



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

REFERENDUM (SCOTLAND) BILL COMMITTEE

Thursday 21 March 2013

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REFERENDUM (SCOTLAND) BILL COMMITTEE

7th Meeting 2013, Session 4

CONVENER

*Bruce Crawford (Stirling) (SNP)

DEPUTY CONVENER

*James Kelly (Rutherglen) (Lab)

COMMITTEE MEMBERS

*Annabelle Ewing (Mid Scotland and Fife) (SNP)

*Linda Fabiani (East Kilbride) (SNP)

*Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab)

*Rob Gibson (Caithness, Sutherland and Ross) (SNP)

*Annabel Goldie (West Scotland) (Con)

*Patrick Harvie (Glasgow) (Green)

Stewart Maxwell (West Scotland) (SNP)

*Stuart McMillan (West Scotland) (SNP)

*Tavish Scott (Shetland Islands) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Brian Byrne (Scottish Assessors Association)

Kate Crawford (Association of Electoral Administrators)

Chris Highcock (Electoral Management Board for Scotland)

Bill Kidd (Glasgow Anniesland) (SNP) (Committee Substitute)

John McCormick (Electoral Commission)

Andy O'Neill (Electoral Commission)

Mary Pitcaithly (Electoral Management Board for Scotland)

Bruce Robertson (Association of Directors of Education in Scotland)

Andrew Scallan (Electoral Commission)

CLERK TO THE COMMITTEE

Andrew Mylne

LOCATION

Committee Room 1

Scottish Parliament

Referendum (Scotland) Bill Committee

Thursday 21 March 2013

[The Convener *opened the meeting at 09:00*]

Scottish Independence Referendum (Franchise) Bill: Stage 1

The Convener (Bruce Crawford): Good morning, colleagues, and welcome to the seventh meeting of the Referendum (Scotland) Bill Committee in 2013. Stewart Maxwell has sent his apologies and Bill Kidd is here in his place.

The first item of business is oral evidence on the Scottish Independence Referendum (Franchise) Bill at stage 1. The Parliamentary Bureau has, as you might have expected, formally referred the bill to us as lead committee. As an update for colleagues, I note that the Subordinate Legislation Committee has reported no concerns about the delegated powers in section 11 or about the level of parliamentary control.

I welcome to the meeting our first panel of witnesses, all of whom are from the Electoral Commission: John McCormick, the electoral commissioner for Scotland; Andrew Scallan, director of electoral administration, and Andy O'Neill, head of office Scotland. Thank you for coming along to the Scottish Parliament to give evidence. I believe that Mr McCormick wishes to make a brief opening statement.

John McCormick (Electoral Commission): I will indeed be brief, convener. Thank you for the invitation to meet this morning.

The Electoral Commission recognises that questions about the franchise and who can vote are rightly matters for the Parliament. Our priorities are to help ensure that the electoral registers are secure and accurate and that there are no barriers to participation for electors. In that regard, we welcome the clarity of the policy memorandum and the bill itself, which seeks to ensure that all 16 and 17-year-olds will be able to vote, and look forward to working with Scottish Government officials and the committee as the legislation is developed in the interests of voters.

The Convener: Thank you very much for that brief introduction. James Kelly will start off with questions on voter registration.

James Kelly (Rutherglen) (Lab): Good morning, gentlemen, and thank you for attending. I

am sure that you will give us the benefit of your expertise in this area.

It goes without saying that if we want 16 and 17-year-olds to participate in the referendum we need first and foremost to get them registered. I am therefore interested in hearing your overview of the activities that you think will be necessary to maximise registration of 16 and 17-year-olds in addition to those that you already undertake with regard to electoral registration.

John McCormick: To begin with a headline comment, I think that, as Mr Kelly has noted, encouraging people to register for an election or referendum is one of our key priorities in the lead-up to the event itself. We have been going through all our plans and the details of what we do in every campaign and, of course, we refresh them for every referendum because every referendum is different. This particular referendum, for example, is unique in that, for the first time, 16 and 17-year-olds will be allowed to vote.

We have a range of approaches to deal with that matter. I will ask my colleague Andy O'Neill to go into some of the detail, and then we will have a brief wrap-up at the end.

Andy O'Neill (Electoral Commission): It is fair to say that we are at the start of our thinking about how to address the problem of ensuring that all 15 to 17-year-olds are registered. It will form part of the wider public awareness activity that we assume we will be given in the main Scottish independence referendum bill once it is published. At the moment, we are developing our plans and, indeed, have costed some of them to inform the Scottish Government's financial memorandum to the bill.

Our plan's main objective will be to ensure that everyone who can register is registered and that all electors understand the date of the poll and to provide information on proxy and postal voting and how to complete the ballot paper. At the moment, we think that our awareness campaign will be based around a leaflet or booklet that will be delivered to all households; of course, no concepts have been tested but, when we reach that point, we will test the booklet extensively with the Scottish public, including 15 to 17-year-olds, to ensure that it is clear and impartial and covers all the necessary topics.

I think that the awareness campaign will fall into two phases. If we take a similar approach to that taken to the 2012 local government elections or the 2011 Scottish Parliament elections, we will carry out a lot of registration activity and then issue the booklet and push people towards that. As I have said, the booklet will be delivered to all households and we will also make it available to councils and others so that they can put it in their

public areas. We also envisage using television, radio, paid-for newspaper advertisements, posters and online activity.

An interesting point is that, for people who have never voted, which will be the case for 15, 16 and 17-year-olds, we have in the past used YouTube to show what happens in polling places and to promote registration, for example through the “Ballot box man” viral clip. We also do a lot of media work.

Coming back to your main question, I think that you are right. Our main challenge is to get all 15 to 17-year-olds registered. Given that this is the first time we have ever done that, we want to ensure that there is no potential for confusion. We want to work with everyone that it is appropriate for us to work with to ensure that 15 to 17-year-olds are registered. To that end, we have already started talking to the Association of Directors of Education in Scotland—in fact, Bruce Robertson will give evidence in the next session—and we have made contact with Education Scotland. In the past, we have worked with the National Union of Students Scotland, the Scottish Youth Parliament, Young Scot and so on. We are mapping out who we need to work with and how we can work with them. We certainly read with interest the evidence that you took last week from some of those people; they set out a lot of good ideas, and we can try, where appropriate, to work with them.

That is probably all that I want to say by way of introduction. I will try to answer your questions if you have any.

John McCormick: We also have a very well-established relationship with the communications network of specialists in each of the local authorities and, in partnership with the Electoral Management Board for Scotland and the communications network, we target specific events for the local population. In that respect, we are looking for advice on ways in which, locally, we can get in touch with 15, 16 and 17-year-olds and target them with information about registration and the date of the referendum. The approach is local and national as well as viral through the electronic media at our disposal.

James Kelly: Coming back to Mr O’Neill, I am obviously encouraged to hear that you have been talking to some of the relevant parties with regard to 16 and 17-year-olds and that you have read last week’s evidence, which I think provides some excellent pointers. Correct me if I am wrong, but it seems to me that, in developing publicity and ideas to get people registered—which, I have to say, I am not against—your main drive has been to concentrate on general registration and hope that 16 and 17-year-olds get pulled along. However, I did not get any sense of the specific

publicity or initiatives that are going to be targeted at 16 and 17-year-olds.

Andy O’Neill: I apologise if I have given you that impression, but we must ensure that everyone who can register is registered. We are trying to build on what we have normally done; we have never tried to engage with 15 and 16-year-olds, and it is still too early to say what works and what does not. At the moment, we are trying to map out which organisations and individuals we need to work with and the type of activity that works with younger people, a lot of which, we guess, will be internet based. However, we do not have any definite plans. Instead, we are trying to ensure that we do whatever is necessary.

James Kelly: But do you intend to devise plans that specifically target this new group of 15 to 17-year-old voters?

Andy O’Neill: Yes.

John McCormick: We know from past experience of referendums and elections about the low turnout in the 18 to 25-year-old age group. There is an overlap in that respect, but one advantage that we have with 16 and 17-year-olds is that they can be targeted in a particular way. That said, there is an issue with young people in general.

James Kelly: Last week, another issue relating to the registration of student voters was raised. We expect that the date of the referendum will be autumn 2014—we will know later today—and many first-year students, who may be 16 or 17 years old, will be participating in their first vote. They may have registered their home address but have moved to a student location. That presents challenges for ensuring that they get to vote at their new location. Some of the evidence that we heard concerned rolling registration and being able to sign up students en masse. Have you given any consideration to those issues?

Andrew Scallan (Electoral Commission): To supplement the answers that Andy O’Neill gave earlier, it is important to bear in mind that our activity will be phased over a long period. We will start household activity alongside the normal household canvass so that young people will be added on the form that is in the bill. There is also rolling registration, so registration will take place over a long time. It is not as though it is a snapshot in time or as though we have a narrow window to influence registration; it can be a long-build campaign.

You are right that students can be registered at their home address or their term-time address. They have a choice about where to go. They do not have to be registered in both locations. Once the referendum date is known, we will consider the strategies that we can use to work with the

electoral registration officers, the university authorities and NUS Scotland to ensure that students understand the options that are available to them.

Linda Fabiani (East Kilbride) (SNP): I have a quick query about trying to encourage and enthuse young people. I take Mr McCormick's point about low turnout among young voters up to the age of 25. Is there room for the Electoral Commission to second some people from other organisations that have a level of expertise in the matter?

John McCormick: We have a good track record of working in partnership with others. If there was an opportunity for someone to be seconded, we would certainly not be against that but, previously, we have worked on building a partnership and working with it. I notice that one of your previous witnesses talked about a coalition of interest. We would hope to be part of that coalition and work together with it.

We are open to whatever is the best way of sharing and pooling experience and then working together to ensure that all 16 and 17-year-olds and young voters are registered, know how to vote and participate in the referendum. That will be our priority and we will work together with others in whatever is the most effective way to do that.

The Convener: What resource does the Electoral Commission have to deliver an effective social media campaign? Will that resource require to be brought in from elsewhere or is it strong enough in-house?

John McCormick: We have that resource at the moment. We have targeted quite successful campaigns at young people in previous elections. I used to be able to give you the number of hits that our different voting animations received. I could send you those figures afterwards, but I cannot recall them at this hour in the morning. We also noticed that some of your previous witnesses talked about having used DVDs and viral messaging. We can certainly learn from them, but we have a lot of experience and a highly experienced website team who have developed animations that have been tried and tested in elections and have worked. We would like to retest those animations, update them and customise them for the referendum. We have that within our existing resources.

The Convener: Social media goes a bit deeper than that. It includes how we make the best use of Facebook and Twitter. There are companies that can multiply hugely the number of tweets that you get. Do you need to look deeper into that area of activity?

Andy O'Neill: We are engaging a social media agency to advise us on all of that as part of the

wider public awareness. Obviously, 15 to 17-year-olds will be a major part of that work.

In its brief, 12-year history, the commission has done outreach work for a long period. We have expertise in that. There are people who, like me, have been in the organisation for almost 12 years. We worked with Facebook in the 2010 United Kingdom parliamentary general election. On a certain weekend, if you went into Facebook, a registration page came up for the "About my vote" website.

We also did the "Ballot box man" viral video, which we tried to get people to pass on to others. I do not do Twitter—

The Convener: I was just going to ask how many followers you had to prove it.

Andy O'Neill: Not very many, sadly.

The video is specifically a registration message. If you watch it on YouTube, you see a ballot box that bursts into life and runs away from someone in a polling station because they are not registered. It is at that level. Obviously, we will look to our agency to give us more professional advice than anything that I might come up with.

09:15

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): I have a more general question that I want to ask, but first I will come back to James Kelly's question to Mr Scallan about student voters. A first-year student—or a student in any year, for that matter—could be registered at their home address but find themselves at university when it is time to vote.

We do not know the referendum date yet, but we know that it will be in the autumn. A student could pass the date when they could get a postal vote or a proxy vote before they realise the situation. If it is someone who lives in Cambuslang and goes to the University of Glasgow, that is not a problem. However, if it is someone whose home is in Glasgow and who goes to the University of St Andrews, it is unlikely that they will return home to vote. Are you thinking about how you would capture that particular group of people—it may be a small group, but we do not know yet—who might, through no fault of their own, find themselves disadvantaged?

Andrew Scallan: The process will be about registering and then about the options that will be available to people. We are assuming that the timelines for the referendum will be very much as they are for every other electoral event. Everyone will know the deadline to get applications in by and they will have time to think about their position.

The publicity will be geared towards those dates and people will be left in no doubt about the timeline. Eleven days before the referendum day, I feel that everybody will know that the event is taking place. We will be putting out clear messages that will ensure that everyone understands the deadlines. The opportunities to apply for a postal vote, to apply for a proxy vote, and to register will all be part of the message. It is not simply about registration; it is about how people participate in the event.

Andy O'Neill: It is also about targeting messages to key small groups. In the interesting example of student voters, we could work with the universities or with the student associations to ensure that students who are coming from parts of Scotland where they have a vote to somewhere that is far away from home are aware of that issue so that they make arrangements beforehand. They could apply for a postal vote or a proxy vote 11 days beforehand. It is a matter of identifying the issue, coming up with a solution and actioning it.

Patricia Ferguson: That would be helpful, because if it is someone's first time at university, they have a lot of other things on their mind, never mind the referendum—no matter how important it is.

To move to my more general question, Mr O'Neill mentioned earlier that you are really at the beginning of the process. Do you have enough time? We are making efforts to get this bill through Parliament by the end of June so that electoral registration officers can do their canvass in the autumn. That is not a lot of time to get the household registration part of the work and the campaigns for that done. We do not yet know how many 16 and 17-year-olds will be picked up as part of the household registration or as part of the rolling register, but I imagine that most people generally register as part of the household. I am looking for reassurance that you have enough time to do that job.

Andrew Scallan: At the moment, we have no concerns about the amount of time that we have. Putting together plans takes some time, but we have experience of commissioning work at short notice. We have more time for this event than we have had for some others.

Andy O'Neill: We have already started talking to the agency that we employ and briefing it on the referendum in Scotland in general. We are probably more ahead of the game than we normally are with public awareness campaigns.

Andrew Scallan: To come back to the household canvass versus rolling registration, the household canvass—with letters through the letterbox and people knocking on the door—has

consistently proved to be the most effective way of getting information.

Stuart McMillan (West Scotland) (SNP): In Andy O'Neill's comments earlier, I did not hear Skills Development Scotland mentioned in relation to working with younger people, particularly those who are doing apprenticeships. Has that been factored in?

Andy O'Neill: It is on the list—my apologies for failing to mention it in my remarks.

Stuart McMillan: That is not a problem. Thank you. I have another question, if that is okay, convener?

The Convener: Is it related to what we have just been discussing?

Stuart McMillan: Yes, it is. On the issue of first-year students and people who travel away from their home, we used terminology last week about registering people en bloc. These young people ought to be given the option—they should have the information that would allow them to choose whether to register at their hall of residence or maintain their registration at home. What would your preference be?

Andrew Scallan: I do not think that we have a preference. It depends on the nature of the student population and on the institution at which the students are based. It is individuals who are eligible to register. Any block registration would need to be based on the accurate information that is needed to ensure that people are entitled to be on the register. I do not think that we have a preference. It would depend on the nature, scale and size of the accommodation.

John McCormick: We are aware that, in Scotland, fewer students than in the UK as a whole are in halls of residence that can have block registration. Therefore we catch only a certain amount of young people through that method. We are looking at a variety of options to get people to register.

Annabel Goldie (West Scotland) (Con): Good morning. Mr McCormick, what is your budget specifically for advertising and disseminating information? Does it include TV advertising?

John McCormick: Yes, it does. Mr O'Neill probably has the figure to hand. We are satisfied from our discussions with officers of the Government that we will have sufficient resources. We have put in an application for the funding that would be required for a multimedia campaign. We estimate the budget to be in excess of the figure that we had for the Scottish Parliament campaign, which was regarded as successful. Andy O'Neill has given me the figure of £1.8 million. We are satisfied that the resources that have been allocated will be adequate. We have given a clear

and detailed budget of what we think we require, and it includes multimedia—radio and television as well as material such as booklets.

Bill Kidd (Glasgow Anniesland) (SNP): I may have missed something that has been mentioned already, but could you tell me about work you may be doing with local authorities with young people in care or similar situations? In your work to raise awareness, are they a group that has been picked up to ensure that they get their opportunity to vote?

Andy O'Neill: We have not done so in Scotland to date, but it is something that we are looking at. When that issue came up in the evidence last week, it made me think about work that we have done with the care commission and the Scottish Human Rights Commission to help people working in care homes to understand how to help people fill in postal votes. We could do further such work if we could provide guidance for young people in care that was fed out via councils and various establishments. That is another example of identifying a problem, coming up with a solution and putting that into action. We may have to work with various partners that we have never worked with before, but we could do that.

John McCormick: We are also aware that not every potential 16 and 17-year-old voter can be targeted via an apprentice scheme through Skills Development Scotland or through education. We are just beginning to think clearly how we might get to people in that age range who are difficult to access and will try to come up with solutions and proposals.

The Convener: Before I move on to Tavish Scott and wider participation issues, I have a specific question about the register of young voters and the form in schedule 2 to the bill. What is your view about that form—is it satisfactory in its present state? Have you had a chance to look at it, and is it suitable for the annual canvass and the rolling registration process?

Andrew Scallan: The form is still subject to user testing. We are awaiting the outcome of that before the form is finalised, but we have no reason to think that the user testing will not be thorough. The form follows the lines that other forms have used and basic information is being asked for. We will comment on the final version when we see it but, at the moment, a good process is being followed to test its usability.

The Convener: Stuart McMillan has a supplementary question, which I will allow before coming to Tavish Scott.

Stuart McMillan: Thank you once again, convener.

Last Friday, I asked a former member of the Scottish Youth Parliament whether it would be useful if the registration forms for 15-year-olds were of a different colour from those for normal household registration. He thought the suggestion worth considering and did not rule it out.

Andrew Scallan: Certainly, that could be considered. It might help in the messaging that we want to put out.

Andy O'Neill: We are not involved in the testing, but I guess that in the testing the forms will be given to the interviewees in the manner in which they would receive them in practice. Presumably, they will receive an envelope with two forms. The testing could try the same colour and different colours to find out what happens.

Stuart McMillan: When I spoke to that individual, I was thinking about the different-coloured ballot papers that have been used in previous elections to the Scottish Parliament. That gave people a clear message when they went to vote. He thought that the idea was worth considering.

John McCormick: That is why we are so supportive of the testing. We are delighted that that has been included in the bill, so that we can all contribute to that.

Tavish Scott (Shetland Islands) (LD): I must say how envious I am of those who have £1.8 million to spend on an election campaign, but there we are. Mr McCormick, the figure that you gave is useful, but are you able to separate out that budget into what will be spent on encouraging young people to register—I take all the points that you made about that—and what will be spent on encouraging participation and involvement, which is the why-you-should-vote bit of it? Has a clear judgment been made on how the money should be spent on those two aspects of your work?

John McCormick: We will have to write to you to give our understanding of the way in which the budget was built up in detail. I do not have the figures on the build-up, but we could write to the convener on that.

Andy O'Neill: That will be difficult to achieve because, to use an analogy, we would need to apportion how much of the leaflet is for registration messages, how much is for how-to-vote messages and how much is for proxy-vote messages. That would be quite difficult to achieve, but we could try to provide some sort of broad figure.

Tavish Scott: That would be fine. Am I right in saying that there are two stages? The first stage is about asking young people to register, helping them through that process and ensuring that they are all registered. The second stage is about encouraging them to go on to vote.

Andy O'Neill: Yes. As usual—sorry, I may not have made this clear—there will be a registration phase and then, as the leaflet is produced and information on all the other activities such as the date comes on stream, we will move towards that. Obviously, if people are not registered, they cannot vote, so we need to emphasise the registration message first.

Tavish Scott: In your earlier answer to James Kelly, you described all the mechanisms that the Electoral Commission plans to use to encourage people to register to vote. What will happen after that? Do you plan to use all those mechanisms again for the second stage of the process?

Andy O'Neill: Obviously, we have not planned everything out in detail, as we assume that we are still 18 months away from the event. Generally, when we are a long way out from the event, we emphasise registration. As we get nearer to the event, we emphasise postal vote deadlines and registration deadlines. In the past, such as in 2011-12, we have then emphasised the date of the vote and how to fill in the ballot paper. You may expect something similar.

Tavish Scott: Mr McCormick talked earlier about the challenge of getting young people between the ages of 18 and 25 to vote in referenda. In the Electoral Commission's experience, what worked and what did not work in the referenda—not the election campaigns—that we have had? I appreciate that we have not had too many referenda, but have any lessons been learned from the few referenda that we have had?

John McCormick: We were particularly gratified by the numbers who used or accessed our Facebook site, our YouTube viral messaging and our website animations. We will look at that again in relation to 16 to 25-year-olds. Broadly, I know that the number who accessed those was much greater than the target that we had set ourselves.

Tavish Scott: Following previous referenda, was analysis done about the percentage of 18 to 25-year-olds who voted? Do we have any breakdown on that?

Andrew Scallan: We cannot check through the registers, so we get those sorts of figures from public opinion research, which we can happily make available to the committee. However, that is reported voting. Obviously, we cannot check the registers in any way.

Tavish Scott: I appreciate that you cannot check the registers but, regarding the analysis that you did after those referenda, did you find some way to correlate the work that you had done that was targeted on that age group and how successful it had been?

09:30

Andrew Scallan: Yes. The questions are: after the event in question, did people vote or did they not, and how did they know about the event—how did they get the message? That is a fairly standard approach regarding access. I cannot remember the details, but we will have that information and we are happy to supply it to the committee.

Tavish Scott: If you could share that with us, that would be great.

Have you given any thought yet as to what is appropriate in schools? I am referring to the second stage—not registration but participation—and schools are obviously a mechanism by which one can ensure that information is provided to people of that age. I also refer to the evidence that the committee received from Tam Baillie, Scotland's Commissioner for Children and Young People, last week.

John McCormick: In general, and as we said at the outset, that falls under the category of working with our partners who are specialists in the area. The Association of Directors of Education in Scotland and School Leaders Scotland have already made statements about what they would expect, with headteachers and local authorities working together to ensure that the situation in schools is managed appropriately, that the information coming in is in the control of the educationists and that the educationists approve the access that is granted to the school.

We have already opened discussions with ADES and we will be working with others to keep ourselves informed as to the issues that arise and as to how we can assist in preparing materials. However, we will do all that work through the educational specialists.

The Convener: I will come back to Annabel Goldie later if she wants to return to canvassing issues, but we will go through some of the issues on participation and turnout first.

Patrick Harvie (Glasgow) (Green): I want to follow up on the two points that Tavish Scott has just been discussing. First, I have a point about evidence and how we know which of the activities that are intended to increase turnout actually work—not just those for increasing awareness but those that are intended to have an effect on whether or not people vote.

I used to work in public health and we had the same difficulty: how do we know whether the activities that we undertake actually have an effect? What happens in terms of public health or behavioural change is affected by a whole host of other factors, which we cannot measure.

Is there any academic evidence on which you can draw from other jurisdictions, particularly on

how to engage with younger voters and on what actually works and what has an effect on increasing turnout? We heard from Jersey and Guernsey, which had very different experiences of engaging with young voters, regarding the turnout levels there—although those are small jurisdictions. Is there any international academic evidence on which you can draw that informs the design of your campaign, based on who knows what works?

John McCormick: I am not sure whether my colleagues are aware of the international evidence, but I am reminded of the health warning around all advertising and communications activity: only 50 per cent of it works, and we do not know which 50 per cent that is.

Furthermore, the Electoral Commission is clear about the fact that every event is different. Every referendum is different. We can take some of the messages from a previous referendum, but unique messaging and unique, bespoke approaches must be devised for this referendum. We are trying to do that, too.

Andrew Scallan: There is international evidence, but it is rare that one experience is simply transferable to another jurisdiction. We work very closely with the electoral commissions of Canada, New Zealand and Australia to examine best practice. Their activity will influence how we design our process, but there is no silver bullet for the issue of turnout. We will do everything that we can to ensure that people understand the options that are available to them to participate, which involves ensuring that they are on the register and that they understand the channels that they have to vote.

Patrick Harvie: Have you thought about engaging, or even recruiting on a voluntary basis, young people themselves to advise you—15, 16 and 17-year-olds who could give you direct advice about what they think will work?

John McCormick: As I said earlier, we are open to working with everybody who can help us. I have been reading the evidence that the committee has gathered—I note in particular Young Scot's access to young people. We are open to working directly with young people, but we will also benefit from the experience and knowledge of those young people who are already working through other agencies. We are looking forward to building on those relationships over the next few months.

Patrick Harvie: Tavish Scott raised the issue of schools, and you talked about ensuring that the activities in schools are appropriately managed—I think that that was the phrase that was used. Have you yet reached a view about what that means in practice?

The vast majority of the young cohort of voters will be in some form of education. That presents us with a huge opportunity, but it will not materialise unless it is exploited properly and appropriately. Young people must be exposed to the arguments in a neutral and managed way, and they must be allowed to express their own point of view.

For example, most people would agree that it would be inappropriate to have the campaign groups campaigning and proselytising in schools. However, is it appropriate for young people who have a view to wear the badges and the T-shirts and give their friends leaflets? Have you reached a view about what level of activity will fall within the term “appropriately managed”?

John McCormick: No. It might be inappropriate for us to do so. We will work with educationists; the local authorities, which are responsible for delivering the education service in the schools; the headteachers, who are responsible to the local authorities; and the education advisers that they have around them from Education Scotland, the Association of Directors of Education in Scotland and the unions and specialist associations. Those are the people who should make those judgments; we will be happy to advise them on issues relating to the referendum, where we think that we have expertise to give them.

Rob Gibson (Caithness, Sutherland and Ross) (SNP): I want to ask about the issue of the languages that you use to spread your message. You have spoken about the bespoke nature of the referendum. Will that change the languages that you use in your literature?

Andy O'Neill: The short answer is yes. For all of our awareness-raising campaigns, we employ a public relations agency. In this case, we will also have a social media PR agency advising us. If young people come up with ideas and give them to us, we will take them on board and think about them. Obviously, we are prepared to work with anyone who has a good idea. We test all of our ideas on the whole of Scottish society and, in this case, we will test the things that we want to do with 15 to 17-year-olds with that age group. I guess that the language will change and will be suited to that age group.

Rob Gibson: I assume that Scotland's other official language, Gaelic, will be included in your materials, as well as other minority ethnic languages.

Andy O'Neill: Yes. We have used all those languages in the past, and I imagine that we will use them in the future.

Annabel Goldie: Section 7(2)(c) of the bill specifically provides for non-disclosure of a young person's address, but the canvass form in

schedule 2 makes no reaffirmation of the facility of non-disclosure of the address. Will the commission specifically consider that issue in its testing of the form?

Andrew Scallan: The commission is not testing the form—the Scottish Government is doing that. However, when we see the form again, we will have regard to that issue.

Annabelle Ewing (Mid Scotland and Fife) (SNP): This week, the Westminster Scottish Affairs Committee discussed the reservation entitlement of service personnel. My understanding is that, dating back to the Representation of the People Act 1983, service personnel have certain options about where they register to vote and can register either as an ordinary voter—an overseas voter, potentially—or as a service voter.

The written evidence that was provided in the advice to the Scottish Affairs Committee by the Ministry of Defence says:

“A Service voter can register an address where they currently reside in the UK, an address where they would be living if they were not in the Services or an address where they have lived in the past. In the latter case this could be a parent’s address, or a previous private or Service residence.”

During the section 30 order debate in the House of Lords on 16 January 2013, the Advocate General, Lord Wallace of Tankerness, said:

“Members of the armed forces will be able to vote in the referendum if they are on the register in Scotland either as a result of an address in Scotland or a qualifying address showing a connection to Scotland, such as service accommodation in Scotland; an address in Scotland where they would be living if they were not in the services; or an address in Scotland where they have lived in the past.”—*[Official Report, House of Lords, 16 January 2013; Vol 742, c 754.]*

The options available seem fairly comprehensive, and I seek your comments on the issue.

Andrew Scallan: The range of options for service personnel is comprehensive but it depends precisely on where a person is at a certain time. That range of options is not available to all service personnel all of the time. You are right that service personnel have the choice of being registered as an ordinary voter. There is also potential for a member of the services to be an overseas voter, although when the MOD gave evidence to the Scottish Affairs Committee it said that less than 1 per cent of service personnel are registered as overseas voters.

Service personnel can also be registered through a service declaration. On the service declaration, the person is asked where they had residence when they completed the declaration. That could be an address where they are based in

England or it may still be an address in Scotland if they are able to establish residence in Scotland. Service personnel will have a choice if they are able to establish residence.

The basic premise of establishing residence applies wherever a person is based in the UK. There are slightly different rules for those who are based outside the UK and it is in that situation that a person can elect to go back to an address in Scotland, even if they cannot prove residence. It is a fairly complicated issue.

Annabelle Ewing: I am not sure that your answer contradicts what I have quoted from the MOD and the Advocate General. From my previous life as a lawyer it seems quite clear that there are many options available if a member of the services seeks to register to vote in the independence referendum. The definition is fairly wide, and they would have the facility to register should they wish to.

Andrew Scallan: The definition can be wide, but it will depend on the circumstances of each individual registration application and it will be for the electoral registration officer to make a determination based on the information provided by the service personnel.

John McCormick: We work with the MOD on those matters and we co-operate to provide information relating to the registration options, the date of the referendum and so on, as you would expect.

Andrew Scallan: There is a campaign under way in the forces, and the MOD has unit registration officers whom we will work with over the coming period to ensure that people properly understand the nature of their registrations. Many people think that the service declaration, which lasts for five years, is a fixed declaration. That declaration can be altered and a new declaration made. If a person wants to make an assessment about their circumstances, they can change the nature of their service declaration with no issue whatsoever, as long as they are able to demonstrate that link to residence.

The Convener: I want to raise some general issues. You submitted considered opinion in relation to the Government’s initial consultation document, and we now have the bill in its current state. Are you satisfied that the Government considered enough of the concerns that the Electoral Commission raised, or are there remaining concerns that you want to draw to our attention?

John McCormick: Our headline issue was to ensure that the bill was drafted in such a way as to include all 16 and 17-year-olds. That was one of our key aims and, as I said at the outset of the session, we are satisfied that the bill has achieved

that. There are one or two other issues that we have raised with the Government and a number of technical issues that we hope to progress as the bill passes through the parliamentary process.

The Convener: But the discussions that you are having with the Government are generally positive.

Andy O'Neill: Yes. We made a number of technical comments in January this year on the franchise bill as it was then drafted. It has now been split, and some of the sections in relation to registration and access, supply and use of the register are now in the main referendum bill, which we do not yet have. We assume that our comments on those sections have been taken up but, until that bill is published, we will not know.

09:45

The only comment that we can make relates to paragraph 18 of the policy memorandum to the franchise bill, which talks about who will get access to the merged register—that will be the chief counting officer, the counting officer, us, the lead designated organisations and printers, and suchlike. One of our principles is that there should be no barriers to campaigning. We note that, if what is in the memorandum is carried through into the main referendum bill, other campaigners that are not the lead campaigners—which are the yes and no campaigns—might not have access to all the details of people who can vote in the referendum. We would be interested in, and the committee will want to know, the reason for deciding to draft the bill in that way, if it is drafted in that way.

Another technical matter that might come up is that the access arrangements for the lead designated organisations might mean that they get access to the merged register only some 10 weeks before the referendum date. In other circumstances, parties often tell us that, if a register is changed quite close to an electoral event, it is difficult for them to upload the details to their software systems. Parties normally tell us that six weeks or so are needed to achieve all that. We could finish up with the lead campaigners having only a small window in which to update their software systems. We might suggest that the committee could ask the Scottish Government whether it has thought about that and whether it has sought the views of parties and the nascent lead campaigners on that point.

The Convener: That is more to do with the next bill that is coming up.

Andy O'Neill: Yes. We take the position from the policy memorandum, but the provisions will be in the next bill.

The Convener: Are there any outstanding technical issues with the franchise bill that we need to consider?

Andy O'Neill: No.

The Convener: Does anyone else have questions? Thank you, gentlemen, for coming along this morning and giving evidence—*[Interruption.]* I apologise to Annabel Goldie—I forgot that I was going to come back to her. The witnesses are not off the hook yet.

Annabel Goldie: I have a simple question. The bill is repealed on 1 January 2015. Do you expect the young voters register to be destroyed thereafter?

Andrew Scallan: Data protection rules require organisations not to have information that they no longer need. The purpose would clearly have expired, so the information would not be held.

There is one challenge in that EROs will have information about people who will become 17 during the life of the register. There is something about having information that would be useful. When the committee speaks to EROs later, they might well say that they have worked through the issue, but there is something about them knowing that there is a cohort of people who could in theory be moved on to the main register because of their age. There is potentially a dilemma in there being information that could help in compiling the normal register but the law saying that the information is no longer needed after the referendum.

Annabel Goldie: The *raison d'être* for the information will be gone on 1 January 2015.

Andrew Scallan: Yes, but my point is that there will be information on the young persons register that would help EROs in compiling future registers. If all that information disappears, the work will be generated again.

John McCormick: That is a matter of the 17-year-olds who would be attainers on the register for the election that follows the referendum.

Annabel Goldie: They would be picked up in the routine process.

Andrew Scallan: They should be picked up in the routine process, but the evidence on the register is hard evidence of someone's date of birth. The hope is that everyone will be picked up in the routine process, but there is a risk that that will not happen.

Annabel Goldie: That is not the crisp, succinct and precise answer that I was looking for.

Andrew Scallan: As I said, the information should be destroyed because it will no longer be required for the purposes of the referendum, but it

will include good information that would help EROs to compile their registers in the future.

Annabel Goldie: Your appendix is in or out.

Linda Fabiani: Just for clarification, who makes that decision?

Andy O'Neill: We would expect that to be covered in the other bill.

Linda Fabiani: Right—I must have missed what you said.

John McCormick: We would expect the register to be destroyed.

Linda Fabiani: But you will not know until the referendum bill is published.

John McCormick: We would expect that to be covered in the other bill and we expect the register to be destroyed. There is a caveat that electoral registration officers might raise with you about having access to hard information for the general register.

Annabel Goldie: But you expect it to be destroyed?

John McCormick: Yes.

Patricia Ferguson: This might be a question for the electoral registration officers, so forgive me if it is. Will there be sufficient time while the young persons register is extant for an assessment to be done of how many young people who are registered actually vote?

John McCormick: It is not a question of timing, as there will be no marked register that shows the way in which 16 and 17-year-olds vote. For obvious reasons, they will not be specified, so there will be no way of knowing that.

Patricia Ferguson: So there is no way of knowing. That was my thought.

Andy O'Neill: There was provision in the earlier consultation draft of the bill to give marks that would allow someone to total up the figures to see how many ballot papers had been issued to 16 and 17-year-olds, but our understanding is that that is not in the current bill.

The Convener: I think that, this time, I am correct in assuming that no one else wishes to ask a question, so I thank our witnesses for their evidence.

09:51

Meeting suspended.

10:00

On resuming—

The Convener: We move on to our second panel on the Scottish Independence Referendum (Franchise) Bill. I welcome Mary Pitcaithly, convener of the Electoral Management Board for Scotland; Chris Highcock, the board secretary; Brian Byrne, chair of the Scottish Assessors Association's electoral registration committee; Kate Crawford, chair of the Scotland and Northern Ireland branch of the Association of Electoral Administrators; and Bruce Robertson OBE, education policy adviser with the Association of Directors of Education in Scotland. We really must get shorter titles in Scotland. I extend a warm welcome to you—we are grateful to you for coming to give evidence.

Mary Pitcaithly wants to make a quick statement before we start our questioning.

Mary Pitcaithly (Electoral Management Board for Scotland): Members might appreciate a brief reminder of the status of the Electoral Management Board. As I am sure that you are all aware, the EMB was created by the Local Electoral Administration (Scotland) Act 2011, which gave the board the general function of co-ordinating the administration of local government elections in Scotland.

The EMB consists of returning officers, depute returning officers and electoral registration officers. As convener, I was appointed by ministers. The board is grateful for the specialist advice that we receive from professional election expert organisations, the Scottish and UK Governments and the Electoral Commission. As convener, I have a power of direction over returning officers and EROs to promote best practice in the administration of elections and to support the electoral community. The focus of our activity is to ensure that the interests of the voter are at the centre of all decision making in relation to electoral administration.

Like everybody else, we are awaiting the publication of the referendum bill but, on the basis of the Edinburgh agreement, we anticipate that the convener of the EMB will be appointed as the chief counting officer for the referendum and will therefore have responsibility for ensuring the proper and effective conduct of that referendum, including the conduct of the poll and the counting of votes. That will include collating a national result and directing local counting officers. Key tasks will relate to guidance, performance management, the process of the count and stakeholder engagement.

For us, having informed stakeholders who have confidence in us is critical. Therefore, our aim for the two electoral events in 2014—the European

elections in May or June, which we keep forgetting about, and the referendum in October or November—is for them to be well run and well administered and to produce results that are accepted, by which I mean accurate and correct, and for there to be no barriers to voters taking part in either of the events.

The Convener: If none of the other witnesses wants to make an opening statement, we will move to questions.

Linda Fabiani: I want to cover an issue that did not come up with our previous panel, but on which we have taken advice and opinion from all our other panels. I would appreciate all our witnesses' views on how the issue of child protection in relation to 16 and 17-year-olds has been approached and whether they are confident that relevant issues have been taken into account.

Mary Pitcaithly: I might defer to Brian Byrne on that question, but I will start by saying that it is a matter for Government to be clear on issues relating to data protection and child protection. We are entering new territory, and I am sure that a lot of advice is available to ministers and parliamentarians on those issues. Most returning officers are also local government chief executives, so we obviously have those matters very close to our hearts.

Brian Byrne (Scottish Assessors Association): A few things in the bill are aimed at child protection, such as the provision on not publishing the young persons register until very late in the process and the right for young people to disguise their address. There are some issues with that provision, but they could be worked out. The ideas are good: we should not be able to give out information on a young person either for credit reference or to anybody buying the register. The register will be used only for the referendum and will be available only very close to it. Everyone on the published register will be 16 within a few weeks of publication, so that reduces the likelihood of any issues arising.

Kate Crawford (Association of Electoral Administrators): As EROs, we are used to handling sensitive or possibly sensitive material. We do that just now with, for example, personal identifiers for postal vote applications, so we are used to handling material that needs to be dealt with carefully. Anonymous registration falls within our remit as well. We have safeguards in place.

Bruce Robertson (Association of Directors of Education in Scotland): The issue of child protection is paramount across education and children's services. We want absolute clarity on the use of the data once it is sourced and we want to ensure that that data is used for the purpose for which it is required. Certainly, we want to ensure

the child protection dimension and that abuse of the data just does not happen.

Linda Fabiani poses an interesting question and raises an important issue. Normally one thinks of child protection in other dimensions, but this is a good example of an area where it must be taken into consideration. Indeed, headteachers, teachers, parents and carers would want those assurances.

Linda Fabiani: We have heard from Scotland's Commissioner for Children and Young People and others in the field that they felt that their views had been taken on board and reflected. It would seem that people in the field are generally satisfied with what has been achieved. However, as Bruce Robertson says, we should always be vigilant.

The Convener: That is probably an inevitable conclusion. I will bring in Annabel Goldie on that point.

Annabel Goldie: With the repeal of the bill—or the act, as it will become—on 1 January 2015, do you agree that the register of young voters should be destroyed?

Brian Byrne: I will try to follow on from what Andrew Scallan said. The register is good information. Generally, such information should certainly be destroyed if there is no other use for it. However, everyone on the register will be over 16 by then and it would be good information to use for individual registration, to avoid having to send all the people on it an application form to join the full register. Entries could be individually checked against information from the Department for Work and Pensions.

I have suggested to the Cabinet Office that if we could use the young person's register as a good, robust source of information about voters to test against the DWP's information, that would remove the need to write to each person individually. However, if child protection issues—even for 16-year-olds—were so great that we could not do that, we would have to issue an application form to everyone.

Annabel Goldie: Would you need some further legislative protection to let you retain the register?

Brian Byrne: Yes, we would need legislation to allow us to do that. The point is that, having got the young people to join in the process, we would be asking them to do so again, rather than automatically continuing their registration.

The Convener: Given Bruce Robertson's particular role, as opposed to that of the EROs, I ask him for his view.

Bruce Robertson: I would like to think that the most important legacy of this is that young people in Scotland will become politically literate and will

understand the issues, and that they will take that forward as active citizens in Scotland.

As far as data protection and its legal surrounds are concerned, we would take advice from our lawyers and comply with that. With respect to the convener's question, what I feel about that personally or professionally is, in a sense, irrelevant. The legal issue is what is important. I think that that is the line that educationists would take. We must ensure that when we work in our schools and, beyond them, in colleges and other institutions, we work within the law. We would comply with that.

I think that the most important legacy relates to citizenship.

Patricia Ferguson: I have a question on that point for Mr Byrne or Ms Pitcaithly. Will there be a difference in age—or in relation to any other relevant factors—between a 16-year-old who has been on the referendum register and a 16-year-old who is identified as an attainer on a normal register?

Brian Byrne: The referendum will be held in the autumn of 2014, so after the autumn we would begin to think about the next canvass. We would be trying to capture the same people about whom we already had details. It seems bureaucratic to ask them for the same information that they have already given us.

Mary Pitcaithly: We will just have to work within whatever the legislation says in that respect. I recognise the potential benefits, but there are potential issues as well.

The Convener: We seem to have exhausted that area, so we will move on to issues of voter registration in general, which James Kelly will ask about.

James Kelly: Good morning. You will be aware that an issue that has come up in previous evidence sessions is the UK legislation to introduce individual, as opposed to household, registration. Do you have a view on whether it would be better to delay the introduction of individual registration and to use household registration for the referendum?

Brian Byrne: That depends on the date of the referendum. If a fairly early date is set, we would suggest to the Cabinet Office that we should delay the introduction of individual registration until after the referendum. If a fairly late date is set, we would want to go early with individual registration—immediately after the European elections. If the date is somewhere in the middle—in October 2014, say—that would cause slight problems, because it is arguable that there would not be a full amount of time in relation to the referendum, so some things might have to cross

over or electors would get information on two different processes at the same time. However, we would try to keep that to a minimum.

James Kelly: We will know the date in a few hours' time, but let us assume that the date is in October 2014. What would be your preferred approach as regards registration?

Brian Byrne: I would prefer us to start the individual registration process on 1 November.

James Kelly: So, if the date of the referendum is October 2014, you would prefer it if individual registration were delayed until after that.

Brian Byrne: Yes.

James Kelly: To get 16 and 17-year-olds registered, you will use the annual canvass. Will you use any other techniques to identify 16 and 17-year-old potential voters?

Brian Byrne: We should be able to get information from education departments. We do that at the moment for attainers, and we hope that we would be able to extend that. The bill mentions that the same rules would apply. That would mean that we would be able to pre-populate the canvass forms, which the bill seems to encourage. We would have the information on where the 16-year-olds lived and who they were; we would just need them—or someone in the household—to confirm that that was still the case. That would get them on the young persons register. If we did not get confirmation, we would follow up if we thought that a young person was living there. Ultimately, if a person did not engage, we would remove their name from our database and they would not be registered.

James Kelly: Would that cover 15-year-olds who would be 16 at the time of the referendum?

Brian Byrne: Yes.

James Kelly: Is it the case that there are no legal obstacles to that?

Brian Byrne: I do not see a legal obstacle. There does not seem to be a legal difference between 14-year-olds and 15-year-olds, but I understand that trying to capture 14-year-olds would extend the child protection issues. That would need to happen only if the canvass were more than a year before the referendum date. Therefore, it is quite important to know the referendum date to be able to work that out. We imagine that we would be looking for 15-year-olds and 16-year-olds for the register.

James Kelly: When it comes to the organisation of the poll, as well as getting as many 16 and 17-year-olds as possible registered, we want to get them to vote and to enjoy the voter experience. What do you think needs to be done to ensure that polling place arrangements are

smooth for 16 and 17-year-olds who are voting for the first time? In addition, many members of the general population will probably vote for the first time in the referendum.

10:15

Mary Pitcaithly: It is important that all voters are able to vote if they wish to do so. We would want all voters, from 16 to 106, who have registered and who turn up at the polling place on the day—having decided not to use proxy votes or postal voting—to be able to vote. We try as far as possible to remove potential barriers. We have been discussing with the Local Government and Regeneration Committee the issue of access to polling stations, the language that is used and so on. Those are all issues that we have to consider constantly.

Whether extra or different messages are needed for 16 and 17-year-olds has yet to be considered. From my point of view, once they are on the register they are potential voters and we should try to make it as easy as possible for them to cast their vote. That could involve issues to do with physical access to polling places or the use of signage and information officers in the polling station, which we have used in previous elections. We could do a range of things together to make it as easy as possible for people to enjoy the voter experience.

Chris Highcock (Electoral Management Board for Scotland): Local authorities work closely with the Electoral Commission on the public awareness exercises that it explained in its evidence earlier. Local authorities are focused on ensuring that as many people as possible are aware of the electoral event, what they need to do to take part and how to take part. We will continue that throughout local authorities in Scotland.

Our other concern would be consistency nationally to ensure that the voter has the same experience wherever they are in the country and whatever age group or sector of the population they are drawn from.

James Kelly: Bearing in mind that the number of people who will participate in the referendum is likely to be higher than in a normal election, has any assessment been made of the need to extend polling stations and polling places within polling stations?

Mary Pitcaithly: Yes. My colleagues throughout the country are looking at those issues. Do we need more polling places? Should we have more staff in them so that we avoid any possibility of queuing, particularly at the close of poll? I know that members are interested in that issue. Should we have more staff involved at peak periods?

It may be that the chief counting officer will decide to direct counting officers locally as to the appropriate number of voters entering any particular polling place. That was done in the alternative vote referendum. There was clear guidance that polling places should not have more than a certain number of electors.

The Convener: I want to bore down into an issue that James Kelly rightly raised with you, regarding 14-year-olds. The canvass form that will go out—which is in schedule 2—refers only to 15-year-olds at this stage. It depends on the date of the referendum, but you expect that that might need to be adjusted. I think that that is really what you are saying.

Brian Byrne: Yes. If canvassing happened more than a year before the referendum day, very few 14-year-olds would be asked to complete the form. However, we have had discussions with Scottish Government officials about the practicalities. There may be ways round that so that we do not need to capture the 14-year-olds while they are 14; we can wait until they are 15.

The Convener: If we find out this afternoon that the referendum is before 1 November, there should not be an issue. Have I got that right?

Brian Byrne: Pretty well, yes.

Tavish Scott: “If,” convener?

The Convener: I assure you that I do not know anything. [*Laughter.*] I have tried very hard to find out but I know nothing.

I will move on quickly to Patrick Harvie.

Patrick Harvie: I am happy to give you cover any time, convener.

My question is on how the registration process feels for young people, and the information that is communicated about what registration actually means.

If I was 15 or 16 and looking to register as a voter for the first time, everybody would be telling me that it is really important to register and to vote. I might fill in the form or whatever and get registered, but then I might find out for myself, without anyone explaining the reason, that I will not get a vote in May or June, that I will get a vote four months later, and that I will not get a vote six months after that. That could be pretty dispiriting, and disillusionment could set in. How will the registration process explain that that is the case, and why it is the case?

Kate Crawford: I work for Renfrewshire Valuation Joint Board—I am deputy ERO there—and for some years now we have been running schemes in partnership with our local secondary schools. We aim to speak to every sixth year pupil where the headteacher has given us permission to

go into the school. We run a workshop called “Democracy Cookbook”, which is based on some really good resources that the Electoral Commission issued some years ago. We explain the voting process, we ask the participants to build a politician—

Linda Fabiani: I hope you did not bring any samples.

Kate Crawford: I could have done, but you might not have liked some of them. [*Laughter.*]

We also hold a mock election. Basically, we try to get the young people to engage and consider what politics means to them, what they expect from politicians and what the top three qualities are that they would like to see in a politician. They then have a budget to spend on a local project, and at the end of the process they stand up and do a party-political broadcast and the team that wins gets a wonderful prize.

Patrick Harvie: It gets to run the country.

Kate Crawford: Absolutely. [*Laughter.*]

Interestingly, when we have gone through that process, about 83 per cent of the students register afterwards. There is an evaluation form at the end of which we ask, “Are you more likely to use your vote because of this?” and the proportion who say yes sits at about 70 per cent. Some of the reasons for not voting that young people give us in their comments are that they do not feel engaged, that they do not feel that politicians address youth issues or engage with young people in general, and that politics and politicians are beyond their remit.

When we ask them how they would encourage people to vote, they say that elections should be made more exciting and that it should be possible to vote online. They do not understand why they cannot vote on their phones, which they think is an obvious thing to do. They have also said that there should be more workshops like the one that we run, because more education is needed, although I know that there are people around the country who do similar things.

In the past few months, we have tried to explain to them that, as Patrick Harvie said, they will be voting this time, but not next time. There is confusion about that, but we are trying to get that message over to them. We tell them that the referendum is possibly a one-off but that it is something that they should be aware of. They are not happy about being given the franchise for one thing but not for the other. They do not understand why that is happening. It is a huge education problem—it is not necessarily a problem for the education authorities, but it is important for everyone to engage to ensure that young people understand what is being taken on. The Electoral

Commission is usually very good at providing resources to help to get that message over.

Bruce Robertson: There are some examples of excellent practice across the country. We must ensure that the key agencies work in a co-ordinated fashion so that what happens in Renfrewshire also happens elsewhere. We would like to assure the committee that we will be doing that work, and that no matter where youngsters are—or indeed, given Rob Gibson’s earlier question, what their native language is—they will be able to access the information.

There are two dimensions. The first is to ensure that we encourage all 16 and 17-year-olds to place themselves in a position where they can discharge their legal rights as citizens. That involves working with our EROs and the Electoral Commission to ensure that young people understand the process.

The second dimension is about encouraging young people to engage in the debate. I use the phrase “political literacy”. Young people need to understand the issues so that they can make a fair, balanced judgment about them.

It should make no difference whether a young person lives in Helensburgh or Helmsdale. National agencies, working with the likes of Education Scotland, need to ensure that educators—I chose the word carefully, because I am talking about not just teachers but people who work with young people in youth groups and so on—work to the same set of standards and approaches, so that there are no mixed messages. We co-ordinate our approach, using best practice.

Patrick Harvie: Does that imply that we will not face the situation that Kate Crawford described, in which there is good activity only in schools where the headteacher chooses to let people in? Will it be clear to all schools what is expected of them?

Bruce Robertson: Yes. Clear guidance will be given. I have a meeting with directors of education on Monday and the issue is on our agenda. We need to establish clear guidance, so that young people, parents, carers and educators understand the rules of engagement. It should not be left to the whim of an individual.

Patrick Harvie: Will the guidance be publicly available and consulted on?

Bruce Robertson: Yes.

The Convener: Several members have supplementary questions.

Rob Gibson: I want to tease out what Bruce Robertson said about it not mattering whether someone lives in Helensburgh or Helmsdale. How can directors of education ensure that every school provides balanced materials to promote

informed discussion about the referendum in personal and social education and modern studies classes?

Bruce Robertson: I do not want to get into the technicalities of the curriculum. Not every school offers modern studies, so we need to ensure that there are opportunities in every secondary school's curriculum. That is where work in collaboration across the 32 education authorities and with School Leaders Scotland, which is the association of secondary headteachers, will enable people clearly to understand what is happening. That is what we all aspire to. We cannot have a situation in which a set of children in Helensburgh has an opportunity to engage that is very different from the opportunity that children in Helmsdale get.

Mary Pitcaithly: Wearing my chief executive's hat for a minute, I can reassure members that the issue is of concern to council chief executives, too. If there is guidance that has been consulted on, we will expect schools to use the material that is made available, so that there is awareness of what is being said. We will support our director of education colleagues in taking that forward.

Stuart McMillan: Uptake of 83 per cent among sixth years is exceptional. Could the activity that Kate Crawford described take place with fourth years, too, given that they are compelled to be in school? Beyond the referendum, could work be rolled out with young people from first year?

Kate Crawford: In our case, the reason why we do not do the work with children further down the school is simply a resourcing issue, given the number of schools in the joint valuation board area. We can manage the secondary schools and the sixth year pupils, but our aim would be to roll out the work further. From this year, we are extending the work to younger pupils who will be of the age to vote in the referendum. The resourcing of the work is the biggest issue.

Work is needed with all pupils, not just those who take modern studies. My children all studied modern studies, and they were aware of the voting system and their rights and responsibilities, but I have always said to headteachers that that work is not just for modern studies pupils. I have asked whether we can hijack the PSE period and use it to get the message out to as many pupils as possible.

10:30

Stuart McMillan: The referendum next year will be a huge event, irrespective of which way people vote and of our thoughts or opinions. Younger people are now engaged just as much as people aged 18-plus. There is a huge opportunity and it would be a shame for younger people not to take

full advantage of it. The Parliament is good at engaging with schools, whether through MSPs going out to schools or through schools coming to the Parliament. We all appreciate that engagement, as do schools, which try to work with the Parliament to improve things.

Kate Crawford: Absolutely.

Annabel Goldie: Our panel of young witnesses last week accepted that, in the dissemination of information, a balance must be struck between providing information and not distracting pupils from essential activity within schools at what may be a critical period—for example, during examinations. How do you get that balance right?

Bruce Robertson: It is interesting that they said that to you. In the development of this journey, it is important that we continue to ask young people for their views on key issues. It is important that a disproportionate amount of time is not given over to this activity because most of the young people who will be involved in it will be in the senior phase of curriculum for excellence and studying for national qualifications. However, within the senior phase there are parts of the curriculum and parts of the pupil week where pupils are not focused solely on qualifications. It is in the PSE classes that have just been mentioned that the activity would take place, although there would be spin-offs from that into the more formal aspects of the curriculum and some of the qualifications. That is the happy balance that we need to strike. I want to leave you feeling confident that we will not tilt the balance, as that would be unfair on the young folk.

Annabel Goldie: Thank you very much.

Annabelle Ewing: Good morning and thank you for coming.

At our evidence session last week, we heard from former members of the Scottish Youth Parliament and representatives of Young Scot and the National Union of Students, who were all very keen for their respective organisations to be involved in helping with awareness raising. What role do you foresee for them? They are very willing to get involved, and that would help to deal with the issue that Kate Crawford raised about engaging with young people in a way that is of interest to them. Such engagement is easiest when it is led by young people themselves. What are your thoughts on that?

Mary Pitcaithly: I refer back to what John McCormick said about our communications network, which works very well with the communications team at the Electoral Commission but could have a role beyond that in talking to representative groups of young people about what they would find useful and valuable. When I get back to my office I will speak to my communications manager—who is an active

member of that network, as the communications staff in Edinburgh will be—to see whether they can contact the witnesses to whom you spoke last week and take forward some innovative thinking around that area. It is an interesting question. As was said in the previous evidence session, we are having to do things differently for a different generation but the overall message is that we need to reach out to all voters.

Bruce Robertson: There is a unique opportunity for YouthLink Scotland, which is an umbrella body, to play an important co-ordinating role. For me, that will be crucial. Obviously, the Scottish Youth Parliament, Highland youth voice and so on will be desperate to engage with the process. I think that managing that engagement might be the issue.

Annabelle Ewing: Thank you.

The Convener: That is a very positive perspective—I like that.

Obviously, you were involved in the Government's initial consultation. Is there anything in the bill to which you want to draw attention and about which it might be useful for us to hear?

Brian Byrne: I think that the bill states that no application may be made before 1 December, which could be quite a serious limitation.

The Convener: Tell me a bit more about that—explain to the committee what you mean.

Brian Byrne: The bill states that

“no application for registration in the register of young voters may be made before 1 December”.

We are discussing how that would work, but as we are likely to want to start canvassing on 1 October, that leaves a bit of a gap, which is an issue. I am sure that it can be resolved, but there is a gap—I think that the original idea was that individual registration would not start until 1 December.

The Convener: I understand. That is a good point and is very helpful.

Thank you all for coming along to the Scottish Parliament and giving us your evidence, for which I am very grateful. I will bash on to the next item on the agenda while you folks make your way from the table.

Work Programme

10:36

The Convener: Under agenda item 2, the committee is asked to agree its approach to consideration of the proposed Scottish independence referendum bill. If members have seen their emails this morning, they will know that the bill is due to be introduced some time today.

I invite the committee to comment on the call for evidence as set out in annex A of paper 1. The list of issues on which evidence is invited is at the bottom of page 5 and the top of page 6 of the paper. The proposed deadline for submissions is 6 June. If there are no comments on annex A, I will assume that the committee accepts the recommendations.

I also invite the committee to consider the issue of witnesses. Paper 1 explains that it will be possible to accommodate eight panels of witnesses during our meetings in May and that one or two more panels could be included if needed. The timetable is set out in annex B. Are members content with what is laid out there? Obviously, there will be a bit of work for the clerks to do. We do not need to agree the final timetable today, but if members are happy with the general approach, we can ask the clerks to work up something a bit more definitive. Is that agreed?

Members indicated agreement.

The Convener: Does the committee agree to permit me to approve witness expenses?

Members indicated agreement.

Meeting closed at 10:38.

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