

Australian Research Alliance for Children and Youth: Submission to the proposed Commonwealth Electoral Amendment (Lowering Voting Age and Increasing Voter Participation) Bill 2018.

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## 1. Introduction – The Role of ARACY

ARACY exists to improve the wellbeing of children and young people by transforming evidence into policy and practice. Our work is guided by *The Nest*: an evidence-based framework developed in consultation with more than 4000 Australians. *The Nest* defines what is important to the well-being of children and young people, with a focus across six wellbeing domains: Loved and Safe, Material Basics, Healthy, Learning, Participating, and Positive Sense of Culture & Identity. This bill pertains strongly to the domain of participation. As such, our submission examines how lowering the voting age may impact children and young people.

## 2. Overview

The decision on whether to lower the voting age in Australian to 16 can be considered on both ethical and empirical grounds. The major ethical considerations are clear; when considered from a human rights perspective, citizens under the age of 18 have a rights to be listened to and involved in decisions that affect them. Empirically, commonly cited considerations include participation and political engagement of young people, as well as whether young people have the knowledge and capacity to vote. The evidence around these issues is inconclusive. The following text will evaluate the evidence around lowering the voting age, explore the ethical considerations of this issue, and provide recommendations for action.

## 3. Ethical Considerations

### 3.1 Human Rights & Democracy

#### Key Points:

- In a democratic society, all children have the right to form and express their political views.
- Multiple international documents on human rights stipulate the need to justify exclusion, as opposed to inclusion, of citizens exercising the right to vote.
- Age alone is not necessarily sufficient grounds for the automatic exclusion of young people from voting.

The Universal Declaration of Human Rights ('the Declaration') states that "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives" <sup>[1]</sup>. Specifically pertaining to children, The Convention on the Rights of the Child states that a "child who is capable of forming his or her own views [has] the right to express those views freely in all matters affecting the child" and that these views should be "given due weight in accordance with the age and maturity of the child" <sup>[2]</sup>. In subscribing to these conventions, all Australian children have a right to participate and express their political views.

With regard to restrictions on these rights, the Declaration qualifies that any limitations should be imposed "solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society" <sup>[1]</sup>. With specific reference to the right to vote, the Covenant on Civil and Politic

Rights states that the right to vote is to be extended to all citizens, where any restrictions must be based on “reasonable and objective criteria”<sup>[3, 4]</sup>. From this, it can be taken that all citizens automatically have the right to vote, and that any restriction on this must be on reasonably and objectively justified on the grounds of public wellbeing.

Age has conventionally been considered reasonable grounds for voting exclusion<sup>[4]</sup>, however, this has been challenged<sup>[5]</sup>. Commonly cited reasons for exclusion of children from voting include political knowledge and maturity<sup>[6, 7]</sup>. Yet Australians who are currently eligible to vote are not required to demonstrate their political knowledge or capacity<sup>[8]</sup>. Indeed, literacy and educational requirements are specifically noted to be unreasonable grounds upon which to restrict the right to vote<sup>[4]</sup>. There is an inherent flaw in permitting all Australians the right to vote, regardless of political knowledge, education, or maturity, yet using these arguments to justify the exclusion of young people. It has therefore been proposed that parties be required to justify the exclusion of children from voting rights, as opposed to automatic exclusion based on age<sup>[5, 9]</sup>.

### 3.2 Young People as Citizens

#### Key Points:

- Young people partake in a range of activities that are directly impacted by government policy including paid employment, income taxation, education, and the use of healthcare.
- Young people in Australia are afforded the responsibility of making significant life choices such as around child-rearing, medical care, and military service.

Young people partake in activities that are directly impacted by government policy, such as education, employment, taxation, and healthcare. In the 2015-16 financial year, people under 18 contributed over \$50 million in income tax<sup>[10]</sup>. (ABS) This contribution to, and consumption of, national services has both historically and in recent years been used as an argument supporting the right of young people to vote<sup>[9, 11]</sup>.

In addition, young people are already afforded responsibility for making decisions in their own right, such as medical decisions from the age of 16 (and sometimes younger), the decision to partake in military service (16 and 6 months), drive (16 to 17 years), and have children. Historically and in recent times, there have been calls to bring the voting age into alignment with existing responsibilities<sup>[11, 12]</sup>.

## 4. Evaluation of Evidence

### 4.1 Participation & Political Engagement of Young People

#### Key Points:

- Participation, including being involved in decision-making processes that affect them, remains a key pillar of child and youth wellbeing.
- There is evidence to suggest that young Australians are politically disengaged.

- International evidence is mixed, but suggests that lowering the voting age may have a positive impact on political participation among young people, although cross-cultural considerations limit the validity of this.

Our consultations with children and young people highlight the importance of participation <sup>[13]</sup>. In practice, participating means the views of young people are taken into account, and they are involved in decision-making processes that affect them <sup>[14]</sup>.

There is evidence to suggest that young people are politically disengaged. The most recent data shows that just under 1 in 5 young people age between 15 and 24 feel able to have a say within community on important issues “all” or “most of the time”<sup>[15]</sup>. Participation in civic and political groups among 18-24 year olds has halved in the space of 8 years <sup>[16, 17]</sup>, and intention to vote (if voting were non-compulsory) among 18-23 year olds is 70%, compared to the group average of 86% <sup>[18]</sup>. These findings have resulted in calls for improved ministerial representation of children and youth <sup>[19, 20]</sup>.

Whether or not lowering the voting age will improve political engagement of young people in Australia is difficult to predict, largely due to cultural differences limiting the validity of international data. In the case of Austria and Scotland (where the voting age was lowered to 16 in 2007 and 2015 respectively), there is evidence supporting improved political engagement <sup>[22, 23]</sup>, but not political maturity <sup>[24]</sup> following a reduction of the voting age. Although the applicability of this is limited given social and cultural differences, there is some evidence to suggest that a reduction in voting age may improve political engagement of young people.

While participation remains an important area of wellbeing for children and youth, and the right to vote a key mechanism by which to participate politically, whether lowering the voting age in Australia will improve this remains unclear.

## 4.2 Political Knowledge, Education & Interest

### Key Points:

- Political knowledge among voting Australians is low. There is evidence to suggest that political knowledge among younger voters is marginally lower than the general voting population.
- The educational attainments of 16 and 17 years olds is comparable to a significant proportion of the current voting population.
- A significant proportion of 16-17 year olds would vote if given the opportunity.

Lack of political maturity is frequently cited as arguments against lowering the voting age <sup>[6, 21]</sup>. Points of analysis include political knowledge, education, and political interest. There are currently no restrictions on current Australian voters based on these criteria, and there is limited evidence to suggest that 16-17 year olds differ significantly from current Australian voters.

Surveys conducted among Australian respondents demonstrated the following trends:

- Political knowledge amongst Australians is low, and marginally lower still among younger voters. In a survey of Australian voters, respondents answered an average of 2.48/6 political

- knowledge questions correctly, as compared to 1.77/6 questions by those in the 18-24 age group <sup>[21]</sup>. The survey did not include respondents in the 16-17 year age group.
- A large proportion of Australian voters have little to no additional educational attainments when compared to 16-17 year olds. A survey of Australian voters, 74.2% of respondents left secondary school at age 17 or younger, and 29% of respondents had zero years of tertiary education <sup>[18]</sup>.
  - There is strong evidence that political interest increases with age <sup>[21]</sup>. However, a significant proportion of 16-17 years olds have expressed an interest in voting. In a survey of young people in this age group. 74% of 16-17 year olds intend to vote at age 18, and 36% would vote earlier if they could <sup>[25]</sup>.

This data indicates that Australians have low overall political knowledge, that a large proportion of current voters do not differ to 16-17 year olds with regard to education, and that a significant number of 16-17 year olds have a demonstrable interest in voting.

International studies have shown that political discussions in schools led to an improved subjective understanding of politics <sup>[26]</sup>, and that the impact of schools on political interest was enhanced after the voting age had been lowered <sup>[22]</sup>. Given the low levels of political knowledge among Australian voters, this may represent an opportunity for more informed voters if the voting age were lowered in conjunction with rigorous civics and political education.

#### 4.3 Neurological Development & Capacity

The evidence to suggest whether people aged 16-17 have the capacity to represent their own views in an election is limited. A study of Austrian youth age 16-17 evaluated vote quality by comparing the similarity between the ideology of voters and the party they intended to vote for. The study indicated no significant difference in vote quality between those in the 16-17 year age group versus other age groups <sup>[27]</sup>. Although limited due to social and cultural differences, this study suggests that those under 18 are not necessarily less capable of making appropriate voting decisions than other age groups.

In terms of biological and social development, brain development occurs gradually, not reaching full maturity until the late twenties <sup>[28]</sup>. Societal responsibilities loosely reflect this graduation of maturity, with increasing responsibility over time (such as age of providing medical consent, driving, marriage etc.). Given this protracted period of maturation, a more flexible approach to legislation has been suggested, where laws that aim to protect young people have a higher minimum age (such as legal age of marriage), and those that aim to empower (such as voting) have a lower minimum age<sup>[28]</sup>.

## 5. Current Political Opinion

### 5.1 Views of Young People

#### Key Points:

- A significant proportion of people below the age of 18 support the right and capability of 16-17 years olds voting, but this does not represent a majority.
- The vast majority of people below the age of 18 are opposed to compulsory voting of 16-17 years olds.

A survey conducted on 16-17 year olds in 2009 demonstrated that 40% of respondents supported giving people aged 16-17 the right to vote <sup>[25]</sup>. A similar proportion believed that this age group were capable of voting in elections. 36% of respondents would choose to vote at 16 or 17 if given the opportunity; this increased to 74% intention to vote at age 18. The overwhelming majority (75%) were against compulsory voting of this age group.

### 5.2 Views of the General Public

#### Key Points:

- Lowering the voting age to 16 is opposed by the vast majority of current Australian voters.

A survey of Australian voters undertaken in 2010 indicated that the vast majority are opposed to lowering the voting age to 16 <sup>[18]</sup>. 71.5% of respondents indicated that the voting age should “Definitely stay at 18” with a further 22.4% indicating it should “Probably stay at 18”. Only 6.1% were in favour of lowering the voting age.

## 6. Summary and Recommendations

When taken from a human rights perspective:

- Young people have a right to express their political views within a democratic society,
- Age in isolation should not be a criteria for automatic exclusion from voting; rather, the state should provide “objective and reasonable” justification for excluding young voters,
- Any criteria required to exercise the right to vote (such as voter knowledge) should be applied to all potentially eligible voters and not just young people.

The evidence suggest that:

- There is some, albeit limited, evidence that reducing the voting age may possibly have a positive effect on the political engagement of young people,
- Young people may have limited political knowledge, but they do not differ greatly in this from the majority of current Australian voters, who also have limited political knowledge,
- That a significant proportion of young people would vote if given the opportunity, but do not feel they should be compelled to vote,
- That the majority of the general public, including young people themselves, do not support giving young people the right to vote.

### **ARACY thereby makes the following recommendations:**

- That the voting age be lowered, and that this occur with consideration for formal civics and political education, and improved ministerial representation of children and young people.
- That eligibility for voting be determined via a human rights approach, where young people are subject to the same, and not additional, criteria as currently eligible voters, and not be automatically excluded based on age.
- That voting remains non-compulsory for voters below the age of 18, given the variability in maturity, knowledge, capacity, and willingness to participate during this transitional age.

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