related forms, including the Household Enquiry Form) would cost a further £35,000.

The Electoral Commission also estimated that in carrying out public awareness activity ahead of the referendum (which had an overall budget of £1.6m); approximately £93,000 would be required to specifically target younger voters. The Commission suggested that, if specific material targeted at young voters is required then, a figure of around £120,000 would be an appropriate estimate for the additional public awareness costs for the Scottish Parliament elections arising from the Bill.

On the basis of information received from EROs, Scottish Government estimated that this work will cost in the region of £250,000 to £300,000 per year. Returning Officer costs at that stage were estimated to increase by around £250,000 at a Scottish Parliament or council general election as a result of the extension of the franchise.

What implications would any reduction in the minimum voting age have for the conduct and administration of National Assembly for Wales elections?

The implications of a reduction in the minimum voting age on the conduct and administration for the National Assembly for elections are wide ranging. Some of the key areas are outlined below. The Electoral Commission is happy to provide further detail on these if required and to work with the National Assembly for Wales to ensure a safe transition if the voting age is lowered.

**The electoral register**

The electoral register lists the names and addresses of everyone who is registered to vote in elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as detecting crime, calling people for jury service, and checking credit applications.

The Electoral Registration Officer in each local authority is required to maintain:

• a register of parliamentary electors;

• a register of local government electors;

• a register of relevant citizens of the European Union entitled to vote at European Parliamentary elections; and

• a register of those peers living outside the UK who have made a declaration to vote at European Parliamentary elections

These registers contain the details of all those who are registered to vote and must be combined as far as is practicable.

The local government register of electors is used for any poll with a local government franchise, which includes the National Assembly for Wales election, local government and community council elections.

A reduction in the voting age for National Assembly for Wales elections would:

• require the register of local government electors to be amended to show 16 and 17 year olds as being eligible to vote.

• require the register of local government electors to be amended to include 15 year olds and some 14 year olds as attainers

• require the register of local government electors to make clear the – a) on date an attainer becomes 16, and eligible to vote in National Assembly for Wales elections and also

b) the date they become 18 and eligible to vote at any other poll for which the local government register is used.

Consideration would also need to be given to restricting information available on the register of those aged under 16. In Scotland, no information on those under 16 must be included on any version of the register published or otherwise made available, except in very limited circumstances. The Scottish Government could advise further on their reasons for adopting this policy.

The extension in the franchise could also have implications for party finance; for example 16-18 year olds would become eligible to make donations to parties.

**Annual canvass**

Each year the Electoral Registration Officer is required by law to undertake an annual canvass to ascertain the name and address of persons who are entitled to be registered but who currently are not; and the details of those persons who are registered but are not entitled to be.

As part of this canvass, the Electoral Registration Officer must make a personal visit to the household if no response is received to the canvass form (commonly known as the Household Enquiry Form). If the register includes 14 and 15 year old attainers then consideration would need to be given as to whether or not a personal visit to this group of electors is required. In Scotland a personal visit to 14 or 15 year olds, who have not responded is not required at any time during the year and other mechanisms such as contacting under 16 year olds by email are used.

In addition to this, consideration would also need to be given as to how the Electoral Registration Officer would engage with children who:

• are cared for by the authority

• are being kept in secure accommodation.

• the council is providing living accommodation for because no-one has parental responsibility for the child, the child is lost or abandoned, or the person who had previously been caring for the child cannot provide suitable accommodation or care

• the council is required to supervise under a “supervision requirement” of a children’s panel or a sheriff

• the council has responsibilities for under a legal order, authorisation or warrant, issued in Scotland by a children’s hearing or sheriff, or, in the rest of the UK, by a court.

If changes are to be made to the rules governing the annual canvass, this would require an amendment to primary legislation.

Legislation

We recommend that all legislation should be clear (either by Royal Assent to primary legislation, or by laying secondary legislation) for approval at least six months before it is required to be implemented. If the franchise for National Assembly for Wales elections were lowered, then the necessary legislative change should take place no later than 6 months before the commencement of the canvass prior to the scheduled poll. For the Assembly elections in 2021 this would mean legislation in place no later than January 2020 for the canvass starting in July 2020.

This timescale would give EROs sufficient time to plan and effectively implement the changes and prepare public awareness and political literacy initiatives.

The legislative timeframe also needs to allow sufficient time to test forms for EROs to use, update the advice and guidance we provide to Electoral Registration Officers and electoral administrators and produce a public awareness campaign that would be informative to young voters.

**Resources and support**

**Training for electoral staff**

As mentioned above, the Electoral Registration Officer at each local authority is required to maintain the electoral register. Each Electoral Registration Officer is assisted by a team of electoral staff in order to carry out their statutory duties. It is important that all staff involved understand their particular role and the statutory obligations associated with the work they undertake. Currently training is provided either by the Electoral Commission, in house by local authorities or via the Association of Electoral Administrators.

If there is a change in franchise, then all elections staff will need appropriate training in order to carry out any new functions.

**Digital service**

The UK Government’s digital service enables people to apply to register on-line by accessing the website https://www.gov.uk/register-to-vote.

In order to apply on-line you are required to provide your National Insurance number. Some applicants who are under the age of 16 may have difficulty in providing their NI number. In Scotland, there is no requirement for an applicant who is under the age of 16 to provide their National Insurance number, or a reason why they are not able to do so. Applications made by 14 and 15 year olds to register through the digital service would normally be sent for verification against DWP records. In Scotland, these applications are sent to the ERO to verify by checking against education records or other local data.

Consideration therefore would need to be given to the impact on any change to the digital service in Wales.

**Software for elections**

Each local authority procures its own electoral management software. If the voting age is lowered there will need to be discussions with the software companies well in advance of the change so that they can make the necessary adaptations to the software they provide, which will be of fundamental importance in ensuring that EROs can implement the change in practice.

**Public awareness**

As previously mentioned in response to question 3, the Electoral Commission’s public awareness campaigns are generally aimed to reach all eligible voters, with a focus on groups that our research identifies as being less likely to be registered to vote, such as students, young people, BME groups, those who had recently moved home and people who rent their home.

For any major electoral change, such as a change to the franchise, the Commission would need to carefully consider its approach to public awareness, which would include a paid-for national campaign and working with relevant partners. Any public information campaign ahead of a Welsh general election would also need to consider a potential new group of voters taking part in the elections for the first time and how this audience would need to be addressed. There would be cost implications attached to all of this work which Welsh Government / Assembly Commission would need to consider (as noted in the relevant work in Scotland).

**Conclusion**

There are a number of significant areas that require consideration as part of any decision to change franchise for future elections to the National Assembly for Wales, which would include cost, public awareness, resources and training.

The key consideration from the Commission’s perspective is that any change is introduced in good time. This would mean policy makers or legislators need to ensure that any future legislation concerning the extension of the franchise is commenced at least six months prior to the beginning of the canvass in order to allow for full and effective planning.