

Child Rights and Wellbeing Impact Assessment

Referendums (Scotland) Bill

May 2019



Scottish Government
Riaghaltas na h-Alba
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Child Rights and Wellbeing Impact Assessment

Policy/measure

This Bill provides a legislative framework for the holding of referendums about devolved matters in Scotland. It covers the technical aspects of holding referendums by prescribing the rules for voting and conducting the poll. It also provides campaign rules. The rules are largely based on existing UK and Scottish legislation covering elections and referendums. They include the administration and limits of spending and donations given to participants during the referendum campaign. This Bill will provide a similar basis for referendums in Scotland as the Political Parties, Elections and Referendums Act 2000 (PPERA) does for UK referendums.

Initiating department

Constitution and External Affairs –Constitution and Cabinet Directorate

Policy aims

The main policy objective of the Bill is to ensure that future referendums maintain the very high standards previously achieved and to provide renewed public confidence that referendums will be fair, open and democratic in line with established best practice and reflecting distinctive Scottish views on participation and conduct. The framework will bring arrangements in Scotland into line with good practice elsewhere in the UK and ensure that future parliamentary scrutiny is focussed on the merits of the issue in hand and the question associated with and timing of a referendum. In particular it will ensure that:

- entitlement to vote is in accordance with agreed principles and is determined in a fair and consistent manner;
- voting and counting processes are clear and transparent and operate smoothly and effectively, and are subject to sufficient controls and audit; and
- campaigns leading up to a referendum will be well regulated, independent from Parliament and Government; rules will be in place so that spending by those campaigning is limited to reasonable levels; and all sides in the campaigns will operate on a level playing field in terms of resources spent on campaigning.

Date

23/5/2019

Signature

**Child Rights and Wellbeing Impact Assessment: Stage 1
Screening - key questions**

1. What aspects of the policy/measure will affect children and young people up to the age of 18?

The Referendums (Scotland) Bill will, as with Scottish Parliament and Local Government elections, allow 16 and 17 year-olds to vote. This was the case in the Scottish Independence Referendum held in 2014 and for the above elections since then. This is not a policy change, but a new application of the existing position.

2. What likely impact - direct or indirect - will the policy/measure have on children and young people?

Children and young people will not be specifically impacted by the policy – 16 and 17 year-olds will be able to vote in referendums, as they have at Scottish Parliament and Local Government elections and the Scottish Independence Referendum in 2014. They will be subject to the same rules and regulations as other voters.

3. Are there particular groups of children and young people who are more likely to be affected than others?

No. However, as with Scottish elections, the Electoral Commission will carry out an awareness raising campaign which may involve and target schools and further/higher education institutions to encourage all young people to register vote and general awareness of the referendum to be held.

4. Who else have you involved in your deliberations?

We have been working with Scottish Government Legal Directorate on the development of the legislation as well as UK relations and constitution colleagues. We have also worked closely with the Electoral Commission which will have a role in regulating the poll and conducting public awareness raising campaigns, the Electoral Management Board which will be responsible for the delivery of electoral arrangements across the country and the Electoral Registration Officers whose role it is to ensure as many people as possible are registered to vote and can carry out work in their local areas to target specific audiences.

5. Will this require a CRWIA?

We feel that due to the reasons above, this bill applies existing policy and legislation and a CRWIA is not required.

CRWIA Declaration

Tick relevant section, and complete the form.

CRWIA required**CRWIA not required**

X

Authorisation**Policy lead**

Rebecca Whyte, Referendums (Scotland
d) Bill Team Leader, Elections and
Freedom of Information Division.

Date

23/5/2019

Deputy Director or equivalent

Penny Curtis, Deputy Director for
Elections and Freedom of Information,
Elections and Freedom of Information
Division.

Date

23/5/2019



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