

# How old is old enough?

The minimum age of voting and candidacy  
in UK elections

Consultation paper

July 2003



## **The Electoral Commission**

We are an independent body that was set up by the UK Parliament. We aim to gain public confidence and encourage people to take part in the democratic process within the UK by modernising of the electoral process, promoting public awareness of electoral matters, and regulating political parties.

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## How to respond

Please send your response to this consultation paper by **Friday 31 October 2003** to:

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The Electoral Commission may wish to publish or make available for inspection responses to this consultation paper. Please ensure that your response is marked clearly if you wish your response or your name to remain confidential.



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## Executive summary

The Commission believes that the time is right to review the current minimum age at which people can take part in elections. The Commission has therefore published a consultation paper and seeks views on the issues outlined here by **Friday 31 October 2003**.

### Current legal position

To vote in all elections in the UK an individual must be at least 18 years old. This requirement is now contained in the Representation of the People Act 1983, although it was first enacted in 1969.

To stand as a candidate, an individual must be at least 21 years old. This is found in different legal provisions, dependent on the body or office for which the election is being held.

In the UK, there is no standard legal 'age of majority', with different minimum ages applying in relation to different activities. For example:

- 10 (8 in Scotland): criminal responsibility;
- 13: part-time employment;
- 16: leave education, enter full-time employment, have sex, smoke, play the National Lottery, join a trade union, apply for a passport, pay tax and National Insurance, and (with parental consent) join the armed forces, get married, or leave home;
- 17: drive a car or light motorbike;
- 18: buy alcohol without a meal, gamble in a betting shop or casino, be tried in an adult court, serve on a jury, and do without parental consent those things exercisable at 16 only with;
- 21: drive larger and more powerful motor vehicles.

### International context

Most Western democracies have a minimum voting age of 18, although there are some variations within countries, e.g. a higher voting age for senior levels of government and a lower voting age for local elections. The international picture is more mixed in relation to candidacy. Many countries have the same minimum age for candidacy and voting (i.e. often 18), but again with some variations by seniority of the elected office.

### Young people and democratic engagement

The Commission is particularly concerned about declining participation rates in UK elections, especially among young people. Estimated turnout at the 2001 general election among 18–24 year-olds fell to just 39%.

Young people often take an interest in specific issues, but can be alienated from political structures, including elections, for a number of reasons. These reasons include a perceived failure of politicians to listen to and act upon young peoples' concerns.

Recent developments that might strengthen the link between young people and the democratic process include the introduction of Citizenship Education in secondary

schools and the increasing use of elected school councils. Some suggest that allowing voting at 16 would be the logical conclusion of citizenship education in schools. However, different approaches are being taken in England, Wales, Scotland and Northern Ireland, and the curriculum changes are still new.

Some people believe that lowering the minimum ages would be a clear statement that politicians trust young people and take their views seriously. Others say a better approach is to involve young people more directly, for instance through local authority forums.

- **Do you think that lowering the voting age, or allowing younger candidates to stand for election, might encourage young people to take part in elections?**
- **Do you think that lowering the voting age, or the age for standing as a candidate, would increase the levels of trust between young people and politicians?**
- **If you are a young person, teacher or parent – in your experience, is citizenship education changing young peoples' knowledge of and interest in elections and democracy?**

## Time for change?

Neither the Labour Party nor the Conservative Party have an official party policy on the minimum voting and candidacy ages. Many other parties do: the Liberal Democrats, SNP, Plaid Cymru, the Greens, and the Scottish Socialists all back lowering the voting and candidacy age. Both the Local Government Association and the Mayor of London also support a lower voting age of 16.

Three independent commissions have recently recommended lowering the voting age and/or the candidacy age for local elections: the Kerley Working Group in Scotland; the Commission on Local Governance in England; and the Sunderland Commission in Wales. In Northern Ireland, the Human Rights Commission has also suggested a voting age of 17.

The main argument supporting the status quo has been that most voters under 18 and candidates under 21 would not be sufficiently mature to use those rights properly, because they would: have insufficient understanding of the issues; be more likely to act irresponsibly; and be more easily influenced by others. When lowering the voting age to 16 was voted on in the House of Commons in December 1999, it was heavily defeated.

Results from straw polls we have conducted recently indicate young people themselves are fairly evenly split on whether or not the minimum ages should be lowered. However, a significant number of youth and democracy organisations have joined together in a 'Votes at 16' campaign launched January 2003.

- **Do you want to see a change in the current minimum age for voting (18)? Why?**
- **Do you want to see a change in the current minimum age for standing as a candidate (21)? Why?**

## Options for change

There is a school of thought that believes there should be no fixed minimum age, but most supporters of change accept there should be some fixed age at which voting is permitted, usually 16 or 17.

- **If the voting age were to be reduced, what age do you think it should be reduced to? Why?**
- **Would you advocate the same minimum age for all levels of election in the UK?**

For candidacy, most of the issues discussed above are equally relevant, but there is also a particular issue of the relationship between voting and candidacy: should there be any difference between the two minimum ages, and if so why and what should be the extent of that difference?

- **If the minimum age for standing as a candidate at UK elections were to be reduced, what age do you think it should be reduced to? Why?**
- **Would you advocate the same minimum age for all levels of election in the UK?**

# 1 Introduction

## Purpose

- 1.1 The purpose of this consultation paper is to seek views on:
- the minimum age at which an individual is entitled to vote in a public election or referendum in the United Kingdom; and
  - the minimum age at which an individual is entitled to stand as a candidate in a public election in the United Kingdom.

When referring to these two issues together in this paper, we sometimes use the short-hand phrase 'age of electoral majority'.

- 1.2 Responses must be received by **Friday 31 October 2003**. Instructions for respondents are at the front of this paper.

## Background

- 1.3 The Electoral Commission has a statutory obligation (under section 6 of the Political Parties, Elections and Referendums Act 2000) to 'keep under review, and from time to time submit reports to the Secretary of State on ... such matters relating to elections to which this section applies as the Commission may determine from time to time'.
- 1.4 It is widely recognised that election turnouts have been consistently declining for a number of years – a problem far from unique to the UK. In the last general election to the UK Parliament in 2001, overall turnout was just 59.4%, compared to 84% in 1950, 77.7% in 1992, and 71.6 % in 1997 (The Electoral Commission, 2001). Turnout at the Scottish Parliament elections has dropped from 59% in 1999 to 49% in 2003, whilst at those for the National Assembly for Wales it has dropped from 46% in 1999 to 38% in 2003.
- 1.5 The age group least likely to vote is the young – estimated turnout of the 18–24 year-old age group has been 39% at the 2001 general election,<sup>1</sup> 11% at the local elections in 2002,<sup>2</sup> and in 2003, 16% at the National Assembly for Wales elections<sup>3</sup> and 42% at the Scottish Parliament elections.<sup>4</sup> Similarly, the young are the least likely group to hold elected office. Fewer than 1% of MPs in the Parliament elected in 2001 are under 30 years of age, whilst just 0.1% of councillors on principal local authorities in England and Wales are under 25.<sup>5</sup>
- 1.6 In response to these declining rates of participation, the last few years have seen a number of independent bodies established to make recommendations on ways to encourage participation in local government and local elections in the different parts of the UK: in Scotland, the Working Group on Renewing

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<sup>1</sup> MORI/The Electoral Commission, 2001.

<sup>2</sup> NOP/The Electoral Commission, 2002.

<sup>3</sup> NOP/The Electoral Commission, 2003.

<sup>4</sup> ICM/The Electoral Commission, 2003. With the exception of this one, all of these surveys were weighted at the aggregate level to actual turnout.

<sup>5</sup> The Employers Organisation and the Improvement & Development Agency, 2001.

Local Democracy, chaired by Richard Kerley (reported June 2000); in England the Commission on Local Governance, chaired by Peter Hetherington (reported June 2002); and in Wales the Commission on Local Government Electoral Arrangements, chaired by Professor Eric Sunderland OBE (reported July 2002). Each of these bodies recommended a reduction in either or both of the minimum voting and candidacy age as a way of encouraging interest and participation by the young.

- 1.7 In the light of our responsibility for keeping the law and policy on public elections in the UK under review, in 2002 the Commission announced its intention to conduct a review of the minimum voting and candidacy ages in the UK. This review also responds directly to a recommendation made in a Government report on young people and political engagement,<sup>6</sup> that the Commission should 'seriously consider the arguments for lowering the voting age'. The recommendations set out in that report were the result of intensive work with a group of around 60 young people from across England to identify the key steps that they felt politicians, Government, the Commission and the media should take to help re-engage young people with the political process.

## Scope

- 1.8 With one exception, this review will look at the minimum voting and candidacy ages for all public elections across the United Kingdom, from parish/community council elections up to those for the European Parliament. That exception is the candidacy age for local government elections in Scotland: this is an issue that is devolved to the Scottish Parliament (and indeed on which the Scottish Executive is currently proposing to bring forward legislation).
- 1.9 This review is being undertaken as a discrete project, separate from other Commission policy reviews. However, the review is inevitably informed by the wider initiatives within the Commission to encourage participation by young people in the democratic process.
- 1.10 In taking forward our present review, the Commission is committed to an objective and evidence-based examination of the issues. At the outset of the review, we considered whether it was necessary to examine the case for increasing the minimum ages for voting or candidacy. The public and political debate that has provoked this review centres exclusively on the merits or otherwise of a potential reduction in the age of electoral majority: we are not aware of any significant body of opinion that would support a move to raise the bar. The central issue which this paper addresses is, therefore, whether to maintain the status quo or to reduce the age of electoral majority. However, should any respondents put forward reasoned arguments supporting an increased age threshold for democratic engagement we will, of course, give such views equal consideration alongside all other responses received.

## Review process

- 1.11 This paper describes the current situation with the minimum voting and candidacy ages in the UK and internationally and presents a number of the arguments raised by those seeking to reform or preserve the current

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<sup>6</sup> Children and Young People's Unit (2002), *Young people and politics*.

arrangements. Most importantly, it invites comment on and responses to the arguments presented.

- 1.12 This consultation paper has been sent to a wide range of stakeholders across the UK. An executive summary and a young people's version have also been produced and all versions are available to the public on the Commission's website ([www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)). In addition to seeking views in response to the consultation paper, the Commission intends to arrange for survey work to be undertaken on the core questions, to seek the views of the public at events with which we are involved, and to hold discussions with key stakeholder groups.
- 1.13 We will take all comments received into account as we proceed with this review. Once we have analysed all evidence submitted in response to this consultation, we will develop our final report and recommendations, which will be submitted to Government and published. It should be noted that the Commission has no powers to implement any recommendations its final report makes.

## Policy

- 1.14 This consultation paper has been prepared by the staff of The Electoral Commission working with a Project Board chaired by Glyn Mathias (an Electoral Commissioner) and involving:
- Dr Andrew Russell (Department of Government at the University of Manchester and lead author of the Commission's *Voter engagement and young people* research report);<sup>7</sup>
  - Graham Robb (Headteacher of Drayton Secondary School, Banbury, and former member of the Government's Advisory Group on Citizenship); and
  - Wanda Brown (Head of Participation at the Children and Young People's Unit).
- 1.15 The Project Board is used to provide expert advice and guidance on the key issues throughout the life of the review. However, the views presented in the paper are those of The Electoral Commission alone and therefore do not necessarily reflect the opinions of the individual Project Board members.

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<sup>7</sup> [www.electoralcommission.org.uk/about-us/voterengageyoungppl.cfm](http://www.electoralcommission.org.uk/about-us/voterengageyoungppl.cfm)

## 2 The current legal position

### Introduction

- 2.1 There is no single age of majority in relation to public elections in the United Kingdom. In relation to the right to vote, an individual must be 18 years of age or above, as set out in the Representation of the People Act 1983. In relation to the right to stand as a candidate in an election, an individual must be 21 years of age or above; this provision is set out in a number of different Acts, each of which deals with a different type of election.

### Voting age

- 2.2 The franchise is one of the most fundamental aspects of any democratic system of government. The right to vote is usually determined by a combination of factors, such as citizenship and/or residency, but will almost always include a minimum age limit.
- 2.3 The franchise in the UK changed dramatically during the course of the twentieth century. At the beginning of the century only men over 21 were entitled to vote and even then only if they satisfied certain property qualification rules. The Representation of the People Act 1918 abolished the property qualification and famously allowed women the vote for the first time – although only from the age of 30. The Equal Franchise Act 1928 equalised the minimum voting age between men and women, making it 21 for both. The Representation of the People Act 1969 then reduced that common age to 18, although the change did not take effect until 1970.
- 2.4 The current minimum voting age remains 18 for both men and women, for all levels of public election in the UK. This can now be found in a single piece of current legislation – section 1 of the Representation of the People Act 1983.

### Candidacy age

- 2.5 The position in relation to candidacy age is more complex. This is because it is defined as a minimum age qualification to hold office in the body to which the elections are being held, and is therefore found in a different piece of legislation for each different type of elected body.
- 2.6 So, for example, the minimum age of 21 that is a qualification requirement to be a Member of Parliament can be found in the Parliamentary Elections Act 1695; this provision is applied to membership of the National Assembly for Wales or the Scottish Parliament by the Government of Wales Act 1998 and Scotland Act 1998 respectively; the equivalent provision in respect of a local councillor in England or Wales is in the Local Government Act 1972; and for local councillors in Scotland it is found in the Local Government (Scotland) Act 1973.
- 2.7 The voting and candidacy ages for Parliament were therefore the same, at least between 1928 and 1969, but there does not seem to be any record of either Cabinet or Parliament giving consideration to lowering the candidacy age when they lowered the voting age in 1969. The issue has been looked at

more recently, however, by the Home Affairs Select Committee in the House of Commons (see Chapter 5 below).

## Other minimum ages

- 2.8 In the UK, the law identifies a significant number of other minimum ages at which various rights or responsibilities accrue. There is no standard age of majority that applies across all rights and responsibilities; the law has evolved in a piecemeal fashion. There are, of course, justifiable reasons for not setting a fixed age at which all rights are acquired. Any standard age of majority for all legal purposes would inevitably err on the side of caution, and potentially impose unnecessary prohibitions on young people's activities. Such an approach would also have to assume that young people's capacities are fixed rather than evolving.
- 2.9 There are many areas of statute and case law that provide for minimum ages. One of the main reasons for having minimum age limits imposed by statute is protection of young people themselves as well as society in general. So, for example, minimum ages relating to driving vehicles, employment and smoking/drinking are all intended as much to protect the health and welfare of individual young people as to protect society from what may be the consequences of those activities. In particular, a minimum age is intended to help deter those who might otherwise seek to pressurize or intimidate young people into the activity in question. However, it is also worth noting that some significant responsibilities are borne by young people without legal thresholds applying. For example, the Department of Health has estimated that there are between 19,000 and 51,000 young carers in England alone. These are under 18 year-olds who carry out domestic and caring responsibilities above and beyond normal household tasks.
- 2.10 The following list highlights some of the main legal thresholds currently operating:
- At 10, (8 in Scotland) a person can be held responsible for a crime they have committed.
  - At 13 a person can be employed on a part-time basis. The Low Pay Unit's recent survey into child labour found that a quarter of school age children have jobs, some working up to 29 hours per week.
  - At 16 a person can leave full-time education and enter full-time employment, have sex, smoke, play the National Lottery, join a trade union, apply for a passport in their own right and pay tax and National Insurance. There are also a number of activities that can be done by 16 year-olds, but only with parental consent, such as join the armed forces, get married or leave home.
  - At 17 a person can drive a car or light motorbike.
  - At 18 most other activities that have a minimum age become available, including buying alcohol without a meal, gambling in a betting shop or casino, being tried in an adult court and serving on a jury. This is also the age at which rights exercisable at 16 only with parental consent can be exercised without such consent.
  - There are a few activities that can only be done from an age higher than 18, for example driving larger and more powerful motorbikes, public buses or Heavy Goods Vehicles from age 21.

- 2.11 It is, of course, rather arbitrary to have a single minimum age that applies to the whole population in relation to a particular activity, as people mature at different rates. However, it is generally accepted that in order to make the legal system workable a fixed age has to be imposed rather than operating a more subjective test of individual maturity. The difficulty lies in determining what the age for particular activities should be. It must be such that by that age most young people would be expected to have sufficient intellectual capacity and maturity to pursue the activity in question with responsibility and an understanding of the wider consequences of their actions.
- 2.12 It is also worth noting that setting a threshold in law does not mean that young people will take advantage of their rights at the earliest opportunity, or that they will wait until they reach the legal age before engaging in a specific activity. Young people are unlikely to marry: in a recent survey of 3,629 16-30 year olds,<sup>8</sup> no respondents aged 16 or 17 and only 4.6% of all 16–24 year-olds were married. However, the picture is slightly different when we look at data pertaining to the behaviour of young people in terms of taking up the right to drink: the same survey revealed just under half (47.5%) of 16 or 17 year-olds had drunk alcohol in the last seven days.
- 2.13 However, young people do appear to show an interest in politics in general, even if not elections specifically. A recent sample of 4,741 15–30 year-olds<sup>9</sup> shows that, on average, nearly 30% of 15–17 year-olds reported being either ‘very’ or ‘fairly’ interested in politics. This was slightly higher than the same figure for 18–20 year-olds (25.7%). Also, when asked about their political activities, 16 year olds were more likely than any other age group below 30 to be a member of a political party. A survey of 1,531 16–30 year-olds<sup>10</sup> revealed that on average 8% of 16–17 year-olds reported having written to a newspaper; contacted an organisation, their councillor or MP; or attended a meeting or protest in the last three years. This compares with an average of 13% of 16–24 year-olds, whilst those aged 25–30 were on average the most likely to have done one or more of these things in the last three years (28%).
- 2.14 In relation to elections, there is no apparent problem of under-age voting, but a significant volume of data suggests most young people do not take advantage of the right to vote at the first opportunity presented to them. For some, voting is a right that will never be exercised. For others, interest in voting will grow as their social and family responsibilities increase.

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<sup>8</sup> General Household Survey 2001–02.

<sup>9</sup> British Household Panel Survey 2001–02.

<sup>10</sup> General Household Survey 2000–01.

## 3 International context

### Introduction

- 3.1 The purpose of this chapter is to look at how our minimum voting and candidacy ages in the UK compare with the rest of the world and, in particular, those nations with which we usually compare ourselves, i.e. the other EU member states, the USA, Australia and Canada, and, for a somewhat different cultural perspective, Japan.
- 3.2 There may well be interesting lessons that we can draw or learn from this international picture and the experiences of individual countries. However, 'stepping out of line' with the approach in other similar countries is not necessarily the wrong thing to do, and was indeed what the UK did in lowering the voting age to 18 in 1969: within a few years of that, both the USA and France had followed suit.

### Voting age

- 3.3 Article 12 of the UN Convention on the Rights of the Child states that all children have the right to express and have their views taken into account in all matters that affect them, giving due weight to their age and maturity. The Convention applies to all people under the age of 18 years, without discrimination, and has the status of international law. Some have argued that this aspect of the Convention requires governments who pledge to fully implement the Convention to accept children's participation in the democratic process. However, the Convention does not require, or imply, any particular age threshold in relation to electoral participation.
- 3.4 The first thing that should be recognised is that the vast majority of countries around the world (including all the EU member states, Australia, Canada and the USA) have a minimum voting age of 18. Japan has a voting age of 20, but it should be noted that in Japanese culture the customary age at which an individual is considered to become an adult is 20, whereas in the West it is generally held to be 18.
- 3.5 The minimum voting age is 17 in East Timor, Indonesia, North Korea, the Seychelles and the Sudan, 16 in Brazil, Cuba and Nicaragua, and 15 in Iran. It is 20 in Cameroon, Japan, South Korea, Nauru, Taiwan and Tunisia, and 21 in Central African Republic, Fiji, Gabon, Kuwait, Lebanon, Malaysia, Maldives, Monaco, Morocco, Pakistan, Samoa, Singapore, Solomon Islands, Tokelau and Tonga.
- 3.6 In general terms, the ages referred to above are applicable for all levels of public election in the relevant country. However, there are variations in some areas:
  - in Italy, an individual cannot vote in elections to the Senate (the second chamber of the national parliament) until age 25;
  - in Germany the minimum age for municipal – i.e. local, but not regional or national – elections in Lower Saxony was reduced from 18 to 16 in 1995; the Lander of Mecklenburg-Western Pomerania, North-Rhine Westphalia, Saxony and Schleswig-Holstein have subsequently followed suit;

- similarly, the Lander of Carinthia, Burgenland and Styria in Austria have reduced the minimum voting age for municipal and mayoral elections from 18 to 16; and
- in March 2002 the United States city of Cambridge, Massachusetts voted to reduce its voting age from 18 to 17 for local elections (although this is yet to be ratified by the state legislature).

## Candidacy age

- 3.7 There is a less clear picture when it comes to minimum candidacy age. For all levels of public election, the minimum age is 18 in Denmark, Finland, Germany (with the exception of mayoral elections), Netherlands, Portugal, Spain and Sweden, 19 in Austria, and 21 in Belgium. Eighteen is also the standard age of candidacy for elections in Australia and Canada.
- 3.8 However, the minimum age is determined by the level of election in many EU countries. In France, candidates in local elections must be 18, but for the national legislature must be 23 or older, and a candidate for President has to be at least 35. In Greece, a person can be a candidate in local elections at 21, but must be 25 to get elected in national elections. In Ireland it is 18 for local elections, 21 for the parliament and 35 for the office of President. In Italy, it is 18 for local elections, 25 for the Chamber of Deputies (first house of the national parliament) and 40 for the Senate (second house).
- 3.9 Similarly, in the USA the minimum candidacy age ranges from 18 for some City/borough elections, through 21 for members of the state House of Representatives, 25 for election to the federal House of Representatives, 30 for the Senate, up to 35 for the Presidency. In Japan, it is 25 for municipal assemblies, mayoral elections and the House of Representatives (the first house), but 30 for provincial governor or the House of Councillors (the second house).

## Other rights and responsibilities

- 3.10 Taking two typical rights that are commonly focused on – the right to marry (without parental consent), and the right to consume alcohol without a meal – indicates a general picture across the EU of both rights being exercisable at age 18. There are a few exceptions to this: in Ireland and Portugal marriage without parental consent is not permitted until age 21; and in Austria, France, Spain, and Portugal it is possible to consume alcohol without food from age 16 (17 in Luxembourg).

## Links to turnout rates

- 3.11 There is limited data available in relation to the experience of those areas of Europe that have begun to introduce voting at 16 for local elections. Looking at the example of Lower Saxony, we understand that the first elections held under this revised franchise, in the City of Hanover in 1996, saw turnout among the 16–17 year-old age group at 56.5%, compared to 49% amongst 18–24 year-olds. We would be very interested to hear from respondents who may have details of more recent turnout figures from both Lower Saxony or other localities or countries with a lower voting age than 18.

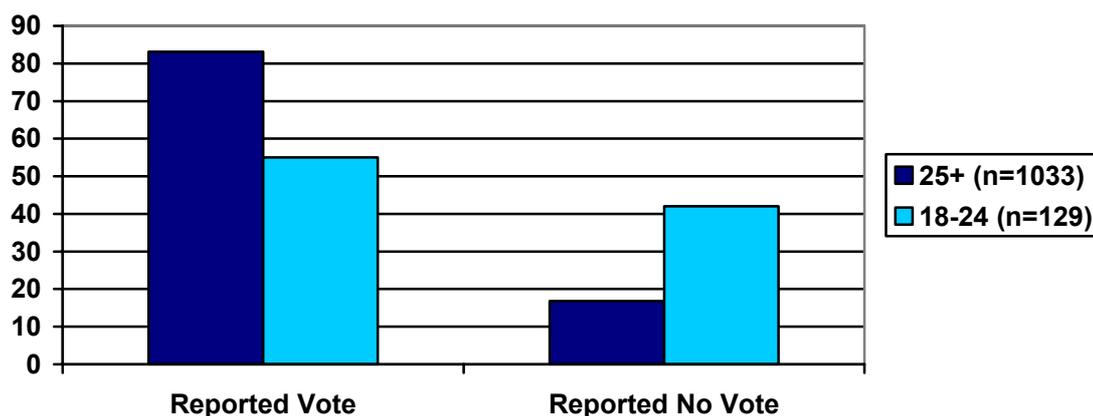
## 4 Young people and democratic engagement

- 4.1 The Commission's interest in the issue of the age of electoral majority stems principally from our concern about declining participation rates in UK elections, especially among young people. There is considerable evidence to suggest that young people in Britain have developed an increasingly indifferent attitude to the process of elections and formal party politics over the past decade. There is evidence-based research to show that there has been a generational or cohort effect and that young people in the first decade of the twenty-first century are more cynical and less supportive of the political process than young people in the 1990s.

### Turnout and participation

- 4.2 Age has been found to be the best demographic predictor of non-voting in numerous academic studies. Analysis by Martin Wattenberg using CSES data for advanced industrialised democracies has identified a turnout 'generation gap' across the democratic world, with the UK having the largest gap between young and old.<sup>11</sup>
- 4.3 In their account of the 2001 election, MORI estimate<sup>12</sup> that 39% of 18–24 year-olds voted in the general election of 2001, making them the least likely of all electorate age groups to have voted in the election. MORI's separate longitudinal panel research for the Commission at the 2001 election used pre- and post-election surveys with the latter finding only 55% of 18–24 year-olds saying they had voted, compared to over 80% of those aged 25 or over (Figure 1). The differences in reported turnout by age are illuminating since they confirm the general hypothesis of the established work on electoral participation and age<sup>13</sup>: the youngest sections of society are more likely to opt-out of the electoral process than their older counterparts.

Figure 1: Young people and reported turnout, 2001 general election



Source: MORI/Electoral Commission: Phase 2 Poll.

<sup>11</sup> M Wattenberg (University of California) (2002) *The New Generation Gap*. Paper presented to EPOP Conference 2002. Data based on percent reporting casting a ballot. 'Young' are <30 and 'old' are >65. Top four gaps: UK -42, Japan -37, USA -31, Switzerland -30.

<sup>12</sup> Worcester and Mortimore (2001) p. 205; The Electoral Commission (2001) p.15.

<sup>13</sup> Parry et al., 1992; Lipset and Rokkan, 1967

- 4.4 There are two competing explanations for the changing level of political interest amongst young people – the first argument is based around a ‘life cycle’ effect – where political interest more or less automatically increases with age, so that today’s teenagers and adults will consequently acquire more interest in politics as they grow older. Jowell and Park (1998) argue that interest in politics begins to assert itself more strongly as people become taxpayers, mortgage-holders and the like – ‘stakeholders’ with something to lose as well as something to gain. Thus, nothing much will change over time.
- 4.5 But a second possible explanation is that of a cohort or ‘generational’ effect – that today’s teenagers and young adults differ fundamentally from their older counterparts, and that they will retain these differences as they grow older. As a result, the present electorate will eventually be replaced by a more disillusioned and apathetic group (Park 1995).
- 4.6 Studies over time have shown that young adults have consistently expressed less interest than their elders in politics. However, the gap between political interest of 18–24 year-olds and that of older adults widened during the early 1990s from seven percentage points in 1991, to 17 points in 1994 (Park 1999). Since the youngest age groups (specifically first time voters) do seem to be less engaged than were first time voters in 1983, even though their interest may increase with age, they will be starting from a lower base and may never quite catch up (Park 2000).
- 4.7 Much more research and evidence gathering is needed before definite conclusions can be drawn. There is a lack of long-term data collection via which to test the hypothesis that the difference in attitudinal outlook between young people and the rest of the electorate is the result of cohort or generational divides. In other words, better and more long-term data is required in order to establish whether the ‘problems’ of youth disaffection will diminish as individuals age. However, from the survey analysis and literature review carried out for the Commission by the University of Manchester, published in 2002, it is tempting to conclude that the youngest electoral cohort group are more cynical or sceptical about party politics than first time voters were a generation ago.
- 4.8 The decision to vote – or to abstain – can come from a number of sources; resources, motivation, mobilisation and context all play a role. MORI’s surveys for the Commission in 2001 found 18–24 year-olds far less likely to see voting as a ‘duty’ than older electors. It follows that whether or not it can make ‘much of a difference’ is less salient for older age groups than it is among the young. In the same surveys, younger voters were much more likely than other age groups to give ‘I wanted to have a say’ as a reason for voting. Responses by younger non-voters in the MORI/Hansard Society/Commission qualitative research in 2001<sup>14</sup> suggest that they are keen to vote in an informed way for positive reasons and that *not* voting is preferable to voting ‘in ignorance’.
- 4.9 Non-voting can be the result of disillusion with politics or the political parties, inconvenience or alienation, characteristics which all seem to be present in disproportionate quantities in the youngest sections of the electorate. Prevailing current opinion seems to indicate that young people are not apathetic as such, often being interested and perhaps actively involved in

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<sup>14</sup> *None of the above: non-voters and the 2001 election*, December 2001.

specific political issues. The University of Sheffield's 'Citizen Audit' research released in February found that 'the British public is politically engaged, if politics is viewed as extending beyond Westminster'. It found that people are involved in a range of informal and voluntary activities and that the young (18–25) are no less engaged in these forms of activities than older people.<sup>15</sup> Rather, young people seem alienated from the existing political structures, including elections, for a number of reasons, including a perceived failure of politicians to listen to and act upon young peoples' concerns and the increasing lack of ideological difference between the parties. As with older age groups, the expectation of a close contest (either nationally or in an individual's constituency) can promote higher turnout, whereas the expectation of a walkover will suppress turnout.

- 4.10 Research suggests that first time voters often seem dissatisfied with their first electoral experience. Young people were the most likely of all groups to talk to family and friends about politics during the 2001 election campaign – but the least likely of all groups to vote. They were the most likely of all groups to complain that the 2001 election gave them too little information about candidates, policies and the parties' campaigns. We suspect that young people may expect to be canvassed by the political parties during an election, but this is only likely to occur under the current electoral system in a relatively small number of marginal constituencies.
- 4.11 A person's first electoral experience might colour their entire career as a voter (or non-voter). Figures from the British Election Survey for 2001 show that the group that had suffered the sharpest drop in participation rates was the 'second-time voters', i.e. those for whom the 2001 general election was their second rather than first opportunity to vote. The worry for British democracy here is that sections of the electorate seem to be forming the view that non-voting may not produce outcomes that are significantly different from voting and accordingly do not bother voting.
- 4.12 Overall, it is impossible to say without further long-term research whether the disengagement of the electorate that we have seen in recent UK<sup>16</sup> elections is part of a longer-term pattern or simply a 'blip'. However, what we *can* do is try to understand the issues behind falling levels of engagement, and identify what can be done to reverse the decline. Of course, turnout is merely a health-check for democracy. Poor rates of electoral turnout – the focus of much attention in the media – are a symptom of a malfunctioning democracy, not its cause. Therefore, attention should be focused on improving the relationship between electors and elected rather than simply on increasing the proportions of people who vote in various levels of election.

### Citizenship education<sup>17</sup>

- 4.13 It is clear that much work needs to be done before a better form of linkage between the youngest sections of the electorate and the political process can be forged. One of the mechanisms by which such a link might be forged is through the 'citizenship' initiatives for older school-pupils currently underway

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<sup>15</sup> see [www.psa.ac.uk/www/press\\_release.htm](http://www.psa.ac.uk/www/press_release.htm)

<sup>16</sup> Northern Ireland tends to buck the trend across the rest of the UK, general election turnouts being consistently maintained at around 80% in most constituencies there.

<sup>17</sup> See also the Commission's June 2002 Briefing paper on Citizenship education – [www.electoralcommission.org.uk/templates/search/document.cfm/6149](http://www.electoralcommission.org.uk/templates/search/document.cfm/6149)

across the UK. Virtually all known studies of voting indicate that the two best predictors of turnout are age and educational attainment. If the electoral engagement of young people is to be significantly improved, a large-scale voter-education programme should be beneficial.

- 4.14 Many schools already have school councils or involve their pupils in decision-making in other ways. In a survey for the Institute of Citizenship Studies – *Citizenship Education in Primary Schools* (Kerr 1996), 14% of the 144 schools responding said they had a school council; some 75% said they involved pupils in negotiating rules on behaviour. In a similar survey of secondary schools – *Citizenship Education in Secondary Schools – a national survey* (Fogelman 1991) – around 60% of the 455 schools surveyed said they had school councils. This is expected to spread when citizenship has a higher profile in schools, whilst the National Assembly for Wales has been keen to ensure that that all Welsh maintained-schools have a school council.

## England

- 4.15 After the 1997 general election, the Government established a National Advisory Group on Education for Citizenship and the Teaching of Democracy in Schools to build on and extend current good practice and to give greater coherence to this work in all schools in England and Wales. The final report of the Advisory Group was published in September 1998. It recommended ways in which schools can develop in young people the knowledge, skills and aptitudes to make their voices heard and play a positive role in their communities.
- 4.16 The Secretary of State for Education and Employment announced proposals<sup>18</sup> for a review of the National Curriculum in May 1999. However, with the advent of devolution, policy on the delivery of the curriculum became a matter devolved in Wales to the National Assembly (see below).
- 4.17 In England, the Government and the Qualifications and Curriculum Authority have worked to enhance the teaching of citizenship and democracy in schools – at Key Stages 1 and 2 as part of a non-statutory framework including personal, social and health matters, and at Key Stages 3 and 4 as a distinct statutory entitlement. The Government intends this to be a light-touch approach, with a programme of study based on learning outcomes to allow scope for schools to develop their own approaches for delivering teaching in citizenship, and to be innovative, for example by drawing on knowledge and understanding gained across other subjects in the curriculum, and encouraging political activities in the community.
- 4.18 In order to allow schools time to build good practice in this area, the statutory order was not implemented until September 2002 in England. The Government have also developed support for the training of teachers, and the provision of guidance and resource materials.<sup>19</sup> The guidance for PSHE and citizenship are designed to build on and extend current good practice, establish coherence and secure consistency and continuity and progression of learning.

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<sup>18</sup> The review of the national curriculum in England, The Secretary of State's proposals. Ref: QCA/99/405.

<sup>19</sup> For examples, see the DfES Citizenship website at [www.dfes.gov.uk/citizenship](http://www.dfes.gov.uk/citizenship)

- 4.19 One key aim is to enable schools to develop pupils' knowledge and understanding of their role and responsibilities as active citizens in a modern democracy. The Government has stated that 'for citizenship at Key Stages 3 and 4 [i.e. secondary school], where provision is not so well established, it is important for young people to have a clear statutory entitlement to learning about their duties, responsibilities and rights as citizens, the nature of democratic government and the skills needed to play an active part in their school, neighbourhood, communities and society'.
- 4.20 It should be made clear here that citizenship is not merely the revival of the old-style 'civics' lessons. There are 3 basic strands set out in the guidance:
- **Social and moral responsibility:**  
Pupils learning – from the very beginning – self-confidence and socially and morally responsible behaviour both in and beyond the classroom, towards those in authority and towards each other.
  - **Community involvement:**  
Pupils learning about becoming helpfully involved in the life and concerns of their neighbourhood and communities, including learning through community involvement and service to the community.
  - **Political literacy:**  
Pupils learning about the institutions, problems and practices of our democracy and how to make themselves effective in the life of the nation, locally, regionally and nationally through skills and values as well as knowledge – a concept wider than political knowledge alone.
- 4.21 The proposals for PSHE and citizenship are designed to be a basic framework within which schools can develop their own approaches. They include opportunities for active learning through community involvement and the practical development of the key skills of communication, working with others, the application of number, information technology, improving own learning and performance and problem solving. They recognise the contribution which personal, social and health education and citizenship can make to combating racism and promoting equal opportunities through teaching about fairness, justice, rights and responsibilities and through developing an understanding and appreciation of diversity.

### **Wales, Scotland and Northern Ireland**

- 4.22 In Wales, the Assembly Government and the Qualifications, Curriculum and Assessment Authority for Wales have taken the slightly different approach of introducing an element of 'Active Citizenship' into the National Curriculum for Key Stages 1–4 through the Personal and Social Education framework.<sup>20</sup> From September 2003, PSE will form part of the basic curriculum for maintained schools in Wales.
- 4.23 In Scotland, the 5–14 Curriculum Programme for pupils between those ages offers a number of opportunities for pupils to learn about spiritual, moral, social and cultural development and citizenship under the national guidelines for Personal and Social Development, Religious and Moral education and Environmental Studies. 'Values and Citizenship' is one of five national priorities that the Scottish Executive have identified in providing direction to

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<sup>20</sup> For more detailed information, see [www.accac.org.uk/pse\\_framework/PSE.html](http://www.accac.org.uk/pse_framework/PSE.html)

schools and local authorities on the statutory framework for schools education in Scotland.<sup>21</sup>

- 4.24 In Northern Ireland, pilot work on citizenship education has been carried out since 1998. From September 2003 and over a three-year period, a phased introduction of Citizenship education at Key Stages 3 and 4 is planned. It is expected that from 2006 all pupils in post-primary education will have a statutory entitlement to citizenship education.

### **How is it working?**

- 4.25 It is clearly still early days for any serious assessment of how well – or otherwise – citizenship is being implemented and delivered in schools across the UK. However, in July 2002 OFSTED published a report<sup>22</sup> of an enquiry into ‘how effectively [20 secondary schools in England] had used [the time between the relevant legislation introducing citizenship education, in 2000, and its implementation in 2002] to plan for and manage the introduction of citizenship and what curriculum models they had decided to employ’. The report found that there was:

considerable variation in schools’ responses to the new requirements. Over half of the schools had made good use of the lead-in time, building on what they were already doing and trying out new approaches. One third of the schools had taken the essential first steps in terms of management and curriculum planning, although there remained a considerable amount to do if a broad and coherent programme were to be offered in September 2002. In some of these schools, more might have been done but for an unfounded assumption on the part of the school that they were already providing much of the statutory programme of study. In a small number of the schools, one in ten, progress towards implementation of citizenship had been given a low priority for development and was unsatisfactory.

- 4.26 A more recent report, published in November 2002 for the Department for Education and Skills<sup>23</sup> looked at the civic knowledge of English 14 year-olds contrasted with young people of the same age in a variety of other countries worldwide. It stated that:

Students in most countries, including England, have an understanding of fundamental democratic values and institutions, but depth of understanding is an issue. Students with most civic knowledge are most likely to expect to participate in political and civic activities. ... However, it is likely that schools and community organisations have untapped potential to influence positively the civic preparation of young people. Teachers recognise the importance of citizenship education in preparing young people for citizenship and feel that schools have a strong role to play. Importantly, students’ attitudes fit with the notion of the growth of a ‘new civic culture’, characterised by less hierarchy and more individual decision-making.

- 4.27 The DfES has also funded an eight-year study by the National Foundation for Educational Research into the implementation of citizenship education in English schools: how it is being implemented and what effect it is having on

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<sup>21</sup> For further information on the teaching of citizenship in Scotland, see the website of Learning and Teaching Scotland – [www.ltscotland.com/citizenship](http://www.ltscotland.com/citizenship)

<sup>22</sup> [www.ofsted.gov.uk/publications/docs/2663.pdf](http://www.ofsted.gov.uk/publications/docs/2663.pdf)

<sup>23</sup> [www.dfes.gov.uk/research/data/uploadfiles/RR375.pdf](http://www.dfes.gov.uk/research/data/uploadfiles/RR375.pdf)

young peoples' knowledge and awareness. The first of the annual interim reports from this long-term study was also published in November 2002 (thus covering primarily the period immediately before citizenship education became compulsory in England). That report stated:

Students political and civic knowledge was variable. For example, students had a good knowledge of equal opportunities or age-related rights, but were less well-informed about democracy, the working of democratic institutions, the European Union (EU), and the electoral system. ...Voting in national elections was by far the most preferred intended political activity, with two thirds of all students (66 per cent) saying they would participate. Just under two thirds of students also stated that they would collect money for charity (63 per cent) and vote in local elections (62 per cent). However, over two thirds of students did not intend to participate in conventional political activities (other than voting), such as joining a political party or becoming involved in local politics.

## Making a connection

- 4.28 It is clearly important that citizenship does not come to be seen simply as 'something that is done in school'. Continuing citizenship education after the end of compulsory schooling is one way of achieving this.<sup>24</sup> A number of further education outlets offer opportunities, both formal and informal, for 16–19 year-old students to enhance their knowledge and understanding of their rights and responsibilities as citizens. But it is also argued by some that linking the 'learning' with the practice of citizenship is critical. In the research we commissioned from the University of Manchester, particular attention was given to the question of whether the attitudes of 16–17 year-olds were different to those who have already entered the electorate. The available research is not conclusive. However, the researchers summarised: 'It seems likely that the attitudes of pre-voting age youth are vital to the development of democracy and the government's "citizenship" initiative in secondary schools may play a vital role in drawing in the next generation of voters'.
- 4.29 The key issue for debate, of course, is whether there is any likely connection between the age at which a citizen first exercises the right to vote and overall levels of democratic engagement – as measured in particular through turnout at elections. At the moment, young people learning about citizenship at key stage 4 will have to wait at least two years, and sometimes three or four years, before they are able to cast their vote in national or local elections, and even longer before they can stand for election themselves. Some people argue that if young people have to wait years before they can play a real part in the democratic process, the impact of citizenship education is likely to be undermined and their knowledge and interest might be lost. For them, allowing voting at 16 is the logical conclusion of citizenship education in schools.
- 4.30 Those who support change in the voting age also tend to argue that, regardless of citizenship education, allowing participation in elections at a younger age could help 'reconnect' politicians and the electorate. A common view given by young people when they are asked about politicians is that 'politicians don't ask us for our views, or if they do it's only for show and they

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<sup>24</sup> See, for example, the Report of the Advisory Group on Citizenship for 16–19 year-olds in education and training, published by the Further Education Funding Council in 2000: [www.citizenshippost-16.lsda.org.uk/extranet/files/citizenship/citizenship\\_report.pdf](http://www.citizenshippost-16.lsda.org.uk/extranet/files/citizenship/citizenship_report.pdf)

don't take our views seriously'. Some people believe that lowering the minimum ages for taking part in elections would be a clear and unambiguous way of politicians demonstrating that they really do trust young people and take their views seriously.

Sadly too many politicians pay lip service to youth involvement – preferring to engage at arms length rather than empower. ... There can be no greater demonstration of trust and belief than the enfranchisement of 16 year olds. As someone who has spent his life working with young people I know that by trusting them they will make sound and responsible decisions. (Phil Willis, MP, Liberal Democrat spokesman for Education and Skills)

- 4.31 Allowing younger candidates to stand in elections could also create more politicians who are able to more easily understand and represent young people and their views, or at least be more likely to genuinely seek out those views. If this trust was demonstrated it could help break down one of the main barriers to young people taking part in the political process.
- 4.32 On the other hand, the fact that young people are not allowed to vote or stand as candidates does not mean that they are not consulted and listened to. Elections are not a very precise way of finding out public opinion on specific issues, so giving younger people the right to vote and stand in them may not be the answer to making sure young peoples' voices are heard. When decisions are being taken on particular policies it is becoming more common to involve young people as part of the consultation process. For example, some local councils have established Youth Councils and central government produces 'youth' versions of some consultation papers.
- 4.33 Regardless of the minimum ages for participating in elections, it is clearly important that people of all ages are involved in consultations on specific issues between elections.

**Q1** *Do you think that lowering the voting age, or allowing younger candidates to stand for election, might encourage young people to take part in elections?*

**Q2** *Do you think that lowering the voting age, or the age for standing as a candidate, would increase the levels of trust between young people and politicians?*

**Q3** *If you are a young person, teacher or parent – in your experience, is citizenship education changing young peoples' knowledge of and interest in elections and democracy?*

## 5 Time for change?

### Recent history of reform attempts

- 5.1 In the years since 1969, there have been intermittent campaigns by individuals and pressure groups to press for further change to the relevant legislation, usually focused on lowering the voting age rather than changing the minimum age of candidacy. Until recently, such attempts have tended to be short-lived.
- 5.2 In the last two or three years there seems to have been a shift in the political climate. This has been demonstrated by increasing calls from a variety of sources for the age of electoral majority to be lowered. A number of factors may have contributed to this situation, including increased activity in the field of constitutional reform generally since the 1997 Parliamentary election, as well as the factors referred to earlier in this paper: the accelerating decline in voter turnout amongst younger electors in particular; and the introduction of citizenship education in schools across the UK. We explore the arguments adopted by the proponents of change below, together with the case made by defenders of the present law.

### Arguing for change

#### Politicians' views

- 5.3 Neither of the two largest political parties in the UK have a fixed policy either for or against lowering the minimum voting age and/or candidacy age.<sup>25</sup> However, individuals from both parties have advocated one or other point of view. A few of those reported as being in favour of change:

I think it's very hard to say to people who are 16 and above that there are certain obligations they have to their society without giving them a vote. (David Triesman, General Secretary of the Labour Party)<sup>26</sup>

We should change the suffrage, and the voting age should be reduced to 16. The age at which people may be elected should be reduced to 18. (Vernon Coaker MP, Labour)<sup>27</sup>

Sixteen is the age at which we accord children responsibilities. That is when we throw them out into the world, when we put the burdens of the world on their shoulders and that is when we should accord them the right to vote. (Lord Lucas of Crudwell and Dingwall, Conservative)<sup>28</sup>

- 5.4 By contrast, the Liberal Democrats, Scottish National Party, Plaid Cymru, the Green Party, and the Scottish Socialist Party all have a policy of support for lowering both the minimum voting age and candidacy age to 16. The Mayor of London is also proposing to support lowering the voting age:

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<sup>25</sup> The Labour Party's National Policy Forum is currently consulting party members on the issues as part of the process of developing their next manifesto. See their consultation paper, *Democracy, Political Engagement, Citizenship, and Equalities*, published in May 2003.

<sup>26</sup> Quoted in *The Scotsman*, 10 August 2002.

<sup>27</sup> Hansard, House of Commons, Official Report, 5 March 2002, Column 27WH.

<sup>28</sup> Hansard, House of Lords, Official Report, 9 January 2003, Column 1107.

We will introduce voting at sixteen. We will also allow people to stand for elected office at this stage, the stage in life at which they are able to begin full-time work and pay taxes.<sup>29</sup>

Every person who is over the age of sixteen years ... shall have the right to vote, and to present himself or herself as a candidate, in elections to membership of the Parliament of Scotland or ... to any local authority.<sup>30</sup>

Conference acknowledges the contribution of the 16–18 population in economic, cultural and social terms and calls for this to be recognised by awarding the right to vote and to contest elections as candidates to those between 16 and 18.<sup>31</sup>

The voting age for all elections, and the age at which people may take Parliamentary or Council seats would be reduced to 16.<sup>32</sup>

The SSP will ... extend the right to vote and stand for office to all 16 and 17 year olds.<sup>33</sup>

The Mayor [of London] will add his support to the campaign to reduce the voting age in local and national elections to 16.<sup>34</sup>

5.5 Additionally, the Local Government Association, the body that represents the interests of English principal local authorities has recently resolved to support the campaign for votes at 16 in national and local elections<sup>35</sup> and we have already received a number of representations from individual English local authorities that have resolved to support a reduction in the minimum voting age and/or candidacy age.

5.6 At Westminster, Parliament has seen a number of reform attempts. The House of Commons debated the issue in December 1999 when Simon Hughes, the Liberal Democrat spokesperson on health and youth, was one of four MPs to propose an amendment to the Representation of the People Bill, which, if passed, would have led to the lowering of the voting age to 16 years. The proposal received positive support from members of all three main political parties, but the amendment was defeated by 434 votes to 36. However, the size of the defeat may not have been a fair reflection of the real views of those MPs voting on the issue, as a Government Minister (Lord Bassam of Brighton) recently stated:

that legislation had been drawn up to implement the recommendations of the Howarth working party, and was fast-tracked on the understanding that it was purely a vehicle to implement those recommendations. We took the view that amendments on other issues could have endangered its fast-track status. Therefore, the amendment was opposed and defeated at that stage.<sup>36</sup>

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<sup>29</sup> *Youth mini-manifesto*, Liberal Democrats, 2001.

<sup>30</sup> *A Constitution for a Free Scotland*, Scottish National Party, September 2002.

<sup>31</sup> *Conference Handbook*, Plaid Cymru, Autumn 2002. The motion was subsequently approved by conference.

<sup>32</sup> *Manifesto for Sustainable Government*, Green Party of England and Wales, relevant section last updated Spring 2003.

<sup>33</sup> *Manifesto*, Scottish Socialist Party, 2003.

<sup>34</sup> *Towards a child-friendly London*, The Mayor's Draft Children and Young People's Strategy, April 2003, proposal 31.6.

<sup>35</sup> Resolution of LGA Executive meeting, 27 February 2003.

<sup>36</sup> Hansard, House of Lords, Official Report, 9 January 2003, Column 1120

5.7 More recently, the Liberal Democrat Parliamentary spokesperson on young people, Matthew Green MP, introduced a Private Members' Bill in the 2001–02 Parliamentary Session, intended to reduce the voting age to 16, but this suffered the fate of many Private Member's Bills and ran out of time. At the time of writing, the Conservative peer Lord Lucas of Crudwell and Dingwall has a Private Member's Bill<sup>37</sup> making its way through Parliament, also aimed at reducing the minimum voting age for all public elections to 16. Having been introduced in the House of Lords in late 2002, it has passed through that House and is now awaiting time for debate in the House of Commons.

5.8 The Home Affairs Select Committee of the House of Commons considered the minimum age for standing as a candidate in 1998.<sup>38</sup> One of the fullest discussions of the issue was provided in written evidence to that committee by Professor Robert Blackburn, who felt that:

The 21 age restriction upon candidature should be reduced to 18 years, consistent with the right to vote, at the earliest opportunity. After a person has reached adulthood at 18 for virtually all other civil purposes, he or she should be free to offer himself for election to Parliament.<sup>39</sup>

5.9 This view reflected the position that had been put forward by the Labour Party in 1993, that:

There is no justification for the continued discrepancy between the age of nomination and voting rights. We believe that it is right that the age of nomination which at present stands at 21 should be reduced to the age of 18.<sup>40</sup>

### **Independent reports on local government**

5.10 Between the summers of 2000 and 2002, three separate independent commissions recommended lowering either or both of the voting and candidacy minimum ages, in relation to local government elections in Scotland, England, and Wales respectively.

5.11 The Commission on Local Government Electoral Arrangements in Wales (Chair: Professor Eric Sunderland OBE) was established by the Welsh Assembly Government in June 2001 to examine and report on local government electoral arrangements in Wales. In July 2002, the Commission reported. Among its recommendations was that the age of entitlement to vote in local government elections should be reduced to 16 years and the age of candidacy to 18 years. The report also acknowledged that, as a consequence of this, younger people could also vote in elections to the National Assembly for Wales. They explained their reasoning as follows:

We believe it is imperative to build on [current] educational developments and inculcate in young people an appreciation of the importance of voting as they begin to assume their responsibilities as young citizens, and we further believe that it is a mistake to allow a lengthy period of time to elapse between the school-leaving age and the age of entitlement to vote.

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<sup>37</sup> The Voting Age (Reduction to 16) Bill [HL].

<sup>38</sup> Fourth Report, Cm 768 ([www.parliament.the-stationery-office.co.uk/pa/cm199798/cmselect/cmhaff/768/76802.htm](http://www.parliament.the-stationery-office.co.uk/pa/cm199798/cmselect/cmhaff/768/76802.htm))

<sup>39</sup> *Ibid.*, Appendix 2, section 5.

<sup>40</sup> *A New Agenda for Democracy: Labour's Proposal for Constitutional Reform* (1993).

We acknowledge that some people will have concerns about the maturity of 16 and 17 year olds and their capacity to use their vote responsibly. We accept, too, that one effect of the extension of the franchise in this way might very well be to depress turnout percentages further, as we would not expect large numbers of young people to take immediate advantage of this new entitlement to vote. Nevertheless, we believe that the balance of argument is clearly in favour of an extension of the franchise in this way.

5.12 In considering that report, the Local Government and Housing Committee of the National Assembly for Wales reached a unanimous decision that 'there was a moral case to lower the voting age to 16 years and the candidacy age to 18 years':<sup>41</sup> this was subsequently reported to the plenary session of the Assembly on 19 March 2003.

5.13 Prior to the establishment of the Sunderland Commission, the establishment of the Renewing Local Democracy working group was announced by the Scottish Executive's Minister for Communities in a statement to the Scottish Parliament on 2 July 1999 with three key objectives. First among these was: 'Building on the recommendations of the McIntosh report, to consider ways in which council membership could be made attractive to a wider cross-section of the community, and councils could become more representative of the make-up of the community'. We have noted above that our eventual recommendations will not apply to candidacy for local elections in Scotland, but it is nevertheless interesting to see how the matter is being considered there. The Group reported in 2000, and commented:

The franchise for local government elections was not a matter that we were asked to consider. However, in looking at stimulating interest in council membership we were struck by the importance of civic education and the role that it should play in the school curriculum. We consider that the current age limit for standing as a councillor – 21 years of age – disenfranchises younger people. We consider that the effect of this age limit may be to make politics a more distant and unconnected issue for young people. We recommend that the age for standing for election should be brought into line with the voting age – currently 18.

5.14 The report also encouraged public debate on whether both the age limit for standing for election and the age limit for voting should be reduced to 16 years, suggesting that: 'It is perhaps anachronistic that while 16 year olds are considered to be adult members of the community for almost all purposes, for example, employment, tax, marriage and criminal law, they are not eligible to play an active part in local democracy – either as a councillor or as a voter'. Subsequently, the Local Government Committee of the Scottish Parliament has recently stated:

The Committee supports the proposal to lower the age at which people may vote in local government elections to 16, and recommends that the Scottish Executive explores the practicalities of this with the Scotland Office and the Electoral Commission.<sup>42</sup>

5.15 The Scottish Executive response to this recommendation noted that the age at which people can vote is a matter reserved to Westminster under the devolution settlement and one in which the Executive had no locus. However, being aware of the commencement of the Commission's review, it also said:

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<sup>41</sup> Minutes of Committee meeting of 5 March 2003.

<sup>42</sup> Local Government Committee, 3<sup>rd</sup> Report of 2003, SP Paper 748.

'The Executive looks forward to learning the outcome of the Commission's work in this area'.

- 5.16 In England, no official Committee on local government has been established by the Government to look formally at the issues addressed by the bodies referred to above. However, the Commission on Local Governance, under the chairmanship of Peter Hetherington, was an independent group of key stakeholders brought together by the Local Government Information Unit to review the Local Government White Paper 2001. The Commission's report concluded: 'Politics must come alive for young people. A positive programme to link local government with the issues young people care about is urgently needed. We recommend that...the voting age be lowered to 16 and the age for being elected to council to 18'.<sup>43</sup>
- 5.17 In Northern Ireland, the Northern Ireland Human Rights Commission has been conducting a very wide consultation in recent years on the issue of whether there should be a Bill of Rights there. One of the issues on which they consulted was the question of whether the voting age should be lower. As a result of the preliminary consultation they conducted, they produced in 2001 a set of proposals including one that, 'All persons aged 17 or over shall have the right to vote in elections to local and regional Government bodies and referendums at local and regional level within Northern Ireland'.<sup>44</sup>

### **Votes at 16 campaign**

- 5.18 The Votes at 16 campaign<sup>45</sup> was officially launched in January 2003. The campaign membership includes most of the political parties noted as supporting a reduction in the voting age above, but is also supported by a range of organisations representing young people and democracy including The National Youth Agency, British Youth Council, Article 12, Young People's Rights Network, YMCA England, Electoral Reform Society, National Children's Bureau, Children's Society, UK Youth Parliament, National Union of Students, Black Youth Forum and the Children's Rights Alliance for England. The core reasons that the campaign sets out in favour of lowering the voting age are:
- to give 16 and 17 year olds genuine **equality of expression** with older citizens;
  - to improve **consistency** with the age at which other significant rights and responsibilities arise;
  - to avoid an anomalous gap of two years between the end of school-based formal education in **citizenship** and being able to use that knowledge in elections; and
  - it is **morally right**, as the arguments used against it are the same as those used against extending the suffrage to women and the working classes a century ago and are as wrong now as they were then.

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<sup>43</sup> 'Free to Differ', Local Government Information Unit, June 2002

<sup>44</sup> Chapter 2 of *Making a Bill of Rights for Northern Ireland*, September 2001:

[www.nihrc.org/files/BOR\\_consultation\\_5.htm](http://www.nihrc.org/files/BOR_consultation_5.htm)

<sup>45</sup> [www.votesat16.org.uk](http://www.votesat16.org.uk)

## Maintaining the status quo

5.19 The primary argument relied upon by those who believe the minimum ages should stay as they are is one of maturity. In respect of the voting age, their view is that 18 is the age by which most people have reached a sufficient level of emotional and intellectual development to exercise the important responsibility of electing political decision makers. Further, in respect of the minimum candidacy age, those in favour of retaining the current minimum argue that some further life experience beyond that appropriate for voting is needed before an individual should themselves be in the position to potentially become a political decision maker.

5.20 The maturity argument has at least three aspects:

- Younger people are more susceptible to being influenced by others in how to vote. This covers the situation where a young person might vote the way his or her older friends or relatives do, whether through a lack of knowledge or strength of feeling on the part of the young person, or, potentially, because of intimidation.
- Younger people might be more likely to vote for parties with superficially attractive policies, without realising the wider consequences.
- Younger people do not have sufficient intellectual development or experience of life outside school to appreciate the wider ramifications of the vote they are casting.

5.21 It is, perhaps, to be expected that there is less material in the public domain promoting the status quo. The onus to make the case is on those seeking change and there is accordingly less likelihood of individuals and organisations actively campaigning to keep things the way they are unless and until there is an occasion on which the issue calls for a debate, e.g. a public consultation such as this, or a Parliamentary debate.<sup>46</sup>

5.22 That said, there are some who have spoken publicly in favour of the retention of the current minimum ages. For example, we have referred above to the examination of the minimum candidacy age by the Home Affairs Select Committee in 1998. Having noted the personal view of Lord Parkinson, that 18 would be ‘too young to be taking decisions about the level of tax that people should pay and the sorts of services that people ought to have’, the Committee’s final report stated:

It does seem to us that there is a difference between the degree of understanding and experience of life and society required to exercise a vote sensibly and that required actually to act as a representative. We recognise the argument for reducing the age for candidates to 18, but on balance we do not recommend such a change.<sup>47</sup>

5.23 In relation to the voting age, the Prime Minister himself has in the past stated that, in his personal view, it would be inappropriate to reduce the current minimum: ‘I am not sure that we would always want 16-year-olds to do all the things they can do. I am afraid that I do not agree with [Matthew Green MP]

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<sup>46</sup> For an example of the latter, see the contributions of Lords Renton and Campbell-Savours during the Second Reading of Lord Lucas’ Voting Age (Reduction to 16) Bill, Hansard, House of Lords, Official Report, 9 January 2003, Columns 1106–1122.

<sup>47</sup> Op. cit., paragraph 124.

on the voting age. I think that it should remain as it is'.<sup>48</sup> Subsequently, at the 2002 Labour Party Conference in Blackpool, when asked about granting 16 years-olds the vote, he is reported as saying that citizenship should have a 'legal' starting point: 18.<sup>49</sup>

5.24 Ellie Levenson of the left-of-centre think tank the Fabian Society also holds the view that the voting age should not be lowered: '[at 16] teenagers are at their most rebellious and negative stage, a time when they are more keen on making a statement than acting responsibly...Let us not provide an extra means by which teenagers can rebel against authority, by either abusing their vote or not voting at all.'<sup>50</sup>

5.25 From the Conservatives, we have already seen that some members of the party are active in the campaign in favour of lowering the voting age, but there are also members in favour of keeping the minimum ages as they are:

I am not persuaded about the argument for voting at 16. I would not say that I have ruled it out for ever, but it needs consideration. At this point, I would not vote for it. ...I am sure that we would like to give the matter further consideration. However, 18 is probably the best age, as is reflected throughout the European Union. (Robert Syms MP, Conservative)<sup>51</sup>

5.26 More recently, the Conservative Party spokesman on youth issues, Charles Hendry MP, has stated: 'At the moment, I'm not persuaded that we are right to change our position on [the voting age]'.<sup>52</sup>

5.27 Many of those who wish to keep the current minimum ages also argue that there would be no point extending the right to younger people given the low numbers of younger people presently using their vote or standing as candidates. They are concerned that if the current minimum ages are reduced, overall turnout will get even lower because many of those eligible to vote will not cast their ballot.

## Young people's views

5.28 In 2001, the YVote?/ YNot? project was initiated by John Denham MP, then Minister for Children and Young People, to find out what young people think are the reasons behind the increasing evidence of voter disengagement, what needs to be done to tackle it and by whom.

5.29 Strong views were expressed by the young people consulted about the current voting age, mainly in favour of lowering it to 16 but with a substantial minority arguing for it to remain the same and a few thinking it should be raised to 21. There was, however, widespread agreement on the need for and timeliness of a debate on this issue as citizenship education becomes mandatory in secondary schools. The final report explained:

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<sup>48</sup> Hansard, House of Commons, Official Report, 23 January 2002, Column 887.

<sup>49</sup> Reported in 'Voting at 16?', Professor John Keane, University of Westminster Centre for the Study of Democracy. <http://www.wmin.ac.uk/csd/Staff/Keane/Votingat16.htm>

<sup>50</sup> Reported by Professor John Keane, *ibid.*

<sup>51</sup> Hansard, House of Commons, Official Report, 15 December 1999, Column 318.

<sup>52</sup> Interview with ePolitix, 26 August 2002.

There were conflicting views on the merits of reducing the voting age – while some young people were in favour of placing it as low as 14, others suggested that it should be raised to 21. Overall a majority of young people thought that the voting age should be lowered to 16, largely on the grounds of the other rights and responsibilities that apply from that age. This view was at the top of the UKYP list of things politicians could do that would make young people want to vote in the next general election. Some young people felt that MPs felt able to ignore or patronise them because they did not need to win their votes. Others stressed the right of young people to express their views through the vote. They also pointed to the importance of young people being able to influence the society they would experience as adults. Some specified that a lower voting age should be backed up by better political education and there was also a view that the acquisition of the vote would encourage young people to give more thought to politics.

Those who opposed lowering the voting age, or believed it should be raised, expressed reservations about whether young people under 18 (or under 21) had adequate knowledge or understanding to vote responsibly. It was suggested that young people under 18 are too easily influenced and don't have enough access to information to make informed decisions.

5.30 Rigorous quantitative data on young people's attitudes to the age of electoral majority (or indeed, general public opinion on the subject) is not easy to find. However, informal assessments of young peoples' views on this issue show a less than clear picture. A straw poll of 45 young people held at the official opening of The Electoral Commission's office in Wales in July 2002 revealed the narrowest of majorities (23 votes to 22) in favour of keeping the minimum voting age at 18, whilst another held during the Commonwealth Citizenship conference in Cardiff later the same year resulted in a slight majority in favour of lowering the minimum to 16. Similarly, when around 500 young people in Northern Ireland were asked for their views on the Northern Ireland Human Rights Commission's consultative proposals on a Bill of Rights (see above), most of them agreed that the voting age should be brought down to 17 years, although again a number felt the age of 18 should be retained.<sup>53</sup>

5.31 The Commission intends to sponsor formal opinion survey work on the voting and candidacy ages during the consultation period for this review.

**Q4** *Do you want to see a change in the current minimum age for voting (18)?*

**Q5** *Do you want to see a change in the current minimum age for standing as a candidate (21)?*

**Please tell us the reasons for your views.**

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<sup>53</sup> *What You Said*, Northern Ireland Human Rights Commission, May 2002.

## 6 Options for change

### Introduction

- 6.1 This final chapter examines in more detail the options for changing the law, in the event that the Commission concludes that any change is required.

### Voting age

- 6.2 There is a school of thought that believes there should be no fixed minimum age: it should instead be for the individual to decide the age at which he or she is ready to vote, the suggestion being that if you are interested enough, you are mature enough. Organisations promoting this view tend to be largely based in America, but the Demos think-tank here in the UK recently published a report<sup>54</sup> that contained a unique variant on the concept. This was that everybody would be given the vote at birth, but children and young peoples' votes would be exercised for them by their parents or guardians until age 14, when individuals would be entitled to vote in their own right.
- 6.3 However, as we noted at the beginning of this paper, the vast majority of the debate in this country has been focused around whether to lower the minimum voting age by one or two years. This age is linked to other legal rights in the UK, and to the cut-off age for formal citizenship education. There are estimated to be around one and a half million 16 and 17 year-olds in the UK.

**Q6** *If the voting age were to be reduced, what age do you think it should be reduced to? Why?*

**Q7** *Would you advocate the same minimum age for all levels of election in the UK?*

### Candidacy age

- 6.4 The debate about the most suitable age for candidacy has two elements. The first is the basic argument of what particular minimum age is right for candidacy. In this regard, many of the arguments that are employed in the voting age debate are similarly aired in relation to candidacy, e.g. comparison with non-electoral rights and responsibilities, international comparisons, level of political awareness and interest among the young, and the issue of maturity. These issues have been covered in depth above, so will not be repeated here.
- 6.5 The second major element has been a particular focus on the relationship between the minimum voting and candidacy ages: whether there should be any difference between the two, and if so why and what the extent of that difference should be. In this context, we note that consistency between the voting age and the age for standing is the norm in most European countries, at least for local elections (see Appendix 1).

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<sup>54</sup> Demos, *Other People's Children*, February 2003.

- Q8** *If the minimum age for standing as a candidate at UK elections were to be reduced, what age do you think it should be reduced to? Why?*
- Q9** *Would you advocate the same minimum age for all levels of election in the UK?*

## Appendix 1: The right to stand and vote at local elections in Europe

The material in this appendix is taken from the Council of Europe's report *Electoral systems and voting procedures at local level; local and regional authorities in Europe*, and is reproduced from the Report of the Working Group on Local Democracy in Scotland (June 2000).

### Prerequisites for eligibility: age, nationality and residence

There is a strong similarity between prerequisites for the right to vote and prerequisites for eligibility to stand as a candidate. In several countries, all regularly registered voters can stand as candidates. In other countries it is possible to observe some differences concerning the conditions relating to age, nationality and residence.

The right to stand at local elections normally begins at the age of 18. In this respect there are more exceptions than those concerning the age for voting, as illustrated in Table A1:

*Table A1: Age for voting and standing in local elections*

Country	Right to vote (age)	Eligibility to stand (years)	Country	Right to vote (age)	Eligibility to stand (years)
Albania	18	18	Lithuania	18	18
Andorra	18	18	Luxembourg	18	21
Austria	18, 19, 20	18, 19, 20	Malta	18	18
Belgium	18	18	Moldova	18	21
Bulgaria	18	18	Netherlands	18	18
Croatia	18	18	Norway	18	18
Cyprus	18	25	Poland	18	18
Czech Republic	18	18	Portugal	18	18
Denmark	18	18	Romania	18	23
Estonia	18	18	Russia	18	21
Finland	18	18	San Marino	18	18
France	18	18	Slovak Republic	18	18 (25 for mayors)
Germany	16, 18	18	Slovenia	18	18
Greece	18		Spain	18	18
Hungary	18	18	Sweden	18	18
Iceland	18	18	Switzerland	18	

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Ireland	18	18	'the Former Yugoslav Republic of Macedonia'	18	18
Italy	18	18	Turkey	18	25
Latvia	18	18	Ukraine	18	21
Liechtenstein	20	20	United Kingdom	18	21

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