The Stevenson Trust for Citizenship at Glasgow University strongly endorses the adoption of the local government franchise for voting in referendums in Scotland which includes 16 to 18 year olds in the electorate. It does so with the proviso that lessons from the 2014 Referendum about the impact on political education on schools are acknowledged and acted upon.

This view is supported by research conducted by ourselves and by others. A range of studies have demonstrated the key role of first time voting for establishing the habit of voting (Plutzer, 2002; Birch and Lodge 2015) and indeed the experience of the 2014 Scottish Independence Referendum in spurring youth engagement in politics (Eichorn, 2017) as well as the critical role played by meaningful and engaged civic/political education in supporting the development of informed voters.

Efforts by schools in Scotland to ensure political literacy have faced a range of challenges, especially following the adoption of the franchise for 16 and 17 year olds: gaps in the availability of Modern Studies programmes across Scotland, lack of clarity about the aims and acceptable approaches in dealing with political questions and political literacy in the classroom, lack of appropriate materials for teaching, concern about professional rules and support from head teachers.

In 2014 the Stevenson Trust conducted a schools-based study of how staff and pupils dealt with the challenge of the independence referendum as an aspect of citizenship education. This was the first time there was a significant cohort of voters amongst the pupil population. The research surveyed 84 teachers and 516 pupils in 21 schools from 2 local authorities (one private school); the teachers were from a wide range of subject specialisms and the pupils from S5 and S6 classes of whom two-thirds were eligible to vote.

**Key Findings**

1. There were wide differences of opinion amongst teachers about the importance of politicial literacy and about the propriety of teaching about the independence referendum.

2. Fear of being accused of political bias was a major concern amongst teachers. Some gave this as a reason to avoid ‘controversial issues’; others (especially Modern Studies
Teachers) said they were constrained what they were able to do- and had little time or teaching resources. Most thought advice from within the school and local authority was lacking or unhelpful.

3. There was a poor understanding of political literacy and a common view amongst teachersthat political education should be the preserve of Modern Studies and a pupil choice rather than a cross-curricula responsibility and available to all pupils.

4. There was major inconsistency in how schools interpreted national and local authority guidance.(It was reported to us that some local authorities thought that the period of ‘purdah,’ which required civil servants to avoid politically sensitive issues, applied to teachers.) The upshot was great variation in what schools offered in relation to learning about the referendum and in the teaching of political literacy in general.

5. Pupils reported great variation in the extent to which there were opportunities for discussing ‘politics or political and controversial issues’ at school, with a third saying opportunities were ‘fairly frequent’ and a quarter saying there were ‘none.’ About a third said there was a lot of discussion of the referendum, half said ‘a ‘little’, 14% said there was ‘none.’ Most pupils thought there should have been more.

6. Very few pupils believed there to be a problem of teacher bias, or coverage of thereferendum issue not being balanced. Some commented they would prefer to hear their teacher’s views, especially as they felt they ‘knew them anyway.’ When the findings were discussed with selected (albeit small) groups of staff and pupils, a common theme was teachers should be ‘trusted’ to deal even-handedly with political and controversial issues, and pupils ‘trusted’ to exercise their own critical judgement.

**Recommendations**

1. The full implications for schools of voting at 16 in referendums and elections should be considered and responded to by education policy makers. Whilst it may not be within the specific remit of the current proposed legislation, there should be a clear acknowledgement that subsequent enabling legislation, policies, curriculum provision, and support from Education Scotland should fully consider the place of schools in educating young voters and providing clear, consistent and equitable information to all young voters in schools across Scotland.

2. The inconsistency and inequality that arises from allowing schools to offer greatly different levels of political education to newly enfranchised citizens should be addressed. This often stems from very different messaging at local authority level, and could be addressed through more consistent and coherent communication, through for example the new regional structures in Scottish education.

3. The guidance and support offered to schools in relation to political literacy should be improved and its implementation monitored. It should include ‘a whole school approach’ and not confined to the roughly 80% schools offering Modern Studies, or only to those pupils who can make this choice of subject. Specific guidance should target both the Broad General Education phase and the Senior Phase.
4. New voter registration should be available on site in schools and be free of barriers to participation, including requirements for national insurance numbers or passports (many students will not have them) and enabling 16 to 18 year olds to register without their residences and identities made available to the public.

5. The possibility of postal voting for 16 years voters should be provided irrespective of their residence (i.e. living with their parents or elsewhere).

B. Should the Bill provide for the possibility of citizen-initiated referendums?

The Stevenson Trust for Citizenship at Glasgow University councils against legislating for the establishment of citizen-initiated referendums within the context of the current proposed bill. Whilst there may be many good reasons to consider the establishment of citizen-initiated referendums within Scotland, if this is to be done it should be within the context of stand alone legislation. Given the complexities inherent within the establishment of a new citizen-initiated referendum processes and the many technical elements needed to establish clear and fair processes in citizen-initiated referendums, appropriate legislation would require unique and specific consideration.

Citizen-initiated referendums can and, in many political systems, do complement the elite- or legislative-initiated referendums and can contribute to a greater sense of legitimacy of the political system. However, they are complex mechanisms that require separate and distinct legislation. This view is supported by research conducted by ourselves and by others. Studies have shown that in Europe citizens who reside in states that allow the public to initiate referendums express higher levels of trust in more political institutions and tend to be more likely to comply with state authority (Gherghina, 2017). Many citizen-initiated referendums are approved at the polls and this has an impact on existing legislation (Silagadze & Gherghina, 2018).

Citizen-initiated referendums require their own, often complex, set of rules (Kriesi, 2005; Qvortrup, 2014). Unlike the elite- or legislative-initiated referendums (top-down), citizeninitiated referendums have a series of particularities such as:

1. The number of signatures required to initiate the procedure, which can be a number specified in legislation or can be established as a relative number / percentage of voters.

2. Assuming signatures are required to initiate a referendum, rules over who is eligible to sign, the period of time allowed to gather signatures and how these are gathered (e.g. online vs offline).

3. Provisions by which signatures are certified as meeting the established criteria; which authority oversees the certification processes; how the certification process is managed; and adjudication processes for certifying disputed signatures.

4. Whether, and the extent to which, campaign finance rules apply to the campaigns established to collect of signatures (and initiate a referendum). To what extent are third-sector organisations or private individuals or organisations allowed to finance and promote signature-gathering campaigns.
5. The existence of an oversight committee to monitor and check the validity of procedures. The composition of that committee should be also be considered.

6. The steps to be taken once the requirements are met, e.g. when does the campaign start, its length, the application of purdah rules, campaign finance rules, etc.

7. The policy categories on which such referendums can be initiated – there is great variation between countries ranging from the possibility to call referendums on selected topics that usually exclude financial and security issues to all topics. In the case of Scotland, legislation would need to establish who certifies whether initiatives relate to devolved areas of competence.

Finally, citizen-initiated referendums should be considered within the context of the suite of public deliberative and participatory mechanisms already established in Scotland. For instance, an examination of the topics raised through the Scottish Parliament’s Public Petitions System (see Carman 2006 and Carman and Ipsos-MORI (2009)) reveals a wide appetite across Scotland to propose new policies, alter existing policies and challenge governing institutions on a wide array of issues.

**Recommendations**

1. The drafting of a separate Bill on the topic of citizen-initiated referendums to reflect the importance of this type of referendum in the broader picture of direct democracy in Scotland.

2. The provisions for franchise, rules for voting, campaigning and how a poll should be conducted should be similar across elite- or legislative initiated referendums and citizen-initiated referendums to ensure the homogeneity of procedures.

3. Consideration of the policy areas in which citizens would be allowed to initiate referendums. This is particularly important in considering policies with clear and distinct budgetary and financial implications (e.g., taxation, infrastructure spending, etc.).

4. Clarity about how the citizen-initiated referendums would fit within the existing range of participatory mechanisms within the Scottish governance structure. For example, it is useful to refer explicitly the relationship between petitions and referendums.