



Youth Coalition of the ACT

Submission to the Legislative Assembly
Standing Committee on
Education, Training and Young People
Inquiry into Lowering the Voting Age in the ACT

July 2006

The Youth Coalition of the ACT

The Youth Coalition of the ACT is the peak youth affairs body in the Australian Capital Territory and is responsible for representing the interests of people aged between 12 and 25 years of age and those who work with them. The Youth Coalition works to actively promote the well being and aspirations of young people in the ACT with particular respect to their political, cultural, economic and social development.

The Youth Coalition is represented on many ACT advisory structures and provides advice to the ACT Government on a range of issues related to young people and youth services.

The Youth Coalition works collaboratively with a range of other service providers and organisations, a key role being the provision of coordination and analysis of the implications of ACT policy and program decisions for young people and youth services.

As the peak body for the youth sector, the Youth Coalition facilitates the development of strong linkages and promotes collaboration between the community, government and private sectors to achieve better outcomes for young people in the ACT.

For the purposes of this inquiry, the Youth Coalition met with 31 young people between the ages of 14 and 21 and discussed the possibility of lowering the voting age to 16 years. The feedback from these young people generally reflected much of the literature and research existing on young people's attitudes towards democracy and voting in Australia.

This submission aims to address the issues the committee expressed an interest in by exploring four key areas in young people's ability to vote:

- The ability of 16-17 year olds to make complex decisions.
- The motivation of 16-17 year olds to vote
- The electoral awareness of 16-17 year olds
- The ACT's conformity with other Jurisdictions

Introduction

The right to vote in elections is a right that has not come hand in hand with democracy for all citizens in society, indeed it is a right that is withheld from some groups within the community to this very day. After non-aboriginal women over the age of 21 were given the right to vote in 1901, the electoral system continued to change with social views, according all Aboriginal and Torres Strait Islander people over the age of 21 the right to vote in 1962 and then in 1973 those between the ages of 18 and 21 were given the right to vote. Therefore, the gradual franchise of various groups has historically reflected society's attitudes towards particular groups based on their competency and worthiness of being accorded the right to vote.

This relationship between voting rights and citizenship is well illustrated by the case of the 1962 where Aboriginal and Torres Strait Islander people were not previously considered citizens of Australia as a result of their exclusion from the voting process. Voting rights recognised Aboriginal and Torres Strait Islander people as citizens within society and that in accordance with citizenship comes the right to vote. The Youth Coalition believes that by excluding young people from the voting processes sets up similar contradictions for young peoples' citizenship in Australian society. It is clear that many young people participate in all areas of society – from paying taxes to volunteering to receiving assistance from government funded services and by living under the same legislative requirements as all other citizens. Thus, the Youth Coalition believes that it denying young people the right to vote undermines their citizenship status within this country.

The right to participate in democratic elections is enshrined not only in political ideology, but also in human rights documents that Australia has adopted. Article 21 of the Universal Declaration on Human Rights (UDHR) states that “everyone has the right to take part in the government of his country, directly or through freely chosen representatives” and that “the will of the people...shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage...”.¹ This suggests that the right to vote and participate in the selection of a government is a universal and fundamental right set out in United Nations declarations and conventions, if not in our constitution.

¹ United Nations, *Universal Declaration on Human Rights*

Complex Decision-Making Competence

Voting's important, I want to get it right – Liz, 16

Along with a number of other factors, decision-making competence plays an important role in engaging in the electoral process. In particular, people's ability to make decisions should be given due importance alongside their right to vote. The Youth Coalition recognises that individual competence is not taken into account for those aged over 18 in Australia. As a result, there are people who have the right to voting in elections in the ACT who are less competent in making electoral decisions than others aged less than 18 years. The Youth Coalition believes, however, that competence is not the sole determinant in decision-making and that everybody has a fundamental right to participate in decisions that affect their lives. As a result, young people have a right to express their view in a supported process about their own lives and decisions that are made that impact on them.

However, the Youth Coalition recognises that expression through voting is different to other forms of decision-making and expression. Voting requires a different set of skills and ability than other processes that young people participate in. Therefore, the Youth Coalition believes that it is appropriate to qualify Article 21 of the UDHR with Article 12 of the Convention on the Rights of the Child (CROC), which Australia has ratified. Article 12 of the CROC says that states "shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child".²

The Youth Coalition supports a minimum age of voting set at an age at which a significant number of people are competent in their ability to express themselves effectively through the voting process. The Youth Coalition believes the current minimum age for voting – set at 18 – is too high and disenfranchises many young people who are competent at forming their own views at a younger age. However, it is important to note that those aged under 18 – and those aged under 16 should the voting age be lowered – still lack mechanisms to express their views on decisions that affect their lives. The Youth Coalition therefore highlights the need for processes to be developed in order for young people to express their views in supported and appropriate ways.

Consultations conducted by the Youth Coalition indicated that almost three in four young people believe that 16-18 year olds had the ability to make complex decisions, with only 13% responding that young people did not have the capacity to make complex decisions. The view that 16-18 year olds are able to make complex decisions is also illustrated through research on decision-making competencies amongst young people.

² United Nations, *Convention on the Rights of the Child*

Research by Furnham and Stacey found that those between 16 and 18 “can take into account the long-range effects of political action and use philosophical principals for making political judgements”.³ This is also confirmed by more general studies on the ability of young people to make complex decisions.

Mann *et al*⁴ selected nine measures of competence for decision-making, which were applied as a test of young people’s ability to make decisions. Of these nine, the first seven criteria are relevant to decision making relating to electoral and civic matters. We have excluded consistency and commitment as these are not relevant for a discussion on young people’s participation in voting and electoral matters.

1. Willingness to make a choice

Mann *et al* suggest that while 12-15 year olds were likely to conform to a peer decision, those aged 16 and above were far more likely to want to make independent choices.

2. Comprehension.

Refers to understanding decision making as a cognitive process.

3. Creative Problem Solving.

This was said to involve the generation of choice alternatives in order to solve a problem in different ways, varying combinations in order to achieve new alternatives and developing a sequence of steps in order to progress towards a goal. Mann *et al* found that as young people develop, they were likely to become increasingly competent in their ability to generate other options.

4. Compromise

Compromise was defined as the willingness to modify an unattainable objective for a less favourable but more viable option. They were unable to find any research on this particular criterion.

5. Consequentiality

This referred to an appreciation and understanding of possible implication of a particular course of action for one’s self and for others. Mann *et al* point to a range of research suggesting that as young people get older, they develop an increased appreciation for consequences and that, for example, while only 30% of 13 year olds spontaneously suggest that good decision-making involves consequences, over 50% of 15 year olds spontaneously suggest consequences.

³ Furnham & Stacey (1991) *Young People's Understanding of Society* Routledge, pp19-34.

⁴ Mann *et al* (1989), ‘Adolescent Decision Making: The Development on Competence’ *Journal Of Adolescence* 12 pp265-278

6. Correctness of Choice.

The correctness of a choice is measured by the logical outcomes of any particular course of action, even if the choice was not correct. From various research conducted with young people, it has been suggested that even 14 year olds do not differ significantly in adults in their ability to make logically correct decisions.

7. Credibility

Relating to the tendency to check, verify and question sources of information for its accuracy or potential bias, Man *et al* suggest that younger teens aged 13-15 years were less able to recognise possible conflicts of interest compared with young people in the age bracket above.

Studies such as that by Mann *et al* on young people's ability to make decisions demonstrates that competency in decision making increases with age, particularly throughout the early teenage years with substantial differences between 10, 13 and 15 year olds. This demonstrates that those who are 16 years of age are likely to have significantly increased competency in making decisions from their younger peers and that for the vast majority of 16 year olds, they have attained a high level of competence in making decisions.

The ability of 16 year olds to make competent decisions is recognised in many aspects of life, many 16 year olds who attend school make decisions about their education through choosing subjects, colleges and even to leave the education system and pursue other options. Similarly, some 16 year olds are living out of home and working full time and living independently. 16 year olds can choose for the first time to apply for a marriage, consent to medical procedures, have consensual sex, apply to live in ACT public housing, apply for Youth Allowance, drive a car, join the Navy, work full time and pay taxes. Thus, young people at the age of 16 are making choices that impact on their lives and the lives of others. As a society we respect their right to make these complex decisions and accept that 16 year olds are capable of making such decisions. The Youth Coalition supports all these rights and responsibilities for young people, recognising that many 16 year olds have the ability to make informed and mature decisions about such issues.

The Youth Coalition, however, recognise that like any demographic one selects, there are always exceptions and that there are a limited number of young people who are not competent to make complex decisions for a variety of reasons, just as there are adults who are unable to make complex decisions. The most important point is whether there are a significant number of young people who are competent in making these decisions, and the Youth Coalition believes that there is a significant number as evidence from a range of studies and from our own consultations suggests that there are many young people who can make these types of decisions.

There are some, however, who suggest that even though young people are active in decision-making, that enfranchising them to vote would lower the integrity of the system. The Youth Coalition believes that such examples have been hailed throughout the history of democracy, from enfranchising non-land owners to women and to people of Aboriginal and Torres Strait Islander descent. This was also the case when the voting age was lowered from 21 years to 18 years in the 1970s. This is well illustrated by the infamous 'Bikie's Moll' series of letters in the *Herald*⁵ in late 1970 started by the mother of an 18 year old young woman. This lady's daughter was 'living a hand-to-mouth, grubby, precarious, immoral life as a bikie's moll'. The mother of this young woman highlighted her daughter's apathy towards politics and general irresponsibility. Yet the response from a range of sectors of society pointed to the vast majority of 18 year olds who were responsible, were informed and who did care about having their voices included in decision making. Just as society had changed between 1901 and 1970 giving 18-21 year olds responsibilities earlier in life and increased decision-making skills, this argument applies again in 2006 to reflect changes in society leading to young people being able to vote at the age of 16.

⁵ Anonymous (1970) 'Mother pleads: Don't drop vote' *The Herald* Melbourne.

Motivation To Vote

If you have your rights affected by governments, why can't you influence the decisions they make? – Harry, 17

While Mann *et al* identify willingness to make a choice as a criterion for competent decision making, we believe that this is particularly important when discussing the possibility of enfranchising young people to vote and that it deserves more attention and is conceptually different from the other criteria laid out above.

I don't have anything to care about in politics –Alison 16

Throughout our consultations with young people, the barriers mentioned the most frequently and reported to have the largest impact on young people's desire and ability to vote was their willingness to engage in the electoral process. Many young people simply said that they did not care about voting predominantly because they did not believe that 'politics' mattered to them. The majority of young people aged under 18 involved in our consultations said that politics didn't affect them because they were at school, not working and not 'in the real world'. Many young people made an association between government and those who work, without recognising the role that government plays in many other parts of people's lives.

16 and 17 year olds are aware of the issues in the community – Jordan, 16

Following facilitation based on issues that do affect the young people we met with, they found themselves caring about many of these issues, however, they reported that they did not initially think that they were to do with politics. Things such as education, recreational facilities, public space, public transport and employment were all raised as areas that young people cared about and clearly have an interest in as citizens of the ACT who are in some cases the largest number of citizens who engage with such services – particularly education and public transport. Thus, while many young people may be said to be uninterested and even classified this way by themselves, they are deeply concerned about issues that affect them. As a result of the way in which politics, democracy and voting are constructed by society, many young people feel alienated from this process as they do not see it impacting on them when in reality, young people's lives are heavily defined by what happens in government and society should therefore be doing more to assist young people in building connections between issues they care about and democracy, politics and voting.

I don't care about political parties – James, 17

Many people have falsely pointed to young people's high level of apathy towards democracy, politics, voting and society more generally, yet such accusations completely misrepresent young people. It is not that young people are apathetic, but that they care about specific issues that affect their lives. For some within society – and even for many young people themselves – this can be seen to be a lack of interest in society as a whole, but rather, it is that young people have become focused on democracy and politics as being about political parties and individual people, rather than about decisions that impact on their lives. When young people explore issues and make connections between issues and the central role they play in politics, many young people realise that they are in fact interested in politics and that voting is about expressing their view on such things and that this is something they want to do.

The only time I learnt about government was in Grade 6 - Kimberly, 18

The Youth Coalition believes that for young people to be effectively engaged in the voting process that more time and resources needs to be invested in young people's education and exploration of civics and citizenship education. Young people must be able to clearly link the role that voting and politics impact on their lives in order to increase the number of young people who are interested in voting and see the relevance it has for their lives. Getting young people to care about democracy, politics and voting is also a life long outcome of their education and not something that is simply relevant to them at the age of 16 or 17. As a society we should be making all possible attempts to keep people engaged with and passionate about democracy and democratic processes, particularly in Australia where they are compelled to participate in this process after they turn 18 years of age. Thus, investment in young people's civics education should be seen as a broader goal and not one that is limited only to their teenage years.

If the voting age was changed to 16, then I'd want to vote – Chris, 17

The issue of young people not fully engaging in democratic systems in the ACT has been highlighted by the ACT Electoral Commissioner Phillip Green who has raised concerns with the ACT Legislative Assembly about the number of young people ages 18-24 who do not sign onto the electoral roll. This is likely to occur when young people are not passionate about democracy or when they are disengaged with issues or uninformed about systems of government. By lowering the voting age and increasing civics education in schools, young people would be more likely to be interested in voting at an earlier age and continue their passion for democracy throughout their later life.

If young people are not engaged in their younger years about democracy, it is likely that such a trend will continue. Therefore, lowering the voting age would go some way in combating other problems facing democracy in the ACT.

Lowering the voting age, however, is only part of the response that is required to ensure that young people are fully engaged in Australia's democratic systems. Young people who may not be on the electoral roll are unlikely to have been in contact with the AEC or any other body that has provided them with information on the process of enrolling to vote. It is the role of the AEC to ensure that people are signed up to the roll and an analysis of young people's voting enrolments should begin with an examination of the steps taken by the AEC to engage young people. The Youth Coalition believes that such an examination would expose a significant gap in the work of the AEC in engaging with young people aged 16-18 – particularly those not studying in mainstream schooling – and those who work with them. More resources are required for engaging with these young people to ensure that they are signed up to the electoral roll.

Our votes doesn't matter unless we all vote together – Sam, 15

The second reason that many young people were disinclined to vote related to their perceived powerlessness in society. Many expressed that their vote didn't matter and that what they thought didn't make a difference to society and therefore, that voting was a 'waste of time'. Young people talked about times that the government had further disenfranchised them citing the current proposal to close schools in the ACT. They felt disengaged and unrecognised in the political system and asked for politicians to engage directly with them on more issues – particularly by politicians visiting their classrooms and talking with them about issues.

Don't they trust us? – Samantha, 15

The Youth Coalition believes that the view held by many young people that politicians don't value them is further perpetuated by 16-18 year olds not being able to vote. The Youth Coalition believes that should the voting age be lowered, a significant amount of trust and respect would be built between young people and the political system. The Youth Coalition therefore highlights that the voting age is another factor which reinforces young people's feelings of marginalisation and distrust and that this act in itself would increase young people's willingness to participate in the democratic system.

Electoral Awareness

We don't learn enough at school – Megan, 16

Just as it is essential for young people to have the desire to vote, they must also have the knowledge to vote, including both the knowledge of systems and structures as well as an understanding of current issues. When the Youth Coalition consulted with young people, they highlighted their lack knowledge about the systems of government in particular and about current affairs to a lesser extent.

Systems

In school, there's no education about voting at all - Jeremy, 17

The young people we met with expressed a lack of basic knowledge about civics and government. Many had been in contact with the ACT Electoral Commission in Year 6 and had been to the ACT Legislative Assembly, yet many lacked knowledge about the responsibilities of individual levels of government, systems of voting, how often voting occurs and political parties. Many young people expressed a desire to learn more about the system of government and said that including this in the SOSE curriculum was not appropriate for a number of reasons. These reasons involved teachers themselves not knowing enough about the structure of government and there being competing interests within the course to learn about other things such as finances and geography. Young people said that government should be a course by itself, which involved not just education about the systems of government, but also about how it relates to them, how it works in operation and how it relates to them through issues they care about.

Adults don't know enough either – Jack, 18

The Youth Coalition also highlights that this is an issue that is not confined only to young people, but in fact relates to a whole range of Australians. The Youth Coalition believes that empowering young people to vote while simultaneously increasing civics education within schools would encourage education which is retained throughout life and increases the knowledge of future generations of Australians. While the Youth Coalition fully supports all moves to increase the civics education curriculum in high schools, we believe that it is unrealistic to expect young people to be fully engaged in a topic such as civics education when they seem themselves as unlikely to use this until they turn 18. We suggest that if young people were given the right to vote, they would be more likely to take onboard information and become engaged in its content because they knew that they could use it in the near future. Thus, any attempt at increasing civics education in schools would be made substantially more effective should young people be able to exercise their ability to use the information by voting in ACT elections.

Current Affairs

If I could have voted, I would have wanted to find out more – Jess, 19

As it has been stated above, young people tend to be significantly more interested in issues than they are in systems, structures and processes of government. While this makes it more challenging to teach young people about systems, it does make exploring current affairs with young people much less of a challenge and something that many young people easily engage in. The young people we spoke with talked about how they were interested in specific issues that concerned them and that they felt that there were limited opportunities within their education to talk about these issues. They particularly felt that while they were able to discuss some issues in classes such as English, these issues were often selected because they were contained in other texts they were examining and not necessarily relevant for them. They highlighted the need for English to focus on skills of critical analysis – particularly of current issues – in order to better facilitate their ability to be informed citizens.

I did National Youth Parliament and learnt heaps about politics – Emily, 20

Young people also spoke of their willingness to be involved in extra-curricular activities that involve increasing their awareness and understanding of current affairs. Young people spoke of their involvement in activities such as the United Nations Youth Association (UNYA), National Youth Parliament, the ACT Minister's Youth Council, School Debating and others. In particular, young people highlighted the need for these programs and programs like these to be accessible and well resourced in order to allow all young people who are interested to participate. Young people talked about the need for these programs to continue to receive funding and noted that the ACT Government does not fund National Youth Parliament for young people in the Territory.

Existing opportunities are only for over-achievers – Tess, 21

The Youth Coalition also believes that organisations and programs such as these can fail to engage a broad cross section young people who often feel excluded from these programs for a variety of reasons. The Youth Coalition therefore believes that more work is required to develop programs which fully engage a diversity of young people in order to give them an opportunity to both express their views on a range of issues and also to continue to develop their understanding of current affairs. Further, the Youth Coalition recognises that such programs are most effective when they involve young people's meaningful participation in their design and delivery. The Youth Coalition therefore recommends that more resources are invested in developing a diverse range of mechanisms for young people to participate in extra-curricular activities which increase their understanding and passion for current issues and that there needs to be more forums for young people to express their views.

Conforming to Other Jurisdictions

The Youth Coalition believes that all jurisdictions should adopt a voting system, which enfranchises young people at the age of 16, as we believe that to fail to make such changes is to the detriment of young people and of democracy at large. We recognise that attempts have been made in other jurisdictions to lower the voting age but have been unsuccessful. The attempt in the New South Wales (NSW) Legislative Council in 2005 was objected to because it was not consistent with national public policy, just as lowering the voting age to 18 was rejected in the 1970s in Victoria unless similar action was taken nationally.

The Youth Coalition believes that to enfranchise young people in the ACT would provide a case study for other jurisdictions to examine. The ACT has the opportunity to implement progressive changes that have not been tested before. The ability to try out new things and test new models has led to the ACT being a unique, highly successful and inclusive territory compared to other states and territories around Australia. The implementation of the first Human Rights Act in 2004 has been a catalyst for similar action taken by Victoria and serious consideration by other states. Similarly, the implementation of the college model based on Tasmania's experience was unique and progressive and has led to better outcomes for students in the ACT.

The ACT continues to have legislation that is unique such as the prohibition of non-domesticated animals in circuses, workers compensation, Occupational Health and Safety and the attempt to make same sex unions a recognised institution. Thus, the ACT has proven itself to make decisions based not on national conformity in the past, but rather on what is in the best interests of the citizens of the ACT. The Youth Coalition believes that now the ACT has another opportunity to make such changes to ACT legislation to recognise that young people are legitimate citizens of the ACT and should be accorded the right to vote, irrespective of the courses of action other jurisdictions have taken.