Consultation on Scotland’s constitutional future

NUS Scotland Response

March 2012
NUS Scotland is a confederation of local student organisations in Scotland, comprising over 60 local campus student organisations that are affiliated to the National Union of Students of the United Kingdom (NUS). NUS Scotland is an autonomous, but integral, part of the National Union of Students. The students’ associations in membership of NUS Scotland account for 85% of students in higher education and over 95% of students in further education in Scotland, representing over 500,000 students in Scotland.

Students’ associations affiliated to NUS retain autonomy over all policy areas, and may choose to make individual students’ association submissions based on local policy. NUS Scotland operates a democratic forum for policy and debate on national issues affecting students, and NUS Scotland’s role is to reflect the collective position.

NUS Scotland does not support any specific constitutional option, but we do want the debate about Scotland’s future to be as open, wide-ranging and well-informed as possible. As such, we have joined with other members of civic Scotland to form the Future of Scotland campaign; an attempt to ensure the debate considers what we could do differently in Scotland first before thinking about the powers that would be required to make those visions reality.

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Introduction

NUS Scotland recognises that the forthcoming decision on Scotland’s constitutional future will be the most important question for the people of Scotland in 300 years. In light of this it is vital to ensure that the surrounding debates, and the arrangements for how the decision is ultimately taken, are made as inclusive as possible. We know that Scotland’s students are Scotland’s future and it will be vital to ensure that students of all ages and backgrounds are supported and encouraged to engage fully in the constitutional debate and the referendum. At the same time, a significant proportion of students in further and higher education are young people and it will be vital to ensure that young people are equally engaged in the debate.

NUS Scotland is keen for the arrangements for the referendum to be made in such a way that our students and young people are not deterred or prevented from participating in either the debate or the vote itself. In light of this our key concerns at this stage are how students and young people will be engaged in the debate and the referendum process and the proposed franchise for the referendum.

Engaging students and young people in the debate

As highlighted, we are keen for the referendum to be an accessible and inclusive debate on the future of Scotland. To properly engage the citizens of Scotland in this debate, and particularly students and young people, we believe it is vital that participants are fully informed on the substance of the debate. At present, the implications of any outcome of the referendum are unclear, making it very difficult to take part in the debate in a meaningful way, and we would be concerned that current confusion over a number of issues surrounding the referendum could leave students and young people feeling disengaged.

In particular, we believe it is important that further clarity is provided by the UK Government on what is meant by the further powers which will be considered for Scotland in the event of a vote against Scottish independence. In addition, students and young people will need further information on the implications of a vote for Scottish independence in order to decide whether this is in their best interests and something which they could support. We believe that both Governments therefore need to provide greater clarity and much more
tangible details on the implications of any outcome of the vote to create a much more accessible and meaningful debate, and to ensure that young people and students are fully informed when they cast their votes.

In addition to providing this much needed clarity, we also believe that there should be concerted action to not just involve students and young people in the debates but to encourage much greater turnout from these groups. Many young people and students may have felt shut out or marginalised by previous experiences of elections and politics and this could be an important opportunity to really engage these individuals in the democratic process by highlighting the importance of the vote and the difference they can make by taking part.

At our recent NUS Scotland conference we received a clear mandate from our membership that beginning now, and leading up to any referendum, it is vital that students and young people are engaged in a wide ranging conversation about Scotland’s constitutional future, and the impacts of all possible scenarios. Moreover, there was, and continues to be, a strong desire from our membership that the debate is a wider one than simply independence or not; we sense that it is a similar feeling to that held by the wider public. It is important that the UK government recognises this, and works closely with the Scottish Government to ensure that this wider debate, and corresponding options, is realised.

NUS Scotland would be keen to work to support any such voter education activity or activity to promote voter turnout amongst students and young people. We believe informing students and young people on the issues and supporting them to make their voice heard at the polls is absolutely vital in such a crucial referendum. NUS Scotland and our member students’ associations would welcome any opportunity to work with the UK Government and the Scottish Government, together with other stakeholders, to both develop and deliver such activity to ensure greater engagement from students and young people.

**Extending the franchise to citizens aged 16 and 17**

NUS Scotland has long been a supporter of lowering the voting age to 16 and this is a key issue for our members. 34,695 students in higher education¹ and 65,998 students in further education.

¹ [http://www.scotland.gov.uk/Topics/Statistics/Browse/Lifelong-learning/API0809/Students0910](http://www.scotland.gov.uk/Topics/Statistics/Browse/Lifelong-learning/API0809/Students0910)
education colleges\textsuperscript{2} in Scotland are aged between 16 and 18. We know from our work with these students, and students of all ages, how passionate they are about their futures and the future of their country and we believe that the current voting age is denying them the ability to play a full role in shaping this future. We believe it is vital for young people to be given a say on the major decisions which will shape their future as citizens of this country and the independence referendum represents an important opportunity to extend the voting franchise to those aged 16 and 17.

An overwhelming case has been made for extending the vote to 16 and 17 year olds and given the importance of this issue to young people as the future of Scotland, we believe strongly that the referendum is the time to make votes at 16 a reality – not just for the referendum but beyond this too. This will send a clear message that whatever Scotland’s future may be following the referendum, it will be a future which values the younger generations and the contribution they make to Scottish society.

We welcome the Scottish Government’s support for extending the franchise to 16 and 17 year olds as part of the referendum and the action taken by the Scottish Government to date to lower the voting age in areas of devolved competence. We fully oppose the UK Government’s belief that the franchise for the referendum should be for 18 year olds and over. However, we must see genuine votes at 16, and therefore we must see changes to how the Electoral Register is brought together in Scotland so that all 16 year olds would be eligible to vote. We understand this would require action from the Westminster Government and we would call for that action to take place, in partnership with the Scottish Government, so that votes at 16 becomes a genuine reality for this referendum and for elections in Scotland – and across the UK – beyond.

Without action from the UK Government, the only remaining option to extend the franchise would be to extend the vote to those 16 and 17 year olds who would be eligible to be on the Electoral Register in advance of the referendum (the register for December 2013) as a result of when they are due to turn 18. The impact of this would be to extend the franchise to only some 16 year olds, with a cut off as a result of how the registration process works. This would mean some Scottish young people aged 16 would not be able to vote in the referendum while others would.

\textsuperscript{2} \url{http://www.sfc.ac.uk/statistics/further_education_statistics/infact_database/infact_database.aspx}
We are deeply concerned about the confusion this proposal would create for young people as well as the disenfranchisement of some young people aged 16, dependent only on the month of the year in which they were born. Partial votes at 16 could lead to young people failing to exercise their right to vote due to a lack of awareness around eligibility, or to others arriving at the ballot box only to be told they are ineligible. As well as denying many 16 and 17 year olds their right to vote, this could also have serious negative impacts for the future political engagement of young people, in direct contrast to the aims of lowering the voting age. The confusion created is likely to leave young people feeling shut out of the democratic process, or feeling that it is flawed and unfair.

This confusion must be avoided and, as such, Westminster must act, in partnership with the Scottish Government, to provide genuine votes at 16.

**Votes at 16 beyond the referendum**

As outlined, we are keen for the independence referendum to be seized as an opportunity to extend voting rights. However, at the same time, we would be concerned if the referendum was to be seen as a one-off voting opportunity for 16 and 17 year olds who would then become disenfranchised once again for future local authority, Scottish Parliament and UK Parliament elections. This could lead to political disillusionment and disengagement from the young people involved. There is also the potential for further confusion among the electorate which could suppress turnout in future elections. Voting should be a right for those aged 16 and over and should not be a ‘one-off’ or token gesture as part of the independence referendum.

We know that there is widespread support in both the Scottish and UK Parliaments for lowering the voting age and we would therefore urge all parties to work together ahead of the referendum to lower the voting age to 16 for not only the referendum but also future elections throughout the UK. This would ensure young people can have their say on the whole range of issues which affect their daily lives, and make sure that we are encouraging our young people to get involved in democracy, not shutting them out.