

C01/23



**Consultation Paper on
Lowering the Voting Age to 16**

22 November 2023

Comments on this Consultation Paper should clearly reference 'Consultation Paper on lowering voting age to 16' and be sent by email to:

votingconsultation@gibraltar.gov.gi

or delivered to:

Consultation on Lowering the Voting Age to 16,
c/o Principal Secretary,
Office of the Deputy Chief Minister,
No. 6 Convent Place,
Gibraltar

no later than 31st December 2023.

Any comments received after the above date may not be taken into account for the purposes of the relevant consultation.

Consultation Paper on lowering the age of voting to 16

Foreword

The GSLP/Liberal manifesto for the general election of 12 October 2023 included a commitment, if re-elected into office, to hold a consultation on the voting age. That political manifesto is now the policy of the Government.

The commitment to consult on the voting age was contained on page 28 and read as follows:

“VOTING AGE CONSULTATION

In the context of our commitment to democracy we are committed to consulting the people of Gibraltar on lowering the voting age to 16. This proposal aligns us with numerous progressive democracies around the world, where young people aged 16 and above have been granted the right to vote. Lowering the voting age recognises the maturity and political engagement of our youth. It empowers them to actively participate in shaping the future of our nation, ensuring that their voices are heard, and their concerns addressed. By fostering early civic engagement, we aim to create a more inclusive and dynamic democracy, where all generations contribute to our collective decision-making process.”

It will be recalled that the referendum of 24 June 2021 was held under a franchise which accorded 16 and 17 year olds the right to vote for the first time.

The Gibraltar Parliament will ultimately determine whether or not the voting age in Gibraltar is reduced to 16. This consultation will better inform any deliberations in that regard.

Background

In order to be eligible to vote in General Elections in Gibraltar you have to be at least 18 years of age, in accordance with the Parliament Act.

As promised in our 2023 Manifesto, we are committed to consulting the people of Gibraltar on lowering the voting age to 16. This proposal aligns us with numerous progressive democracies around the world, where young people aged 16 and above have been granted the right to vote.

This paper discusses the pros and cons of lowering the voting age to 16 and seeks your views as to whether the law should be amended in order to allow 16 and 17 year olds to vote.

Voting age around the World past and present

Before the Second World War, the voting age in most countries was 21 years or higher. During the 1970s, many democratic countries reduced the voting age to 18 including the UK which was the first major democratic country to do so with the Representation of the People Act 1969. By the late 1990s, 18 became the most common voting age.

However, several countries and territories have a minimum voting age of less than 18 and most of these have a voting age of 16 such as Austria, Germany (only in some local elections), Malta, Brazil, Isle of Man, Jersey and Guernsey.

More recently, Scotland lowered the voting age to 16 for elections to the Scottish Parliament and for Scottish local government elections. In Wales 16 and 17 year olds can also vote in elections to the Welsh Parliament.

The case for lowering the voting age to 16

Many young people are politically active and very often engaged in the most important topics affecting us today. Over climate change, for example, young people have been at the forefront of protests and indispensable at raising awareness of environmental issues. It is clear that age is not an accurate indicator when it comes to participation in democratic and civic activities.

Young people start to take an interest in politics as from school years 10 and 11 or when they go to college or begin work. By lowering the voting age to 16, it encourages the habit of voting and increases young people's engagement in politics. It allows them to have a voice in decisions and raises awareness of political issues because they have a say in them. Young people should have a voice in decisions that will have long-term consequences for them. Furthermore, it strengthens accountability of politicians and the Government generally in relation to issues affecting them.

Democracy and franchise have always evolved. Extending the franchise to 16 makes sense and allows us to be more inclusive. Some of the arguments used against 16 year olds are the same that were used when women and 18 year olds were denied the vote i.e. that they won't know what they are voting for or that will bring down democracy. Those arguments have notably been proved wrong.

At 16 you are allowed to leave full-time education, get married, work full-time and pay tax. You can also give consent to medical procedures. There is therefore an inconsistency with in denying the right to vote to individuals who are deemed mature enough to take on these responsibilities.

Interestingly, the minimum voting age in all British Crown Dependencies is 16 (Jersey, Guernsey, Isle of Man).

In Scotland, in the 2014 referendum, 16 and 17 year olds were given the right to vote for the first time and it is estimated that 75% of 16 and 17 year olds on the electoral register turned out to vote, demonstrating a keen interest in political engagement. Interestingly, by comparison, 54% of 18 to 24-year-olds on the electoral register turned out to vote. With Wales and Scotland giving the right to vote to 16 year olds, the pressure for a reduction in the voting age across the UK continues to increase.

The case against reducing the voting age

The average voting age around the world is 18 although some countries have reduced their voting age to 16 they are still a minority of countries.

Critics of lowering the voting age argue that 16 and 17 year olds do not have the political knowledge, maturity and independence of thought required to vote. Their cognitive development is still not complete and they may not comprehend the complexity of political issues or be able to make informed decisions.

It is arguable too that they may be more susceptible to manipulation and more likely to be influenced by advertising or social media. Any change in the voting age should be accompanied and supported by citizenship and human rights education so that the measure does not lend itself to undue influence.

Whilst they may be allowed to work and pay taxes they are not treated as fully grown adults in many aspects of life such as in respect of alcohol or vaping. Can we trust them enough to vote but not to take other decisions about their lives?

Additionally, in some countries voting is compulsory and therefore there are additional concerns that need addressing.

Conclusion

The arguments for and against the lowering of the voting age to 16 are complex, persuasive and varied. Your participation in this consultation is vital and the views gathered will be instrumental in making an informed decision as to whether to lower the voting age.

We value your engagement and look forward to receiving your comments.