

THE MINIMUM AGE OF VOTING AND CANDIDACY IN UK ELECTIONS – CONSULTATION PAPER

1 SUMMARY

- 1.1 The Electoral Commission has a statutory duty (under section 6 of the Political Parties, Elections and Referendums Act 2000) to keep under review all matters relating to elections. This report summarises the main points in the consultation paper from the Electoral Commission on the above issues and comments are required by Friday 31 October 2003.

2 INTRODUCTION

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

3 CURRENT LEGAL POSITION

3.1 Voting Age

The current minimum voting age is 18 for both men and women, for all levels of public election in the UK as required by section 1 of the Representation of the People Act 1983.

3.2 Candidacy Age

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

3.3 Other Minimum Ages

In the UK, the law identifies a number of other minimum ages at which various rights or responsibilities accrue. The following list highlights some of the main legal thresholds currently operating:

- At 10, (8 in Scotland): criminal responsibility;
- At 13: part-time employment;
- At 16: leave education and enter full-time employment, smoke, play the National Lottery, have a sexual relationship, join a trade union, apply for a passport in their own right and pay tax and National Insurance. There are also a number of other activities that can be done by 16 year-olds, but only

with parental consent, such as join the armed forces, get married or leave home;

- At 17: drive a car or light motorbike;
- At 18: buy alcohol without a meal, gamble in a betting shop or casino, be tried in an adult court and serve on a jury. In addition, those rights exercisable only with parental consent at 16, as outlined above, can be exercised without such consent;
- At 21: drive larger and more powerful motorbikes, public buses or Heavy Goods Vehicles.

4 INTERNATIONAL CONTEXT

- 4.1 Most Western democracies have a minimum voting age of 18, although there are some variations within countries, for example, a higher voting age for more senior levels of Government than for local elections.
- 4.2 With regard to candidacy age, many countries have the same minimum age for candidacy as for voting, but again with a higher age requirement for the more senior elected offices.

5 YOUNG PEOPLE AND DEMOCRATIC INVOLVEMENT

- 5.1 The Commission is particularly concerned about declining participation rates in UK elections, especially among young people. Estimated turnout at the 2001 General Election among 18-24 year-olds was 39%.
- 5.2 Various surveys commissioned by the Government found that young people often take an interest in specific issues, but can be alienated from political structures, including elections, for a number of reasons. These reasons include a perceived failure of politicians to listen to and act upon young peoples' concerns.
- 5.3 Some people believe that lowering the minimum ages would be a clear statement that politicians trust young people and take their views seriously, while others say a better approach would be to involve young people more directly, for instance through local authority forums.
- 5.4 Recent developments that might strengthen the link between young people and the democratic process include the introduction of Citizenship Education in secondary schools and the increasing use of elected school councils. Some suggest that allowing voting at 16 would be the logical conclusion of introducing Citizenship Education in schools. However, different approaches are being taken in the various countries of the UK and the curriculum changes are still new.

6 CLIMATE FOR CHANGE

- 6.1 Neither the Conservative Party nor the Labour Party have an official Party policy on the minimum voting and candidacy ages. However, the Liberal

Democrats, SNP, Plaid Cymru, the Greens and the Scottish Socialists are in favour of lowering both the voting and candidacy ages, so too are the Local Government Association and the Mayor of London.

- 6.2 Three independent commissions have recently recommended lowering the voting and/or the candidacy age for local elections.

7 OFFICER COMMENTS

- 7.1 The main argument for supporting the status quo has been that most voters under 18 and candidates under 21 would not be sufficiently mature to use those rights properly; be more likely to act irresponsibly; have insufficient understanding of the issues; and be more easily influenced by others. The last vote on this issue in the House of Commons in 1999 was heavily defeated.
- 7.2 There is no clear evidence that lowering the voting age, or allowing younger candidates to stand for election would encourage greater participation by young people in the electoral process. However, voting for a candidate of a similar age may encourage participation, but there is no guarantee that a younger candidate would be elected. It is also a fact that, once elected, all representatives represent all electors and not simply one sector of the community.
- 7.3 It is felt to be important that the electoral process should be consistent and that, therefore, the same minimum age should apply to all levels of election in the UK. If the level of knowledge and experience is deemed suitable for one level of government, it should be suitable for all levels.

8 RECOMMENDATION

- 8.1 It is proposed that the Committee **RESOLVES**

That the views set out in the report, together with any further Member comments, form the basis of the Council's response to the consultation paper.

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Background Papers:

How old is old enough? The minimum age of voting and candidacy in UK elections – Consultation paper

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