



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# REFERENDUM (SCOTLAND) BILL COMMITTEE

Thursday 14 March 2013

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**REFERENDUM (SCOTLAND) BILL COMMITTEE**

**6<sup>th</sup> 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:**

Tam Baillie (Scotland's Commissioner for Children and Young People)

Andrew Deans (Scottish Youth Parliament)

Ken Macdonald (Information Commissioner's Office)

David McNeill (Young Scot)

Robin Parker (National Union of Students Scotland)

Emily Shaw (Scottish Youth Parliament)

**CLERK TO THE COMMITTEE**

Andrew Mylne

**LOCATION**

Committee Room 1



**Scottish Parliament**  
**Referendum (Scotland) Bill**  
**Committee**

*Thursday 14 March 2013*

[The Convener *opened the meeting at 09:31*]

**Scottish Independence**  
**Referendum (Franchise) Bill:**  
**Witness Expenses**

**The Convener (Bruce Crawford):** Good morning, folks, and welcome to the Referendum (Scotland) Bill Committee's sixth meeting in 2013. Item 1 concerns witness expenses. Are my committee colleagues content for me to be responsible for arranging for the Scottish Parliamentary Corporate Body to pay any expenses under the appropriate rule?

**Members** *indicated agreement.*

**Scottish Independence**  
**Referendum (Franchise) Bill:**  
**Stage 1**

09:31

**The Convener:** With that small matter out of the way, I warmly welcome our witnesses. It is great to see you here and we are grateful to you for coming along to give evidence on the Scottish Independence Referendum (Franchise) Bill, which is before the Scottish Parliament.

I welcome Andrew Deans and Emily Shaw, who are members of the Scottish Youth Parliament; Robin Parker, who is the president of the National Union of Students Scotland; and David McNeill, who is the entitlements and rewards director—that sounds like a great job—at Young Scot. I understand that no one wants to make an opening statement. That is grand; we will bash on.

I will start proceedings by asking a general question about the bill's principles. We need to put on the record evidence about what people think of the bill's principles and of extending the franchise for the referendum to 16 and 17-year-olds. Does anyone want to kick off on that? Robin Parker looks pretty keen.

**Robin Parker (National Union of Students Scotland):** I am happy to start. NUS Scotland, alongside the NUS in the United Kingdom, has for a long time supported the principle of votes at 16. It is extremely positive that the Scottish Government and the Westminster Government have agreed that we can extend the franchise for the referendum. Young people will have to deal with the consequences of the referendum, whichever way it goes, for the longest time, so we have the biggest stake in the decision. The opportunity for young people to be involved is therefore positive.

**Emily Shaw (Scottish Youth Parliament):** The Scottish Youth Parliament has campaigned for votes at 16 for more than a decade. We are really in favour of that. It is fantastic to see the principle being taken forward in the bill.

Sixteen and 17-year-olds can be just as informed as over-18s are, and it is important that they have a voice, so we welcome the bill. Our 2009 national campaign was on votes at 16, and we are a member of the steering group of the votes at 16 coalition. We have been involved in the subject for quite a long time.

**David McNeill (Young Scot):** I echo those comments. Young Scot welcomes the bill and the opportunity for young people who are aged 16 and 17 to vote.

**The Convener:** Was the Youth Parliament's position unanimous? Was the issue discussed? What was the lie of the land?

**Andrew Deans (Scottish Youth Parliament):** Both times that the issue was selected for a national campaign—in 2009 and 2011—it was MSYPs who chose it. The subject also features in our “Change the Picture” manifesto, which resulted from a big consultation with young people. We got 42,804 consultation responses from young people, who told us that voting at 16 was one of their key issues and that they very much supported that. I think that the principle has young people's backing.

**Tavish Scott (Shetland Islands) (LD):** What do our young MSPs of the future envisage for participation? Will the Scottish Youth Parliament's role in the next year or so be to encourage participation? If so, how will it do that?

**Emily Shaw:** Most important for us is that everybody needs to get behind encouraging 16 and 17-year-olds to vote, and I expect that several different groups and organisations will encourage them to do that. The Scottish Youth Parliament would love to be as involved as possible. We have a couple of propositions about how the wording of any information that goes out can be made youth friendly. We would love to see those considered.

**Andrew Deans:** Awareness raising is definitely necessary. I am sure that that will be fairly high on the agenda for young people and the rest of society when we get near the referendum. It is necessary to ensure that impartial information goes out to young people about the fact that they have the right to vote and about how they can register and vote. We have a role to play in that, as do the other bodies here. The campaigns and the Scottish Government have a role in ensuring that clear, accessible and plain English information goes out to young people and in raising their awareness of their right to participate in the referendum and how they can do that.

**Tavish Scott:** Have the Electoral Commission and the other bodies that are there to encourage the whole principle of participation asked the Youth Parliament or, indeed, the NUS and Young Scot to help with that? Perhaps it is too early for that.

**Robin Parker:** We have certainly been in discussion with the Electoral Commission. We are agreed that we will carry on talking to each other. The idea of a well-resourced registration and information campaign is crucial. There is a lot of work for us all to do across the board but particularly with young people between now and the referendum to provide impartial and independent information and ensure that we take

16 and 17-year-olds in particular through the registration process.

**Stuart McMillan (West Scotland) (SNP):** I want to go back a step. The question has been posed about the support for voting at 16. Was there much debate or campaigning against voting at 16 and 17 in the individual organisations that you represent?

**Robin Parker:** There has been a series of debates at conferences both in Scotland and elsewhere in the UK about the vote for 16-year-olds. Some people are against it, but the overwhelming majority in all stages have been in favour of it. It is very positive that the NUS at UK level and the rest of the votes at 16 coalition and organisations such as the British Youth Council played a strong role in the run-up to the Westminster Parliament's vote on votes at 16. We welcome the fact that the Westminster Parliament voted in favour of the principle of votes at 16. Anything that any of the members can do to encourage their UK colleagues to keep the wheels in motion would be very welcome.

**Andrew Deans:** That is right. I do not think that anything ever gets unanimous support in the Youth Parliament—as with other Parliaments, it is difficult to command 100 per cent of the vote. Votes at 16 is one of the less controversial issues among young people. There is the feeling that that is the appropriate age for the franchise. We work with 16 and 17-year-olds all the time, and we see that they are very much ready to vote. The votes at 16 coalition shows that there is broad support among youth organisations across the country for that.

**David McNeill:** We do not take positions on issues; we encourage and support young people to have their own views. However, we are willing to support votes at 16 because the feedback from other organisations and young people is that it is such an important issue.

**Stuart McMillan:** To recap, an overwhelming majority favour votes at 16 and it is one of the less controversial issues. It is encouraging that young people want to vote.

**The Convener:** Linda, would you like to move on to the wider awareness issues?

**Linda Fabiani (East Kilbride) (SNP):** Aye, but first I want to ask Robin Parker a specific question—I will put him on the spot. On page 2 of NUS Scotland's submission, concern was expressed about what, at the time, was thought might just be a partial extension of the franchise. That was identified as an issue that we had to be acutely aware of. Now that you have followed the process through and we are where we are, how do you feel that that has been addressed?

**Robin Parker:** We think that, as far as possible, the proposal that is on the table provides a solution. We were particularly concerned about a previous suggestion to do with the use of attainers, which I think is mentioned in the Scottish Parliament information centre briefing as an alternative approach. The proposed approach is certainly better than that. It creates the opportunity for all 16 and 17-year-olds to register, which just has to be turned into a reality through awareness raising and supporting people through the registration process.

**Linda Fabiani:** Thanks.

I would like to hear all the panellists' views on how best to move forward with awareness raising. We all have responsibilities in that regard. What practical things could be done to ensure that young people are aware of registration? Beyond that, how do we encourage young people to use the franchise and use their vote? How do you see that being done by your respective organisations? How can you best reach those who might not be aware of the Youth Parliament, who are not students or who do not tap into the Young Scot services?

**David McNeill:** Around half a million young people in Scotland are Young Scot national entitlement card holders, including around 80 per cent of the population who are 13, 14 or 15 and likely to be eligible to vote. We have a range of direct communication channels with card holders, including magazines that have a high reach. Across all our communication channels with young people, we will reinforce the message that they should get registered to vote and that they should use the right to vote in the referendum.

**Robin Parker:** There are a few things that we would like to see. We would like some kind of organisation, coalition or unit to be set up that can deliver awareness raising independently. That is extremely important.

Other things that will be important include the provision of clear guidance to schools on how the arrangements will work. It is important that people have the opportunity to ask questions of those who run the campaigns and of politicians, but we would not want to see an approach that involved a strong open-door campaign in schools.

We are keen on the adoption of a peer-led approach, which we think will be crucial. It is important that we give young people the opportunity to be involved in peer-to-peer education at school level and in other educational organisations. Similarly, the provision of clear guidance for charities and student associations, in particular, on what they can and cannot do in relation to the referendum would be welcome.

Everyone seems to be clear in the view that there will be a very high turnout for the referendum, particularly in comparison with the turnouts for some recent elections. Therefore, it is important that the Parliament and the Government ensure that electoral registration officers have enough resource and enough polling stations. At the 2010 election, there were situations in which students were left queueing to vote for a very long time. If there is to be a high turnout, we do not want such situations to be repeated. We are very interested in having polling stations in community locations and universities and colleges, in particular. In the context of 17-year-olds who go away to university and who stay in a hall of residence, measures such as having polling stations in halls of residence or in university buildings nearby are extremely important.

09:45

**Emily Shaw:** We reached over 42,000 young people with just our consultation, so it is possible to reach young people through, for example, social media and engagement with youth clubs and schools. It is important to ensure that there is clear guidance in schools and that it is not restricted just to modern studies classes, for example—the information must be distributed across the school.

Another idea that we would like some clarification on is about the registration forms. Ideally, we would like to see them distributed in schools, youth clubs and other such venues. I think that that would be a fantastic way in which to engage young people practically and get them to register. However, we would of course look to you guys to clarify that a little bit.

**Linda Fabiani:** Thanks for that. I think that my colleagues intend to pick up on some of those points.

**The Convener:** Do you have any further points, Andrew?

**Andrew Deans:** Just a little one about an opportunity to raise awareness and increase engagement. We know from hearing from young people that democracy and citizenship education in schools varies across the country. It is good in some places but not in others, which is perhaps because there are no subject specialist teachers in some schools. Given that current 14 and 15-year-olds will have the opportunity to vote in the referendum, this is a chance for us to consider how we can improve democracy and citizenship education in schools and equip young voters for making their decisions.

**Annabel Goldie (West Scotland) (Con):** Good morning, panel. You all look very young to me, but you do not look so young as to be still at school. I am interested in Emily Shaw's point about raising

awareness. I fully understand the importance of that but, at the same time, young people at school are going to be preoccupied with important issues, particularly in April, May and June next year. Do you think that a balance has to be struck between trying to give information to young people in schools and trying not to distract them from what they seek to achieve in school?

**Emily Shaw:** Yes, definitely. At the moment, time is already set aside for personal and social education lessons, for example, but I think that such time could be used more effectively in quite a lot of schools. As I said, materials could also be provided online. I think that the use of the internet is underestimated slightly, given that so many young people have access to it across the country. I agree that there has to be a balance to ensure that schoolwork gets done in schools but, at the same time, the referendum is potentially a once-in-a-lifetime opportunity for young people to have their say on the future of Scotland. As you said, a balance should be struck.

**Robin Parker:** Could I make a broader comment about what the purpose of education is? For me, the purpose of education at all levels is about setting people up to be successful citizens of the country in the wider sense, which very much includes things such as voting. Education and the kind of thing that we are talking about here go hand in hand—they are very much the same thing.

**Annabel Goldie:** People still have to pass exams.

**Robin Parker:** Sure. There is clearly a need for some balance, but the two areas create a strong synthesis. For example, with regard to how modern studies is taught, I was engaged most as a student when what was taught was connected directly to the world and what was happening around us. There is no better opportunity to make that kind of connection in many school subjects than our current discussion about what the future of Scotland will be. Wherever people sit on the issue of the constitution, there is an opportunity to tie it into a wider discussion about the future of Scotland.

**Patrick Harvie (Glasgow) (Green):** Good morning. I am a strong supporter of the principle of votes at 16. However, as the NUS noted in its written evidence, we have heard from Jersey, Guernsey and the Isle of Man, which have had different results from reducing the voting age to 16. If we do the same for the referendum but get, say, only 10 per cent of 16 and 17-year-olds voting, it seems to me that that will harm the argument for extending the right to vote at 16 to all elections—it will be worse than not trying to extend it. Surely the objective must be to get a strong turnout not only to advance the argument for votes at 16 for other elections but to build a strong habit

of voting for young people who will vote in subsequent elections when they are 18, 19 or 20.

You have all said that you want clear guidance about what schools can do, but the differing results of the other jurisdictions that we heard about seem to have been partly caused by the differences in the activity that took place where young people are. What should the clear guidance say? What is appropriate activity to be taking place in schools and what would cross the line into inappropriateness? It should be borne in mind that some 16 and 17-year-olds will be campaigners and activists—on both sides—and will, we hope, be motivated by the referendum.

**Robin Parker:** The kind of things that I would like to see on a strong scale include making it clear in what way that can be done as part of lessons. I also go back to the peer approach and opportunities for students to teach each other about the issues. Those kinds of things would be good. There must also be opportunities to ask questions of the politicians and, more importantly, the campaigns, but the peer-led approach must be fundamental. We have found hesitation among schools because there is no clear guidance. Schools might or might not like to do things, but there is a bit of uncertainty and that leads them to hold back from things that all of us around the table agree would be great.

**Patrick Harvie:** That is already the case. Some schools have a good habit of holding question-and-answer panels or mock hustings, while other schools seem to think that they are not allowed to do that. Should we expect local authorities to provide that kind of activity in schools?

**Robin Parker:** In our written evidence, we suggest extending the duty on the Society of Local Authority Lawyers and Administrators in Scotland to promote elections to promoting the referendum to 16 and 17-year-olds.

I return to the fundamental point at the start of your question. If there is a low turnout among 16 and 17-year-olds in the referendum, it will not be because of a lack of interest in the issue or because 16 and 17-year-olds do not want to vote; it will be because we have all failed to provide them with the information, awareness and ability to vote.

**David McNeill:** On the difference in participation, there is an interesting comparison with the Scottish Youth Parliament elections, which are currently going on. We are supporting the Scottish Youth Parliament with online voting for around half the local authorities in Scotland. The message from the current elections and the elections in 2011, for which we also used e-voting, is the importance of the work that goes on in local authorities and, particularly, in schools to create a



buzz around the election and to enable young people to understand the importance of voting. Participation goes up to 90 per cent in some schools, but it is less than 5 per cent in places where young people are expected just to vote without any encouragement or support.

It does not matter what mechanism is used—whether online or offline voting. That does not make as big a difference, as it is only 5 per cent of the process. Ninety-five per cent of the process is the work that goes on in schools and through community learning and development to encourage turnout and to convey the importance of young people exercising their right to vote.

**Andrew Deans:** The good thing about the referendum is that there will already be that buzz; it is just about ensuring that young people have equal access to all points of view. There must be a balance in that. We do not want to scare schools off doing such activities, but there must be equal access and we must ensure that it is fair. Schools and local authorities should very much be encouraged to hold events such as Q and As and debates as long as they are always mindful of ensuring equal access. If they are, it can only be a good thing that young people are being engaged by the campaigns and are getting the opportunity to ask their questions and think about the issues.

**Patrick Harvie:** I would not suggest this as an amendment to the bill, as I am not sure that it should be on the face of the bill. However, do you agree with the idea that the Government, local authorities, schools, political parties and the campaigns should commit in principle to an aspirational target of getting at least 50 per cent of 16 and 17-year-olds voting in the referendum? That would be higher than the turnout of 18, 19 and 20-year-olds in most elections. Should we set that as an aspirational goal?

**Robin Parker:** I am happy to have a think about that, definitely.

**Emily Shaw:** We believe that the fact that 16 and 17-year-olds will be able to vote is the real success—whatever the turnout is. Turnout should not be used as a gauge of failure or success. We have already won, because 16 and 17-year-olds can vote. There are things to be done to facilitate the vote and registration, but we should not measure the success of the referendum on how many 16 and 17-year-olds we get to turn out.

**Robin Parker:** There is quite a strong argument for saying that it is not just about 16 and 17-year-olds; there should be a big commitment to have a strong turnout across the board for people of all ages. That would benefit all sides of the debate.

**Patrick Harvie:** Thank you.

**Rob Gibson (Caithness, Sutherland and Ross) (SNP):** Good morning. In your experience, how well have schools developed teaching materials about the current political developments in Scotland and in Britain in personal and social education and in modern studies? An uneven spread of delivery across the country was mentioned earlier.

**Emily Shaw:** It is an uneven spread. You cannot possibly say that there is one set standard. I have been to several schools across Scotland and some schools have taught modern studies and some have not. Some schools have made up for the lack of modern studies with good PSE lessons, for example. You do not often hear anybody raving about the political education that they have received outwith modern studies. There is not really a set standard.

**Robin Parker:** There are positive comments to make about the broad spread of political education, modern studies and so on in schools—and wider than that. It would be good if we had something along the lines of a registration information campaign that could produce teaching materials on a range of issues and areas of study specifically for the independence referendum. If the campaign was sufficiently independent—it is important that it is completely independent—the people involved could produce those materials.

**Rob Gibson:** Just to follow up on that, should the education services in each council area ensure that balanced teaching materials on this issue are available for modern studies and PSE in every secondary school?

**Robin Parker:** Yes.

**Rob Gibson:** That is important, because it presumably means that a lot of work will need to be done, although local issues may well dictate how teachers deal with particular topics in modern studies. In order to get a balance when there is not a lot of information at present, is it essential that we ensure that the education services know about this?

**Emily Shaw:** Yes. There is also something to be said for working in partnership with organisations such as the Scottish Youth Parliament, the campaigns for either side of the debate, and elected representatives. It is a collective responsibility, but in principle, yes, we need to inform the education services.

**Rob Gibson:** Thank you.

**Linda Fabiani:** Robin Parker talked about inviting in politicians, politicians, politicians. We hear that all the time, but it strikes me that, for the referendum, it is not all about politicians. Many people on both sides of the argument—in the yes campaign and in the better together campaign—

are not politicians and come from different walks of life. Does it strike you as important that that should be made very plain in any guidance that is put out, so that education authorities and schools do not feel that they are being politically pressured? This is a people's campaign; it is not necessarily a politicians' campaign. What are your views on that?

**Robin Parker:** Bearing in mind my current audience, I must say that experience elsewhere has shown that politicians may not be best placed to do some of this. I emphasise the peer approach. Young people talking to other young people will be most effective.

**Emily Shaw:** There are student representative councils and local youth councils, and youth representatives are extremely important as well. There are not just politicians to turn to.

10:00

**Tavish Scott:** I want to be clear that there is a difference—which I ask you to think about and comment on—between the provision of information and interfering with teaching. I am not encouraging you to agree with the proposition that we should interfere with teaching at the local level. With regard to the referendum, in my part of the world there will be views on oil, for example, which will be rather different from the views of both national campaigns. Do you agree that there is an important distinction between the might of the state coming in on top of this issue, as opposed to the provision of information to—[*Interruption.*] Do you see how the SNP members react to that? Do you see my point? That is how they react to it, and that is what is going to go on.

I am not for the politicisation of the debate in our classrooms. As Robin Parker rightly said, people should have information that allows them to participate in the debate and be good citizens for the future, but they should not be provided with information that is clearly political. It is up to people to make up their own minds, and we should not interfere with teachers and how they teach in our classrooms. Do you agree?

**Robin Parker:** In general, that is the best approach to teaching.

**Tavish Scott:** Thank you.

**Robin Parker:** Teaching is not a kind of brainwashing.

**Tavish Scott:** No; exactly.

**Robin Parker:** It is a facilitation of education.

**Tavish Scott:** Indeed.

**Robin Parker:** That is what teaching is. In my experience, the vast majority of young people are

more than capable of pulling people up when they see through information that they do not agree with. They will take on those debates.

I emphasise that when I am talking about an independent organisation, campaign or whatever, it needs to be independent of the political scene—it needs to be independent of politicians and Government.

**Tavish Scott:** Absolutely—it needs to be independent of Government as well.

**Annabelle Ewing (Mid Scotland and Fife) (SNP):** Good morning, everybody, and thank you for coming. I have three quick points. Regarding the discussion that we have just had, it has to be said that there is debate in schools at the moment, such as in the school I was at last Friday. People go into schools in so-called peacetime and during election campaigns. That has been managed reasonably well to date and there have been no major concerns about it. I am sure that all of us around the table have participated in such visits, including Mr Scott.

I have a technical point with regard to communication. I am perhaps not the best person to ask this question—some of my colleagues would regard me as a bit of a Luddite—but it occurs to me that one way to use the latest technology would be to have an indyref registration information app. Would that help to raise awareness of registration?

**Emily Shaw:** Yes—fantastic. That would be brilliant. My university just got a fantastic app for its blackboard service.

**David McNeill:** There is a bigger point, in that the bill talks about the household canvass. Before we came into the meeting, my colleagues from the Scottish Youth Parliament and I discussed whether individual registration would be more empowering, as it would give more young people ownership of the process. It is worth exploring whether it would be possible to have some kind of online registration and encourage young people to register themselves, rather than leaving it up to someone in their household. Young people engage with doing things online, as do older people. That would be worth exploring.

**Robin Parker:** I will pick up on that, although not so much to answer the question. At the moment, the Westminster Government is introducing proposals that will radically alter the voter registration process immediately before the referendum takes place. We would like the Westminster Government to delay those proposals for some time, so that the two things do not become conflated and become a bit of a mess. We would be happy to work with the committee as a whole or its members to lobby the Westminster Government on that issue.

**The Convener:** We are acutely aware of the issue and have taken a fair bit of evidence on it already. We are hopeful that a sensible solution can be arrived at and are keeping a close eye on the negotiations that are currently going on between the Scottish Government and the UK Government. If things do not go as well as we hope, we might come back looking for your help.

**Annabelle Ewing:** Earlier, we discussed the principle of lowering the voting age. Some would take the view that, if we cannot lower the voting age for all elections, there is no point doing it for the referendum. What is your response to that?

**Robin Parker:** We would very much like the voting age to be reduced to 16 for all elections across the UK. Indeed, I think that there are discussions taking place at the European level about votes at 16. Westminster has now voted in favour of the proposal, and we would like it to take further steps towards implementing it across the UK.

To answer your question, there is an acknowledgment that the referendum is a one-off opportunity to discuss and set out Scotland's future, so I think that it is a reasonable place to start. However, I would like a commitment from politicians of all parties that this is only a starting point and that the lowering of the voting age will apply in other elections.

**The Convener:** We will now move on to deal with registration issues.

**James Kelly (Rutherglen) (Lab):** We have had quite a wide-ranging discussion of the issues around registration. Registration is important, because people have to be registered in the first place if they are going to be able to participate in the referendum. You have all given some good practical examples of how you can improve registration rates—David McNeill spoke about his contacts in Young Scot; Robin Parker has contacts in the student community; Emily Shaw spoke about getting the forms out into youth clubs and youth organisations; and we discussed a possible indyref app.

Do you support a strong role for the Electoral Commission and individual local authorities, with proper resources behind them, which could work closely with you in order to provide you with the techniques and resources that you need in order to roll the registration methods out across the youth community?

**Robin Parker:** The key phrase that we use in our evidence is “well resourced”. If registration is not well resourced, we will not turn the opportunity for 16 and 17-year-olds to vote into the ability to do so.

**James Kelly:** I assume that you are looking for strong leadership and guidance in rolling out the techniques.

**Robin Parker:** I think that we should make it clear where responsibility lies. That is why it is right to extend the duty to the local authority administrators and make it clear that there is a coalition of organisations that have responsibility for registration. Those things will deliver independent leadership, as long as the necessary resources are in place.

**David McNeill:** Young Scot would be keen to support the registration process in any way, whether that involves simply communicating the process to young people or bringing to bear the expertise that we and our partners in the Improvement Service have in registering young people for the Young Scot national entitlement card and online registration—that expertise is a considerable public sector asset. We could also possibly produce an app.

**Andrew Deans:** I echo the rest of the panel's comments about the need for leadership from local authorities, which must make it a priority to ensure that young people know how to register and are able to do so.

Coming back to David McNeill's point about the household canvass versus rolling registration, I think that the mindset seems to be that the former would be the preferred option and that rolling registration would be used as a secondary, mop-up method. The approach has its disadvantages as well as its advantages. For a start, attainers are often missed out on the household canvass when it comes to electoral registration; sometimes parents do not realise that they can put them on the register and often young people do not know that the process is happening. As a result, we think that there might be some advantage in putting more emphasis on rolling registration, particularly with regard to 16 and 17-year-olds. If we can get rolling registration forms into schools and if schools take on some responsibility for ensuring that people are registered, we might well solve a lot of the problems of people getting missed in the household canvass.

We also seek clarity on what will happen if people get put on the wrong register or if there is duplicate registration because they are already on the household canvass. Our message to young people is that if they are in doubt about whether they are registered, they should ensure that they are by filling in a rolling registration form. However, at the same time, we do not want people to be penalised for unknowingly registering twice.

I also note that in the proposed canvass form for the young voters register all the references are to age; for example, it refers to a young person

“living at this address who”

is

“15 ... but will be 16 by”

the time of the referendum. However, we believe that it would be easier to use dates of birth. The form says:

“Please enter the names of 15 year olds living here who will be 16 by [date of referendum]”

but everything will depend on when the person gets round to filling out the household canvass. If a person has a 16th birthday after 1 December, they should be on the register of young voters, but the canvass form might give the impression that they should not be and using dates of birth makes it a little bit clearer who is supposed to be on what register.

It can be quite confusing; indeed, when the proposals first came out, we had to look through them a number of times to get straight in our heads just who is supposed to be registered where. We need to think about the issues, make things as clear as possible for parents who are filling in the household canvass and consider the role of rolling registration, especially as so many young people can be reached through it.

**Robin Parker:** I have to say that student associations have had mixed experience of rolling registration. Some electoral registration officers have been very keen and enthusiastic about holding rolling registration events on university and college campuses, while others have been a bit unsure about whether they should be doing those things and about their responsibilities in that respect. I am not sure whether that is a resource or guidance issue but, as Andrew Deans said, EROs need to be encouraged and given support to hold rolling registration events in schools, colleges and universities, because such things are really positive.

**Stewart Maxwell (West Scotland) (SNP):** David McNeill touched on the issue earlier and Andrew Deans has now gone into it in a bit more detail, but what are the panel’s feelings about household registration, particularly with regard to households where the adults decide that they do not want to register and simply throw the form away but where the young people themselves want to be registered? Moreover, how do we deal with those who, as Andrew Deans pointed out, simply make a mistake and do not put people on the form or put them on the wrong form? I do not think that there will be any problem with duplicate registration—the main thing is not to vote twice—but how do we ensure that, irrespective of the views of the adults in the household, 16 and 17-year-olds get on the register? I know that you have already given your views, Andrew, but do you have anything else to add?

10:15

**Andrew Deans:** There will always be mistakes, and there will always be adults who are not interested in registering although the young people are, or adults who miss the young people out—it happens with attainers all the time. People do not realise what they are supposed to do or that they can put young people on the register. I think that the answer to that is to emphasise rolling registration more. That works particularly well for 16 and 17-year-olds; we know that the majority are in schools or colleges, or engaged with youth work services and similar activities. There is a huge opportunity there.

It is empowering, too. There is a dual responsibility: parents have a responsibility to fill in the household canvass, but young people and those engaging with them also have a responsibility to ensure that they are on the register. If double registration is not a problem, all the better. We can put out the message that if people are in doubt about whether they are registered, they should ensure that they are, so that we do not run into those problems. Using rolling registration to its full advantage is a good way of ensuring that 16 and 17-year-olds are registered.

**Robin Parker:** I saw rolling registration at its best when two people came from the electoral registration office. They brought the register and people were able to go up to them and say, “I’m not sure if I’m registered”. They could flick through the register and say, “You’re on here, it’s fine”, or, “Fill this form in to get sorted, and either give it to us just now or send it back to us”.

**David McNeill:** I echo Andrew Deans’s comments that placing responsibility on the young person to be registered may give that person a greater sense of ownership of the process. It may lead to a higher level of participation—although there is no evidence of that—than happens when a polling card just appears through the door.

**Stewart Maxwell:** Do you envisage that, in practical terms, the initial household registration would go ahead roughly as planned, with a follow-up campaign, if you like, of rolling registration trying to engage with people in the way that Robin Parker mentioned—a mop-up exercise to ensure that as many people as possible are on the register?

**Robin Parker:** As Andrew Deans said, we need to think of it not as a mop-up exercise, but as a serious exercise.

**David McNeill:** I would like to ask young people how they feel about either being registered as part of the household or taking on the responsibility to register themselves. It would be interesting to find out the answer.

**Stewart Maxwell:** That applies to us all. Currently people register as households, even those of us who are over 16—by a year or two.

**James Kelly:** Thank you—we have heard some excellent and practical points in evidence.

As well as the importance of registration itself, it is important that people are registered in the correct place. One of the challenges, particularly in relation to students, is that if the poll takes place in autumn 2014, that will be early in the college or university year. A 16-year-old who has stayed all their life in Cambuslang may have registered there, but then may go to the University of St Andrews in September 2014. What can be done to ensure that we do not have blocks of students and 16 and 17-year-olds who end up disenfranchised because their place of education is different from where they are registered?

**Robin Parker:** First, as students we have the right—which is very important—to be registered at both a term-time and a home address. That helps with that issue; it emphasises a positive aspect of delaying the move to individual registration by the Westminster Government. One of the advantages of household registration for students is that that allows university halls of residence to block register everyone who stays in those halls. There is an important timing issue in terms of the urgency of doing that. On your example of someone moving from Cambuslang to St Andrews, students could still vote, as long as they had been properly registered while still at school in Cambuslang. They could then have a postal vote in Cambuslang, which is another way of doing it. That emphasises the importance of getting the registration right at home a long time in advance.

**James Kelly:** Yes. I suppose that, in practical terms, you are saying that, if individual registration is delayed, come September 2014, student halls of residence working with the electoral registration officers would be able to get the bulk of first-time students registered where they were being educated, and that would overcome the problem. If people were picked up in that exercise by making them aware of postal votes so that they ensured that they were still registered in Cambuslang, for example, they could pick up their vote in that way.

**Robin Parker:** That highlights an issue that we will clearly have to work on closely with the Electoral Commission and EROs, and we would be happy to do that.

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab):** Good morning.

I think that I am right in saying that the ERO in Glasgow used to automatically register all students who came into the city and stayed in halls of residence as a matter of course. That

certainly used to happen, but it may not still happen. If that is not done any longer in Glasgow, should the ERO consider doing it again? Should other local authorities consider a similar way of working?

**Robin Parker:** Yes. I think that that would involve using the block registration methodology, working with the universities to get a register of everyone who is staying in the halls of residence and block registering them.

**Patricia Ferguson:** It occurs to me that there will potentially be a lot of young people who are just starting their first term at university who will have been registered at home but will have moved somewhere else. James Kelly's example of a person who goes from Cambuslang to St Andrews is probably as good as any. In the student's first term, it is clear that there will be a very short space of time between their arriving at university and the referendum taking place—although we do not know exactly when it will take place—and a lot will be going on in their life at that point, we hope. Should there be particular awareness raising around freshers weeks, for example, to ensure that young people who are in that category understand that they will probably have to vote by post and that they will need to get into that process and use it? There are probably several hundred thousand young people in that category every year, and 2014 will not, of course, be any different.

**Robin Parker:** That certainly emphasises the need to have the date on which the referendum will take place as soon as possible. An independent campaign that ensures that people are involved would be able to use things such as freshers weeks.

If people can be block registered, they can still have both options. If they have been block registered in halls of residence, they can vote in that way, or they could have a postal vote using their home address. Both options would be open to them. However, on supporting block registration, there is a strong argument for using lots of university halls of residence as polling stations. How often each ERO reviews where their polling stations are varies. Given that there will be a very high turnout in the referendum, a positive step would be to encourage all EROs to review their polling stations in the run-up to it and to think about the university issue in particular. Some universities have a polling station on campus in the halls of residence, but others do not.

**Patricia Ferguson:** Thank you.

**Stuart McMillan:** I have a few points to raise.

On block registration, I studied away from home and maintained my registration at home, not where I went to study. I did that because that is

what I wanted to do, and I remain to be convinced—certainly from what I have heard this morning—that block registration would be a worthwhile exercise to undertake. Obviously, up to now it has been about empowering young people to register and then to vote in whichever way they see fit. However, from what I have heard thus far this morning, it seems to me that the effect of block registration would be to tell people that they had to vote rather than to empower them to make up their own minds about what they wanted to do. I therefore remain to be convinced about block registration.

**Robin Parker:** To try to convince you, I would say that block registration has the flexibility to give someone the option to vote using either their home address, if they choose to do so—

**Stuart McMillan:** Sorry, but I will interrupt you just for two seconds.

**The Convener:** Let Robin finish his point, then you can come back in.

**Robin Parker:** A student can keep a term-time address and a home address, but they are allowed to use only one of them for voting. However, they are empowered to choose which one and so have the option of using their home address—they can register that themselves and carry on voting from that address. Block registration does not get in the way of that.

**Stuart McMillan:** But surely the choice should be up to the individual voter. They should be able to choose where they want to vote rather than be told that. Block registration would mean telling them that if they were going to vote during term time, they would have to vote from their term-time address.

**Robin Parker:** But they would still have the choice of keeping their home address for voting. It does not—

**Stuart McMillan:** I understand that, but surely—

**Robin Parker:** They cannot have two term-time addresses.

**Stuart McMillan:** I think that we can continue this discussion some other time.

**Robin Parker:** Yes.

**Stuart McMillan:** Okay. Another point is that there are young people who will not be in school or at college or university, because lots of them will be working or doing apprenticeships. How will you encourage those young people to register and participate? Do you see a role for the likes of Skills Development Scotland to get involved in that, particularly with regard to apprentices? Will you work with SDS to encourage people to register?

**Andrew Deans:** Yes. We have to realise straight away that engaging with young people who are out at work or in apprenticeships, or not in education, employment or training at all, is always a challenge. As an organisation, we have tried to engage with such young people, and I think that we have been fairly successful. However, such engagement will probably take a little bit more effort and thought this time, and we will have to engage with people in Skills Development Scotland and others who are in contact with those young people who are often involved with youth work services and non-formal education services outwith schools. Reaching them is one of the challenges and doing it will require a bit more thinking by you, us and organisations such as Skills Development Scotland, which might be able to help us.

**Emily Shaw:** Again, there is a point to be made about using the internet, because it is so accessible.

**The Convener:** Annabel Goldie has a supplementary question.

**Annabel Goldie:** I was interested in the debate between Robin Parker and Stuart McMillan on the issue of block registration. Robin, do you know what proportion of university students living away from home reside in halls of residence and how many are in accommodation elsewhere? Does anyone have that information?

**Robin Parker:** I could see whether we could get that information to you.

**Annabel Goldie:** I think that it might be helpful to the committee.

**Robin Parker:** The situation would vary widely between different kinds of university. Some universities, such as the University of St Andrews, are the halls-of-residence type, whereas students at the University of the West of Scotland, for example, live at home and perhaps work and study part time. We have not even begun to talk about colleges, where everyone stays at home. There is a really important role for universities and colleges as community hubs, because they are at the centre of the communities around them. The same positives would come from using them as polling stations as come from using schools.

**The Convener:** Stuart McMillan has a final question.

**Stuart McMillan:** My question is about encouraging 15-year-olds to register. Do the witnesses foresee any challenges in making a bit more use of the rolling registration that Andrew Deans talked about? Let us take the example of a household in which the parents were not minded to register or to vote and a 15-year-old who wanted to do so. Could there be conflict within

such a household if a great deal of emphasis was placed on encouraging 15-year-olds to register?

**Andrew Deans:** I am not sure. I think that there will be challenges with 15-year-olds for rolling registration. For us, one of the good things about 15-year-olds is that almost all of them are in formal education in school, although one of the less good things is that 15-year-olds who will be 16 by the date of the referendum will be mixed in with 15-year-olds who will not be 16 by that date. One of the challenges is probably around ensuring that, whoever is doing the registration, whether teachers or EROs, we do not have some young people thinking that they can register and vote when, in fact, they cannot.

I am not sure whether that answers the question that was asked, but that is one of the challenges that I see. However, I also think that there is a great opportunity for rolling registration.

**Robin Parker:** That can be done through schools, but I highlight those who are not in stable circumstances. It will be important to encourage EROs to work with organisations that work with vulnerable young people, young people in care and those who are homeless.

**Stuart McMillan:** That is helpful. Thank you.

**The Convener:** I do not see any indication from my colleagues that they want to ask more questions, so I thank David, Robin, Emily and Andrew for coming along and giving us such good evidence this morning. You have given us a fair bit to consider. The evidence session has been very valuable to us and we are grateful for that.

I have noted down two points that relate specifically to the bill. The first point is whether the electoral registration officers should be empowered by statute. That has been raised before, but I am glad that you have put it back on the record. The second issue is the design of the registration form. I am grateful for those points. The wider points that you brought to us are also very much to the fore of what we need to think about. Thank you very much for your fantastic evidence.

We will suspend for five minutes to have a changeover of witnesses and a comfort break.

10:31

*Meeting suspended.*

10:38

*On resuming—*

**The Convener:** Welcome back, committee, to the second session of this morning's evidence taking on the Scottish Independence Referendum

(Franchise) Bill. We are now taking evidence from Tam Baillie, Scotland's Commissioner for Children and Young People, and from Ken Macdonald, who is the assistant commissioner for Scotland and Northern Ireland in the Information Commissioner's Office, which is obviously different from the Scottish Information Commissioner.

We are grateful to you, gentlemen, for coming along to give us evidence today. I know that, given Ken MacDonald's role, I cannot ask him about the data issues. He is more interested in issues to do with fairness and lawfulness rather than issues of policy intent. However, it would be useful to hear for the record what Tam Baillie thinks about the principle of votes at 16 and 17, before we widen the session out to other questions.

**Tam Baillie (Scotland's Commissioner for Children and Young People):** I have said on the record that I agree with the principle of young people aged 16 and 17 voting. In fact, I would go further than that: although the committee's consideration and the bill relate specifically to the referendum, we should give serious consideration to giving young people the vote beyond that. However, I know that that is not within the committee's scope.

I strongly believe in the participation of children and young people. Since I have been children's commissioner, I have shaped my office around listening to the voices of children and young people because I think that they have the same wisdom as many adults. I heartily support 16 and 17-year-olds getting the vote in the referendum.

**Stewart Maxwell:** What are the panel's views on child protection? Clearly, there has been a debate about 16 and 17-year-olds voting that is more to do with the voter registration process, particularly with regard to 15-year-olds. Does the bill strike the right balance in ensuring that we get proper registration and protection for children?

**Tam Baillie:** The proposal for a separate register for young voters is good and goes some way to achieving that balance. There are technical issues about young people who may be vulnerable not having to disclose their address, but the bill's provisions take care of that. In fact, there is even the opportunity for anonymous entries in the register, although I am not sure whether the provisions or the criteria for anonymity take account of children who may be in care establishments or foster placements. If they do, that balance will be achieved.

It is key to ensure that children and young people are aware of their voting rights at 16 and 17 and, in particular, that any professionals that are around them are also aware of those rights, because young people will rely heavily on them. More vulnerable people in particular will have to

rely heavily on the guidance and support of the professionals or carers that are around them. A lot of consideration has been given to increasing awareness in the run-up to the referendum; it will be particularly important to get to those young people who are most vulnerable.

A balance must be struck to ensure that all young people aged 16 and 17 get the vote and that their identity or even their address is protected. The provisions achieve that, but there is one thing that I will draw attention to. If I understand it correctly, there is an intention to map those 16 and 17-year-olds on the register—I know that it is not part of the franchise bill, but you will consider the issue later—for the purposes of turnout and the interest that some people have in the analysis of where they are voting. Care must be taken about whether or not that is publicly available.

**Stewart Maxwell:** I do not know that it is the case that people will be individually mapped or tagged.

**Tam Baillie:** If that is not the case, I am pleased about that.

**Ken Macdonald (Information Commissioner's Office):** We responded to a previous consultation by the Government on its original draft bill. It has made significant changes since then to enhance the privacy of vulnerable children. We support the current drafting.

I share Tam Baillie's concerns about anonymous registration and how that fits in. The declaration of local connection is another option that allows young people to register but does not disclose where they are staying. Anonymous registration is limited by particular restrictions in the Representation of the People Act 1983. I suggest that it should be a compulsory element where a non-disclosure order is in force. In our regulatory capacity we have come across breaches—often accidental—of non-disclosure orders. That is a risk that we have to acknowledge. The bill should perhaps be strengthened in that regard.

10:45

**Stewart Maxwell:** I am interested in the comments on vulnerable children, children in residential care and children for whom non-disclosure orders are in place. I would like to explore that issue a little more. Do you have genuine concerns that the bill does not match the needs of young people in those situations, or is it simply the case that further explanation is required of how the roles, as laid out, will need to be interpreted?

**Ken Macdonald:** The bill is probably strong enough, but I would ask you to consider the element concerning the non-disclosure orders, because of our previous experiences.

Also, the canvassing form needs to be a bit clearer about the options that young people have. The way that I read it, I do not pick up any information about the opportunities for declaration of local connection or anonymous registration. The part of the Data Protection Act 1998 about the fairness of processing suggests that that really should be up front so that the young person—or the householder who is completing the form—is aware of it.

**Stewart Maxwell:** I have read the form before, but I have just had a quick glance at it again, and I think that you are right to say that the form does not contain that information. However, we are not sure whether supplementary information will be provided along with the form.

**Ken Macdonald:** It may well be, but we have yet to see that, obviously. However, again, for the purpose of the fairness of processing, and taking into consideration the vulnerability of some of the young people, it would only be right to have the information on the form, so that the option can be considered at the point at which the form is being completed.

**Stewart Maxwell:** Tam Baillie, do you have a comment on the matter?

**Tam Baillie:** No, other than that it is important that the people around vulnerable young people are aware of the ins and outs that have just been discussed. That will take a fair bit of awareness raising. Careful thought needs to be given to how we can ensure that that happens.

**Stewart Maxwell:** I assume that you are talking about the staff in residential care units, foster parents and so on.

**Tam Baillie:** Yes.

**Stewart Maxwell:** I want to ask about young people who are with a person—usually the mother—who has suffered domestic violence and is now living in a unit or somewhere similar in order to be protected from a violent partner. Has enough been done to ensure that we have the right balance between ensuring that those young people can take part in the process and ensuring that their anonymity is protected?

**Ken Macdonald:** I think that appropriate provisions are in place. My understanding is that the young person could declare their local connection, which would link them to their parents' address, or they could go for the anonymous registration. Even if they are not subject to a non-disclosure order, they would still be able to get the certificate from a social worker to say that it would



be appropriate for them to be granted anonymous registration.

**Stewart Maxwell:** You think that that solution is sufficient.

**Ken Macdonald:** I think that it probably is.

**Tam Baillie:** I should add that those young people might be very mobile and be moving from address to address. That will be a general issue when it comes to where they should register and the fact that, by the time of the vote, they might be somewhere different from the place where they registered. It will not be easy to sort out the bureaucratic processes around that. People should bear it in mind that all young people—including the most vulnerable—not only have issues around disclosure but also often have issues around movement or placement.

**Stewart Maxwell:** Thank you. That was very helpful.

**Annabel Goldie:** Like Stewart Maxwell, I have been squinting at the canvass form and think that you are correct—I see nothing that alerts the person filling it in that there might be qualifying criteria for young people where certain sensitive issues are involved.

Section 9 of the bill, which stipulates that the register of young voters must not be published, contains the provision that

“The register, or an entry in it, may be disclosed to a person for the purposes of an independence referendum, but only in accordance with ... the Act of the Scottish Parliament by virtue of which the referendum is to be held.”

Do you have any concerns about that? After all, campaigning groups might be out with canvass cards, knocking on doors and asking whether people are in, and whether they mean to share information or not they might well end up doing so.

**Ken Macdonald:** My understanding is that campaign groups will be provided only with a register that combines the usual electoral registration for the over-18s and the register of young electors, and there will be no way of discriminating who is 16 or 17 years old and who is over 18. In that way, security will be built in.

If I recall correctly, the original draft bill that the Government put out for pre-consultation contained a question about the disclosure of the register of young electors to interested parties such as the official campaign groups. I am pleased to say that, as I understand it, that proposal has been withdrawn and that the groups will now have a joint register.

**Annabel Goldie:** So dates of birth will be excluded. Are you satisfied that there are no residual issues of concern about this provision?

**Ken Macdonald:** I am, but, going back to Tam Baillie’s point about counting, estimates of turnout and so forth—which does not appear to have been addressed in the bill—I will say that we raised certain concerns with the Scottish Government about the proposal to disclose young electors at the point of the ballot and the need to make markers in that respect. That proposal seems to have been withdrawn, but it might well be considered later because there will be an interest in the turnout among young voters.

**The Convener:** But when the vote takes place and those markers are made, all the young people in question will be 16 or 17, not under 16. What, then, is the issue?

**Ken Macdonald:** Even though their age has changed, some of those young people might still be in a vulnerable position and might not be as mature as we would normally expect them to be. They should be afforded a degree of protection.

**The Convener:** Are you talking about all 16 or 17-year-olds or just those who have already identified themselves as being vulnerable?

**Tam Baillie:** Is this not why you will have a separate register for young voters? If it is to become part of the publicly available register post-election—I believe that it will be available for 12 months—and if markers are to be put next to the names of 16 and 17-year-olds that had previously been kept in a separate register, does that not defeat the purpose? Of course, I understand the interest in seeing those figures.

**The Convener:** I suspect that we will hear evidence from others, particularly the Electoral Commission, about the need for more information to be available on these matters. I am simply trying to ensure that we tease everything out before we hear from the Electoral Commission, which might have a slightly different perspective on the matter.

If members have no more questions on child protection or other wider issues, I will ask a couple of general questions about the bill. First, does the panel have any comments on the fantastic evidence that we heard earlier this morning from young people? Secondly, are there other areas in the bill that need to be strengthened?

**Tam Baillie:** I have two comments to make. First, I re-emphasise the question of how we make young people aware of the referendum—you posed that question to the organisations on the first panel. The one thing that gets every 15-year-old out of bed in the morning is going to some form of education; that is an excellent opportunity to raise awareness. I would raise awareness of the process and of the right to vote—that is quite different from the political debate. It is inevitable that lots of schools and other educational

establishments will hold mock elections and mock referenda. We do not have a national curriculum in Scotland but, for me, that fits perfectly with lots of things under curriculum for excellence: responsible citizens, confident individuals, effective contributors and successful learners. It is about democracy in action, and this is a rich area in which we could be encouraging young people through Education Scotland and the provision of education. There is a great opportunity here to utilise the referendum as a focal point. We need to be careful about the politicisation of it, but I am talking about the whole referendum process and the place of 16 and 17-year-olds in that process. If the Government is serious, it could look towards that with regard to raising awareness.

Secondly, I wish to pick up on some points that were made earlier about rolling registration. We have been talking about the household census and the household registration process, but rolling registration might lend itself to part of the process of raising awareness through schools. We assist young people with their university applications through schools. That is where they go—that is where we can get to children and young people. If we are serious about raising their awareness, schools provide a way and a method of doing that. You might want to think much more seriously about some of the suggestions that have been made about rolling registration, which, in all honesty, I had not thought through before hearing the evidence this morning. There is something in there about how we get to young people through the process of registration, which heightens awareness of the referendum without running the risk of politicisation. We want to ensure that young people are aware of the referendum, but without using them as captive audiences for politicising it.

**Patrick Harvie:** I wish to explore some of the issues around schools that Tam Baillie has raised. In the previous evidence session, there was some discussion around not just awareness raising but the promotion of participation. The Electoral Commission has a role there, on a neutral basis, and the campaigns and political parties will be wanting to promote participation on a partial basis—encouraging people to vote yes or to vote no. There will also be young people in schools—16 and 17-year-olds—who are themselves campaigners and activists on both sides. What do you feel about a duty on the part of local authorities to promote participation or to work with the Electoral Commission to promote participation? What kind of activities would be appropriate in schools? What would cross the line into inappropriate campaigning?

**Tam Baillie:** Generally—although not on the referendum—I would support a duty to participate. The Government is putting together a children and young people bill, and I am pressing hard to

ensure that some articles of the United Nations Convention on the Rights of the Child are included in it. Participatory approaches are central to that. That is different, however, from political debate about the respective sides of the referendum argument.

The issue is absolutely one of participation, but there is a need to be careful. In particular, there is a responsibility on the part of the Government to ensure that people's awareness is heightened. People know the Government's view with regard to the debate, but that does not take away from the responsibility to ensure that we reach all the children and young people. The registration process, and the promotion work that could be undertaken—by Education Scotland, for instance—would be very productive not just for the referendum but for the future. The issue is how well we listen to the views of children and young people and how much we trust their judgment.

11:00

We can reach young people. I carried out an exercise called “A Right Blether”, in which our ambition was to reach as many children and young people in Scotland as possible. From the very small office in which I operate, with 13 or 14 staff, we managed to poll the views of 74,059—more than one in 10—children and young people.

Patrick Harvie mentioned our ambitions with regard to how many young people we can encourage to be part of the referendum. I think that we can raise awareness among 100,000 individuals, although whether that can be converted into engagement with the referendum is another matter.

That element is firmly in the Government's hands. We can say, “Well done—16 and 17-year-olds have been given the vote”, but the Government then needs to ensure that children and young people know about that, and that it uses every structure and makes every possible effort to engage with them. Education Scotland can have a powerful role, as can some of the organisations that have been represented here this morning.

**Patrick Harvie:** I want to tease out your views on the type of activities that you would support taking place in schools. If schools are to have the confidence to know what they are allowed to do in that regard—such as inviting people in for a neutral question-and-answer panel session, or encouraging discussion in class—we need an agreed set of rules about what is appropriate and what is not. Where does the balance lie? What would, in your view, represent crossing the line into something that is not appropriate? What type

of activities would you like to see happening in schools?

**Tam Baillie:** Schools do such things now in any case.

**Patrick Harvie:** Some do.

**Tam Baillie:** Okay—I do not think that anyone has an overview, but I have lost count of the number of schools that I have visited, and around election time many of them will host mock elections. There has been much discussion today about peer education. Schools do not invite political parties to participate in the hustings—they generate activity within the school population, with students stimulating debate on each side. That is what happens at the moment.

**Patrick Harvie:** Some schools go further and hold hustings with candidates at election times, but other schools feel that they are not allowed to do that when in fact they are. Is it appropriate to give young people the opportunity to question the campaigns in response to a controlled, unbiased and neutral presentation?

**Tam Baillie:** I would be careful about politicising such events too much, but I am all for raising awareness of the debate, and I think that those activities will take place in any case. One of the considerations for Education Scotland when it produces material—if that is the intention—is that it must be clearly and completely politically neutral. That is a difficult balancing act for the Government, which is responsible for ensuring that such activity is stimulated in the education system.

**The Convener:** Does anyone else want to raise any other points? Tam Baillie has responded to my question, but would Ken Macdonald like to put anything else on the record?

**Ken Macdonald:** I am afraid that I did not attend the first session this morning, so I have no comment on what was said there. However, I will raise two issues. The first concerns the retention of the register. The Scottish Government's consultation on the bill contained provisions for the copies of the register that are held by the EROs to be deleted and destroyed after a year, while the copies that are held by the official campaigns could be retained. We argued that that should not be the case, and that if the copies were to be destroyed by the EROs, they should be destroyed by the campaigns too, because there would be no need for that information to be held under the Data Protection Act.

I have seen nothing in the bill or in the explanatory notes that refers to the retention of the register and its consequential deletion. That may well fall under other legislation, such as the Representation of the People Act 1983, but I think

that the committee should seek reassurance that the register will be destroyed after an appropriate period.

My second point has limited relevance for data protection principles. I draw the committee's attention to the service declaration. I see that there will be provision for people who are in the armed forces and abroad, as their partners will be able to make a service declaration, but that does not appear to extend to the children and young people who are still living with their parents and fall into those categories. They would therefore be disfranchised, by my reading of the bill, so I suggest that you examine that issue.

**The Convener:** Have you seen the policy memorandum with regard to that provision? It refers specifically to the service declaration, does it not?

**Ken Macdonald:** Paragraph 32 on page 7 of the explanatory notes refers to the service declaration, but it mentions only

“their jobs (or the jobs of their spouses or civil partners)”.

There will be young people who live with their parents and who should therefore be included.

**Annabelle Ewing:** That is an interesting point. I thought about it this morning when I was preparing for the meeting and I intend to look into the issue.

The armed forces will, of course, be subject—withstanding what some of us may have read in the papers yesterday—to the procedure that has been in place for many years, which involves making a service declaration, in addition to the possibility that they could be ordinarily resident voters.

An earlier paper that the clerks or SPICe helpfully prepared for the committee referred to the children of those in the armed forces who were reaching the relevant age threshold. As I said, when I read through the bill in preparation for today's meeting, the situation was not quite as clear cut. Dr Macdonald makes a fair point, and we should look into it further.

**The Convener:** I agree. If there are no other points to raise, I thank everyone for coming and giving us such helpful evidence. I have been scribbling down some of the things that you have said so that we can consider them further, and I am sure that my colleagues have been doing the same.

Before we come to the end of the meeting, there are a couple of things for us to remember. Written submissions in response to the committee's call for evidence will be posted on the committee's web page when they come in, and the clerks will provide us with hard copies, which will be

circulated to members after the first deadline of 21 March so that we will have a folder full of them.

When the bill was published, copies were distributed to all members of the committee. I am aware from talking to some of my colleagues that some members did not receive it in the way that others did. Members therefore need to remind the document supply team where they would like copies of bills to be sent.

**Linda Fabiani:** It seemed to me that those of us who do not get the *Business Bulletin* delivered in hard copy but need to look for it ourselves electronically did not get the bill because it was sent out with the bulletin.

**The Convener:** You can tell the document supply team that you want bills specifically sent to you in hard copy to your desk if you wish. I am just advising members—

**Linda Fabiani:** I think that that should happen automatically for members of the committee.

**The Convener:** I am just telling you what the process is.

**Linda Fabiani:** I am not arguing with that, but I think that when a bill is directly relevant to a committee and someone is a member of that committee—

**The Convener:** Can we come back to that at the end of the discussion?

**Linda Fabiani:** I do not want every bill landing on my desk in hard copy—I just want those that are relevant to me.

**The Convener:** I have got your point. We will deal with that.

**Linda Fabiani:** Okay—thank you.

**The Convener:** I will close the formal meeting and we will have a quick chat about other things.

*Meeting closed at 11:08.*

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