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Bil Senedd ac Etholiadau (Cymru)

National Assembly for Wales
Constitutional and Legislative Affairs
Committee
Senedd and Elections (Wales) Bill

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Ymateb gan Yr Athro Philip Cowley

Evidence from Professor Philip Cowley

Memorandum on the Senedd and Elections (Wales) Bill

I am a professor of politics at Queen Mary University of London. In 2008-9 I served on the Youth Citizenship Commission established by Gordon Brown when Prime Minister, and which concluded there was no case for lowering the voting age.

Nothing that has happened in the preceding years has changed my view, and certainly not the report of your “expert panel”, which (on this subject at least) I found to be partial and poorly argued.

The general case against votes at 16 is clear: to give the vote to 16 year olds runs counter to the age at which we generally (and increasingly) treat people as adults; it does so for no obvious advantage and despite there being no great public demand for the reform.

In this short memorandum, I wish to pick up on four aspects of the voting age issue, which have been covered by the expert panel or the bill’s explanatory memorandum (which in turns draws mostly on the expert report), and where a flawed conclusion has been reached.

1. The expert panel noted that there was no single age at which people acquire rights and responsibilities. This led them not to see the issue as compelling. This seems a curiously dismissive position to take. If we start from the presumption that we want to give the vote to adults, then asking where society thinks adulthood begins is not a trivial matter.

Overall, and despite some variability, there are relatively few rights acquired prior to 18. It is worth noting that Table 32 of the expert report is partial; it excludes several rights acquired at 18, while including almost every right acquired at 16, including those which are in fact limited by parental discretion (such as joining the armed forces or, in England and Wales, marriage). Almost none of the rights acquired before 18 are comparators to voting. Jury service is perhaps the most obvious comparison – involving civic duty and participation – and yet there is no great desire for us to be judged by 16 year olds.

Even more significantly, and yet ignored entirely by the expert panel for some reason, is the direction of travel in recent years. Many age restrictions have changed in recent years, and in almost all cases this has resulted in raising the age at which we allow people to do things. Smoking is the most obvious example, but other legislation has recently banned, *inter alia*, fireworks or tanning booths to

those below 18. It is very difficult to see how we can think someone is now not allowed to make the decision as to whether or not to enter a tanning booth, but it is just fine for them to vote. Even the age of consent now has a clause prohibiting sex prior to 18 with those in positions of responsibility – designed, explicitly, to protect those aged 16 and 17 – and which, again, is not mentioned by the expert panel.

In other words, if anything the variability in the ages at which people acquire rights and responsibilities has been diminishing over time, and is increasingly converging at 18.

2. The expert panel made much of the idea that those aged 16 and 17 might be more likely to vote than those marginally older, as the former will be in established networks such as school. They argue:

what evidence there is tends to support the expectation that 16- and 17-year olds are more likely to vote than 18- to 24-year olds, *if their enfranchisement is part of a package that also includes the provision of information tailored specifically for this age group*

I have added the emphasis in the above quotation, as it is significant although its significance is hardly noted by the panel. There is lots of academic research demonstrating that people can be mobilised to vote if resources – time and money – are spent doing so. If we spend resources raising the turnout of 16 and 17 years olds, it seems curious to compare their turnout to another group on whom no similar resources are being allocated. What would the turnout of 18-24 year olds (for example) be if they too had information “tailored specifically for this age group”?

As the expert panel notes, the evidence from those countries where resources have not been allocated to artificially raise the turnout of 16 and 17 year olds is that they do not vote in greater numbers, and seem less informed.

While voter education and mobilisation programmes may be positive in general, if young voters are ready to vote, then we should not need to allocate specific resources to mobilise them. That we do indicates that they are not ready.

3. As a connected point, the expert panel makes much about lessons from Scotland. Whatever else one thinks about it, the Scottish referendum of 2014 was an extraordinary political event: a (supposed) once-in-a-generation vote, of high salience, with a long campaign, in which political consciousness was raised amongst all age groups. It produced an extraordinary turnout of 85%, a figure which would have been marginally higher still had 16 and 17 year olds not been given the vote.

It seems unwise to draw too many lessons from such an extraordinary event and then apply them to normal, run-of-the-mill elections with lower salience. I hope it is not seen as controversial to note that an election to the National Assembly may

not have quite the same buzz about it, and may therefore not have the same effect.

I note that the experience in the Isle of Man – much less positive to the case for votes at 16 – is merely skipped over in a sentence in the explanatory memorandum and is not discussed by the expert panel. Turnout amongst 16 year olds there has been falling in each consecutive election since it was introduced.

4. The explanatory memorandum notes that that the majority of respondents to the consultation considered that the voting age should be reduced to 16. But this is very different from there being any public demand. Table 33 of the expert report shows clearly that not a single representative survey carried out in England and Wales opposition has majority for support for lowering the voting age. The unrepresentative nature of the consultation should be clear to all concerned.

I accept that none of the above will be taken into account. Votes at 16 is coming, despite no public support for it, and there being no obvious advantages as a result. It has become a comfort blanket for many in the political class. It is all but inevitable. But then death is inevitable and yet we still try to resist it for as long as possible.

Philip Cowley