



House of Commons sitting of the UK Youth Parliament – November 2014

RESEARCH PAPER 14/51 11 October 2014

This special briefing paper has been produced to help Members of Youth Parliament (MYPs) prepare for the House of Commons sitting of the UK Youth Parliament which takes place on 14 November.

The paper provides background information for each of the ten topics that appeared on the Make Your Mark ballot.

The ballot is to decide which five topics will be debated in the House of Commons chamber. MYPs then vote for the two issues which will be campaigned on during the following year.

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Research Paper 14/51

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We welcome comments on our papers; these should be e-mailed to papers@parliament.uk.

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Introduction

On 14 November 2014 the House of Commons chamber will be filled with young people aged 11-18 for the House of Commons' sitting of the **UK Youth Parliament (UKYP)**.

What is the UK Youth Parliament?

Run by young people for young people, UKYP provides opportunities for 11-18 year-olds to use their voice in creative ways to bring about social change. The UKYP has over 600 representatives (369 seats for elected **MYPs (Members of Youth Parliament)** and over 230 Deputy MYPs, all aged 11-18.

MYPs are usually elected in annual youth elections throughout the UK. Any young person aged 11-18 can stand or vote. In the past two years one million young people have voted in UK Youth Parliament elections.

Once elected MYPs organise events and projects, run campaigns and influence decision makers on the issues which matter most to young people. All MYPs have the opportunity to meet once a year at the UK Youth Parliament Annual Sitting.

Where do campaigns and policies come from?

Each year MYPs present the issues they were elected to campaign on. Those already in the manifesto are filtered out and others, making similar points, are combined.

The final list of manifesto policy motions goes forward to the online MYP vote to prioritise the issues they would like most to be debated at the Annual Sitting. Manifesto motions are voted on at the Annual Sitting with speeches for each motion and an open floor debate. This year the Annual Sitting was held in July at Lancaster University.

MYPs then prioritise the top ten issues to go to a national consultation through the Make Your Mark ballot.

The top five issues from the ballot are then debated in the House of Commons, where MYPs vote for the two issues to be campaigned on during the following year.

Parliament Week (14th – 20th November)

The UK Youth Parliament's sitting in the House of Commons marks the start of Parliament Week - an annual, UK wide programme of events and activities designed to **engage people with politics, Parliament and democracy**.

Organisations all over the UK take part by running debates, talks, workshops and more which explore what parliamentary democracy means to them in their community. There's something for everyone, whether you attend or organise an event or take part in the conversation online.

This year Parliament Week is launching Do Democracy, a campaign to find the burning issues that young people really care about!

How can you Do Democracy during Parliament Week?

Tweet, Facebook or Instagram using #dodemocracy to tell us about the change you are making or the change you want to see e.g.

"#dodemocracy #votesat16

The Parliament Week team will share the most popular issues with Parliament.

Contributing to a well-informed democracy

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The House of Commons Library produces a range of research briefings which provide in-depth and impartial analysis of all major pieces of legislation, as well as many areas of policy, or cover frequently asked questions and topical issues.

These papers are published to the Parliament website and, as well as being available to MPs, they can be accessed by members of the public.

The House of Commons Library aims to ensure that MPs are well informed ahead of any debate in the House of Commons chamber.

The purpose of this paper is to ensure that MYPs have access to the most relevant information to help them prepare for the debate in the House of Commons chamber.

1 Votes at 16

“Give 16 and 17 year olds the right to vote in elections and referendums.

16 and 17 year olds are, by law, able to make complex decisions and take on wide ranging responsibilities: is it time to give votes for 16 and 17 year olds in all public elections and referendums?”

At the moment a person must be 18 or over to vote. Any change to the franchise will require legislation and will have to apply to all of the UK. The voting age was last lowered, from 21 to 18, in 1969.

Lowering the voting age to 16 ... makes it more likely that people will vote while they are in the stable environment of home and education. Voting is habitual. We know from various studies that if someone votes for the first time when they are just 18, they pick up the pattern of voting for later life.

Stephen Williams MP (Liberal Democrat) 24 January 2013

1.1 Who supports lowering the voting age to 16?

The Electoral Reform Society argues for this and organised a coalition on the issue. This resulted in the launch of the Votes at 16 campaign on 29 January 2003.

The UK Youth Parliament is a supporter of the Votes at 16 campaign and calls for the reduction in voting age in its manifesto.

The Liberal Democrats have had a commitment to lower the voting age in their general election manifestos since 2001. The Labour Party announced at its conference in September 2013 that it planned to include a commitment to lower the voting age to 16 in its manifesto for the 2015 general election and Ed Miliband repeated this at the party conference in September 2014. There was no such commitment in the Agreement published by the Coalition government in May 2010 and historically the Conservative Party has generally opposed lowering the voting age.

I believe that people should make a decision at the age of 18 on all these matters, be it whether to smoke, whether to drink alcohol and whether to vote. The people who take an opposite view have not yet persuaded me and they have not come up with any logical reason to support their belief that the smoking age should be increased from 16 to 18 whereas the voting age should be reduced from 18 to 16.

Philip Davies (Conservative) 24 January 2013

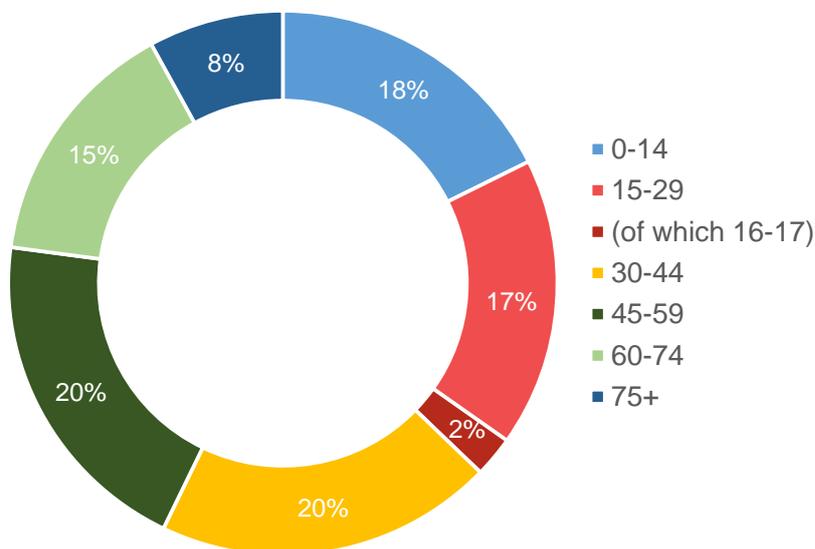
The franchise was extended temporarily in Scotland to allow 16 and 17 year-olds to vote in the referendum on independence. Alex Salmond called for the voting age to be reduced across the UK when he addressed the Scottish Parliament after the referendum.

In February 2006 the Isle of Man was the first part of the British Isles to lower the voting age from 18 to 16 for elections to the Tynwald. The Channel Island of Jersey also lowered its voting age from 18 to 16 in July 2007.

1.2 How many 16 and 17 year-olds are there in the UK?

There are over 1.5 million 16 and 17 year-olds in the United Kingdom, representing around 2.4% of the total population. If the voting age were reduced, 16 and 17 year-olds would represent around 3% of the total voting-age population.

Proportion of the United Kingdom population by age group, mid-year 2013



Source: [ONS mid-year population estimates](#)

Population aged 16 and 17 in UK: Mid-2013

| Age | England | Wales | Scotland | N Ireland | United Kingdom |
|--------------------|------------------|---------------|----------------|---------------|------------------|
| 16 | 647,865 | 37,990 | 61,823 | 24,836 | 772,514 |
| 17 | 649,348 | 37,056 | 61,892 | 24,572 | 772,868 |
| 16 & 17 | 1,297,213 | 75,046 | 123,715 | 49,408 | 1,545,382 |

Source: [ONS mid-year population estimates](#)

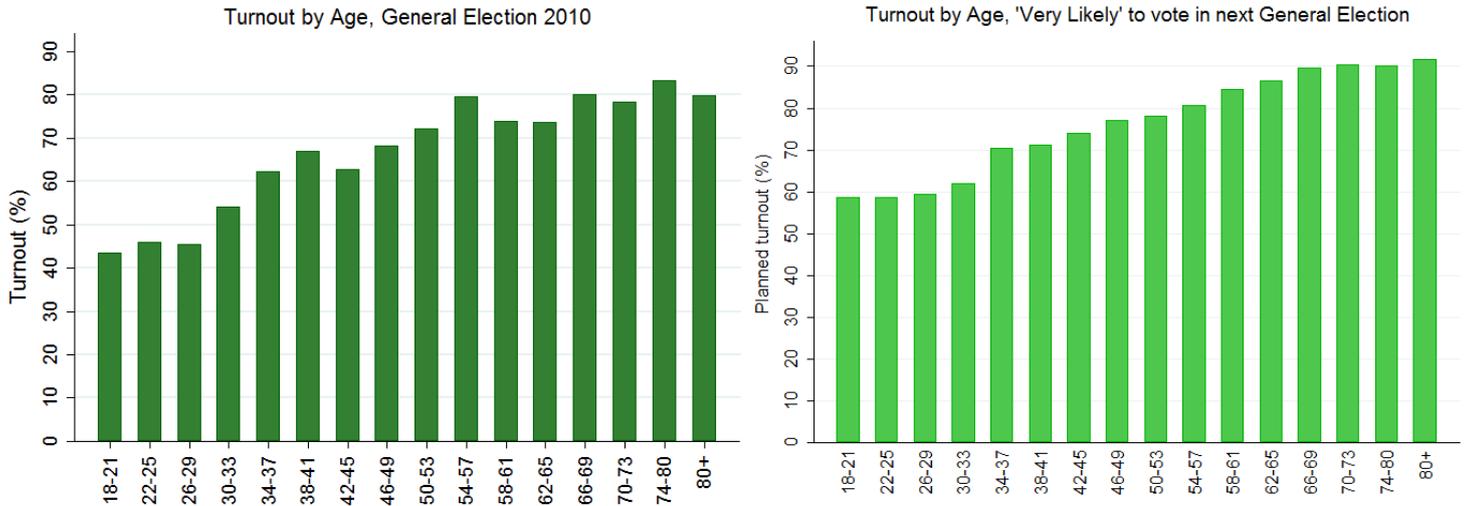
1.3 What would be the impact on turnout?

Turnout tends to increase with age, with the lowest turnout in the younger age groups. In the 2010 General Election, 18 to 21 year olds had turnout rate of around 40%, while those aged 65+ were almost double this.

The same is true in terms of planned turnout for the next General Election. As part of the 2015 British Election Study, respondents to a survey were asked how likely it is that they would vote in the next General Election. Despite being higher than in the 2010 General Election, respondents of the 18-25 age group were still the least likely to say that they would

'very likely' cast their vote. It is important to note here that across all age groups there is a likelihood for planned turnout to be higher than actual turnout.

Turnout by Age, General Election 2010 and planned turnout in next General Election



Source: British Election Study

1.4 Other countries

The voting age for national elections in EU countries is 18, except for Austria where it was reduced to 16 in 2007.

Countries with minimum voting age other than 18 Population elections to national parliaments

| Min age | Country |
|---------|--|
| 16 | Austria, Nicaragua, Brazil*, Cuba |
| 17 | Indonesia, Timor-Leste, Dem Peoples Rep of Korea |
| 20 | Japan, Nauru, Republic of Korea, Bahrain, Cameroon |
| 21 | Kuwait (men), Lebanon, Malaysia, Oman, Pakistan, Samoa, Sudan, Tonga, Cote D'Ivoire, Gabon |

Voters have to be aged 25+ in Italian Senate elections

* In Brazil voting is optional for 16-17s & 70+ and compulsory for other ages

Source: IPU [Parline database](#) (Jan 2013)

1.5 Further reading

[Voting age](#), House of Commons Library

[Should the UK Lower The Voting Age to 16?](#), Democratic Audit and the Political Studies Association, July 2014

[Audit of political engagement](#), Hansard Society

2 Fund our youth services, don't cut them

"They help support us, they run activities and contribute to local communities.

Fund our youth services, don't cut them. Youth services provide vital support to young people's development, give them a meaningful role in society and provide positive and active ways for young people to spend their time."

2.1 Statutory duties to provide youth services

The statutory regime underpinning the provision of youth services is set out in section 507B of the *Education Act 1996* (as amended by [section 6 of the *Education and Inspections Act 2006*](#)). The provision places a duty on local authorities, "so far as is reasonably practicable," to secure access for young people in their area to sufficient positive leisure-time activities. The 2006 Act also placed new responsibilities on local authorities to:

- Secure access to sufficient youth work activities.
- Ascertain young people's views on positive activities.
- Publicise positive activities.
- Consider alternative providers.

Revised [statutory guidance](#) for local authorities on services and activities to improve young people's well-being was published by the Department of Education in June 2012.¹

Funding of youth services is not mandatory and the localised nature of provision has meant wide variation in spending on youth services across the country.

2.2 Government policy

On 19 December 2011, the Government published [Positive for youth](#), a cross-departmental strategy document for young people aged 13-19.² It "set out a vision for how central and local government can work more effectively with communities, voluntary and community sector providers, and business to help all young people succeed."³

A progress report on the [Positive for youth](#) commitments was published last year.⁴

In January 2013, in oral evidence to the Education Select Committee, the then Education Secretary, Michael Gove suggested that youth services policy was largely a matter for local authorities to determine and something the Government did not wish to be prescriptive on.⁵ These comments attracted criticism from some, including from David Wright, chief executive of the Confederation of Heads of Young People's Services, who urged the Minister not to

¹ Department for Education, [Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Well-being](#), June 2012

² Department for Education, [Positive for Youth. A new approach to cross-government policy for young people aged 13 to 19, December 2011.](#)

³ *Ibid*, Ministerial Forward.

⁴ HM Government, [Positive for Youth, Progress since December 2011](#), July 2013

⁵ Oral evidence taken before the Education Select Committee, [Department for Education Reform](#), 23 January 2013 HC 853- i

absolve Government from its responsibility to young people.⁶ The comments also led other youth service leaders to question the continued impact of *Positive for Youth*.⁷

2.3 Funding for youth services

In 2011/12 the Coalition Government introduced the [Early Intervention Grant](#) (EIG) as part of the local government finance settlement to support services for children, young people and families in England. It replaced a number of other grants aimed at youth services and totalled £2.23 billion. The EIG was not ring-fenced, in line with the Government's policy that local authorities should be given the freedom to make decisions on how best to target resources in supporting early intervention, including support for youth services.

A Parliamentary Question from August 2013, highlights the problem of identifying expenditure on youth services:

Brandon Lewis: Most spending decisions on youth services are made at a local level as local authorities are in the best position to assess local needs and priorities.

Local authority funding is not ring fenced and so local authorities can allocate resources according to the local context. Central government's role is to give them the freedom and flexibilities to make the most effective decisions.⁸

Initial allocations of the EIG were based on the 2010/11 totals of the other grants it replaced. However, in line with the Government's deficit reduction priorities total EIG funding in 2011/12 was 11 percent lower than its predecessors.

The way the EIG was allocated changed in 2013/14 following alternations to the way local government received its funding from Whitehall. The EIG is now incorporated into baseline funding calculations for local authorities as part of the [Business Rates Retention Scheme](#).

Further information is set out in the following responses to Parliamentary Questions:

Early Intervention Grant

Sarah Champion: To ask the Secretary of State for Education (1) what assessment he has made of the effect of changes in the Early Intervention Grant on local councils; and if he will provide a copy of the document; [190708] (2) what risk assessment was carried out in respect of reducing the Early Intervention Grant to councils; and if he will publish that assessment. [190656]

Elizabeth Truss: There is no single document of the type requested.

The Early Intervention Grant, which is now part of the Business Rates Retention (BRR) system of local government finance, is non-ringfenced and unhypothicated. By making this change, from previous funding regimes for early intervention, local authorities have been given the freedom to make decisions on how best to target resources on supporting early intervention and other valuable services to meet the needs of their communities.

The BRR forms part of the overall funding available for early intervention, which will increase from £2,365 billion in 2012-13 to £2,510 billion in 2014-15, including funding for two-year-old education and the Early Intervention Grant topslice.⁹

⁶ Children and Young People Now, "[Gove: Youth policy not a central government priority](#)", 25 January 2013

⁷ *Ibid*

⁸ [HC Deb, 29 August 2013 : c1010W](#)

Youth services

Tristram Hunt: To ask the Secretary of State for Education [...] what recent assessment he has made of the adequacy of funding of and level of spend for youth services. [163578]

Mr Edward Timpson: The Department for Education published, on 12 August 2012, revised statutory guidance to local authorities on their duty to secure, as far as is reasonably practicable, youth services and to involve young people in local decision making and scrutiny.

We provide funding for youth services through the Business Rates Retention Scheme. As our statutory guidance makes clear, local authorities are best placed to decide what services will meet local needs and priorities and how to meet these needs within available resources.¹⁰

Last year, responsibility for youth services moved from the Department for Education to the [Cabinet Office](#)¹¹ led by Nick Hurd MP as the Minister for Civil Society. A recently released survey of youth services by the Cabinet Office found that spend on youth services by [councils](#) had decreased by 22 per cent in two years (from 2011/12 to 2103/14). An analysis and further commentary on the results is available in an article in *Children and Young People Now* - "[Dozens of councils ignore youth service legal duty](#)", 6 July 2014.¹²

A 2013 [report](#) from the Commission into Youth Work, led by former Children's Minister, Tim Loughton, and hosted by the National Youth Agency, found strong evidence to support the expansion of youth services in education settings.¹³ The report cited examples of where schools are already acting as both direct providers and commissioners of youth services.

A recent report, *The Damage*, by Unison, the public services trade union, examined the impact of cuts in local authority funding on youth services provision.¹⁴ The report found that at least £60 million had been cut from youth service budgets between 2012 and 2014 resulting in 2,000 fewer youth workers and the closure of 350 youth centres. Of the local authorities surveyed, 77 percent said that some of their services would disappear altogether; 69 percent predicted that more youth centres would close; and 24 percent said that specialised targeted support would disappear. Unison warned that "a crisis is developing as a result of local authorities scaling back or reconfiguring their youth services in response to spending cuts".¹⁵

⁹ [HC Deb 12 Mar 2014 c 248-9W](#)

¹⁰ [HC Deb 5 July 2013 c820-1W](#)

¹¹ <https://www.gov.uk/government/news/cabinet-office-to-take-on-responsibility-for-cross-government-youth-policy>

¹² Available online

¹³ NYA, *National Youth Agency Commission into the role of youth work in formal education*, October 2013

¹⁴ Unison, *The Damage. The UK's youth services - how cuts are removing opportunities for young people and damaging their lives*, August 2014

¹⁵ *Ibid*, p4

2.4 Further reading

[Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Well-being](#), Department of Education, June 2012

[Positive for Youth. A new approach to cross-government policy for young people aged 13 to 19](#), Department for Education, December 2011

[Positive for Youth, Progress since December 2011](#), HM Government, July 2013

3 A curriculum to prepare us for life

“Schools should cover topics like finance, sex and relationship education and politics.

The national curriculum should be a curriculum to prepare us for life, developing young people's knowledge across a range of topics including politics, sex and relationships education, cultural awareness, community cohesion and finance.”

Education is a devolved subject. As a result, all the information included in this section relates to England only. The Westminster Parliament would not make the decisions on how this topic would be addressed in Scotland, Wales, or Northern Ireland.

3.1 Personal, social, health and economic education (PSHE)

Personal, social, health and economic education (PSHE) is a non-statutory subject. However, the National Curriculum Framework states that:

All schools should make provision for personal, social, health and economic education (PSHE), drawing on good practice. Schools are also free to include other subjects or topics of their choice in planning and designing their own programme of education.¹⁶

In September 2013, the Department for Education issued [new guidance on PSHE](#), which makes clear that it is largely up to schools to determine what is taught; it also states that the Government does not intend to publish new non-statutory programmes of study for PSHE.

Personal, social, health and economic (PSHE) education is an important and necessary part of all pupils' education. All schools should teach PSHE, drawing on good practice, and this expectation is outlined in the introduction to the proposed new national curriculum.

PSHE is a non-statutory subject. To allow teachers the flexibility to deliver high-quality PSHE we consider it unnecessary to provide new standardised frameworks or programmes of study. PSHE can encompass many areas of study. Teachers are best placed to understand the needs of their pupils and do not need additional central prescription.

However, while we believe that it is for schools to tailor their local PSHE programme to reflect the needs of their pupils, we expect schools to use their PSHE education programme to equip pupils with a sound understanding of risk and with the knowledge and skills necessary to make safe and informed decisions.

Schools should seek to use PSHE education to build, where appropriate, on the statutory content already outlined in the national curriculum, the basic school curriculum and in statutory guidance on: drug education, financial education, sex and relationship education (SRE) and the importance of physical activity and diet for a healthy lifestyle.

The [gov.uk website](#) provides further information on the advice and resources available to schools relevant to PSHE. Further information on the Government's recent actions in relation to PSHE is contained within a letter from Lord Nash dated 24 January 2014 ([PDF](#)).

The new guidance followed a review of PSHE carried out by the Government, which reported in March 2013, separately from the recent review of the National Curriculum. The [Summary](#)

¹⁶ Department for Education, *The national curriculum in England: Framework document: for teaching 1 September 2014 to 31 August 2015*, September 2013

[Report](#) of the consultation on PSHE education (which includes discussion of sex and relationship education) sets out the views of the respondents to that consultation. On 21 March 2013, the then Parliamentary Under-Secretary of State for Education, Elizabeth Truss, announced in a [Written Ministerial Statement](#) the outcome of the PSHE review, which confirmed that PSHE would remain a non-statutory subject. Ms Truss stated:

To allow teachers the flexibility to deliver high-quality PSHE we consider it unnecessary to provide new standardised frameworks or programmes of study. Teachers are best placed to understand the needs of their pupils and do not need additional central prescription.¹⁷

The Government provides grant funding to the [PSHE Association](#) to work with schools to advise them in developing their own PSHE curriculums and improve the quality of teaching.

Ofsted report on PSHE provision

Ofsted has published a [series of reports](#) on PSHE provision and good practice. The most recent report, [Not yet good enough: personal, social, health and economic education in schools](#), was published in May 2013.

3.2 Sex and relationship education (SRE) in schools

The Library standard note on SRE in schools, [SN/SP/6103](#), sets out the current position and also information on previous debates regarding possible reform.

The [gov.uk website](#) provides a brief overview of the rules:

Sex and relationship education (SRE) is compulsory from age 11 onwards. It involves teaching children about reproduction, sexuality and sexual health. It doesn't promote early sexual activity or any particular sexual orientation.

Some parts of sex and relationship education are compulsory - these are part of the national curriculum for science. Parents can withdraw their children from all other parts of sex and relationship education if they want.

All schools must have a written policy on sex education, which they must make available to parents for free.

Academies and free schools do not have to follow the National Curriculum and so are not under the same statutory obligations as local authority maintained schools. As such, they are not obliged to teach sex and relationship education;¹⁸ if they do provide it, they must have regard to the SRE guidance issued by the Secretary of State.

3.3 Proposals for Reform: PSHE and SRE

In recent years, there have been a succession of reviews of PSHE and SRE. A review of SRE undertaken in 2008 recommended that PSHE be made a part of the National Curriculum. The *Children, Schools and Families Bill* of session 2009-10 included provision for the introduction of compulsory PSHE, and the provision that all children receive at least one year of sex and relationship education. However, the measure was dropped in the eventual *Children, Schools and Families Act 2010*, passed at the end of the last Parliament in the run-up to the General Election, along with several other controversial measures.

¹⁷ [HC Deb 21 March 2013 52WS](#)

¹⁸ Unless there is a clause in their funding agreements requiring SRE to be taught.

As noted in section 1.1, a review of PSHE carried out by the Government in 2013 decided to keep PSHE as a non-statutory subject.

Concerns continue to be raised about the quality of PSHE and SRE in schools. During the passage of the *Children and Families Act 2014*, Labour and Green Party MPs proposed amendments for SRE to be made available to children across the country, which were defeated.

There have also been calls from MPs of all parties for the current SRE statutory guidance used by schools to be updated. The guidance has been in place since 2000 and there have been calls for it to be updated, focused on the rise of the internet and social media since that time.¹⁹

Section 2 of the Library standard note on SRE in schools, [SN/SP/6103](#), provides more detail on these successive proposals.

Most recently, Caroline Lucas MP has presented the *Personal, Social, Health and Economic Education (Statutory Requirement) Bill 2014-15*, an as-yet unpublished Private Member's Bill which would make PSHE a requirement in all state-funded schools, and for it to include SRE as well as education on ending violence against women and girls.

Education Committee inquiry

The House of Commons Education Select Committee launched an inquiry into PSHE and also SRE in schools on 23 April 2014. The [call for evidence](#) requested views on the following topics:

- Whether PSHE ought to be statutory, either as part of the National Curriculum or through some other means of entitlement.
- Whether the current accountability system is sufficient to ensure that schools focus on PSHE.
- The overall provision of Sex and Relationships Education in schools and the quality of its teaching, including in primary schools and academies.
- Whether recent Government steps to supplement the guidance on teaching about sex and relationships, including consent, abuse between teenagers and cyber-bullying, are adequate.
- How the effectiveness of SRE should be measured.

This call for evidence closed at midday on Friday 6 June. No further announcements on the inquiry have yet been made.

3.4 Politics and Citizenship education

Politics is not currently taught at GCSE level in England. However, it is available at AS and A level.

¹⁹ See: [More Conservative MPs back Telegraph better sex education campaign](#), *Telegraph*, 4 September 2013; [Update sex education guidance to schools, says Clegg](#), *BBC News Online*, 5 September 2013; [Dame Tessa Jowell supports The Telegraph's Wonder Women better sex education campaign](#), *Telegraph*, 6 September 2013

Citizenship is a compulsory National Curriculum subject at key stages 3 and 4 (pupils aged 11-16) and so is taught in all maintained secondary schools in England. It is also part of the curriculum at some primary, academy and free schools, and independent schools.

New statutory programmes of study for citizenship were introduced from September 2014. The new [programmes of study and attainment targets for citizenship at key stages 3 and 4](#) were published on 11 September 2013.

The [revised programme](#) sets out the principles behind citizenship education:

A high-quality citizenship education helps to provide pupils with knowledge, skills and understanding to prepare them to play a full and active part in society. In particular, citizenship education should foster pupils' keen awareness and understanding of democracy, government and how laws are made and upheld. Teaching should equip pupils with the skills and knowledge to explore political and social issues critically, to weigh evidence, debate and make reasoned arguments. It should also prepare pupils to take their place in society as responsible citizens, manage their money well and make sound financial decisions.

Among other topics, the new programmes of study cover: the UK governance and political system, including the operation of Parliament; the functions and uses of money and budgeting (at KS3); and income and expenditure, credit and debt, insurance, savings and pensions, financial products and services, and how public money is raised and spent (at KS4).

3.5 Further Reading

Reports

[Young people, sex and relationships: The new norms](#), IPPR, August 2014

[PISA 2012 Results: Students and Money: Financial Literacy Skills for the 21st Century](#), (Volume VI), PISA, OECD Publishing, 2014

[Sex and relationships education for the 21st century](#), Brook, PSHE Association, Sex Education Forum, 2014

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Press

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[Sex education should begin at seven – Lib Dems](#), *Guardian*, 26 August 2014

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[Sex education 'must focus on pleasurable side to sex'](#), *Telegraph*, 15 May 2014

[Schools 'harming pupils' by not focusing on health](#), *Telegraph*, 14 May 2014

[Section 28-style bans on promoting homosexuality on the rise in UK schools, teachers say](#), *Independent*, 22 April 2014

[Experts call for NICE to resume work on sex education halted by the coalition government](#), *British Medical Journal*, 3 December 2013

[UK demand for financial education highest in Europe](#), *Telegraph*, 14 October 2013

[Teach the young to be cash smart](#), *Independent on Sunday*, 1 September 2013

[Brutalised by porn](#), *TES magazine*, 23 August 2013

4 Mental health services should be improved with our help

“Mental health services should be improved with our help. We should all learn about common mental health issues at school and negative stereotypes should be challenged.

Mental health services and education should be improved. Young people should be consulted on how this is done. Mental health education should be compulsory in our curriculum to provide information on common clinical conditions and to challenge stereotypes.”

4.1 Government policy on children and young people’s mental health

The Government’s Mental Health strategy, *No Health without Mental Health*²⁰, published in 2011 set out the Government’s plan to improve mental health outcomes for people of all ages. The foreword stated that:

By promoting good mental health and intervening early, particularly in the crucial childhood and teenage years, we can help to prevent mental illness from developing and mitigate its effects when it does.

The *Implementation Framework*²¹ for this strategy published in July 2012 set out how different bodies, such as schools, employers and local authorities, should work together to support people’s mental health. It recommended that schools promote children and young people’s wellbeing and mental health.

In January 2014, the Government published *Closing the Gap: priorities for essential change in mental health*.²² This outlined areas for immediate change to improve mental health care, including specific commitments for children and young people;

- There would be improved access to psychological therapies for children and young people across the whole of England, so that early access to treatment was available. The government had invested in a psychological therapies programme for children and young people, and aimed for this to be available throughout England by 2018
- Schools would be supported to identify mental health problems sooner through guidance published from the Department of Health. A new Special Education Needs (SEN) Code of Practice would also provide statutory guidance on identifying and supporting children and young people with mental health problems who have a special education need.

In July 2014, the Minister for Care Services, Norman Lamb, announced a new Taskforce to examine how to improve child and adolescent mental health services.²³ The Taskforce would be co-chaired by officials from the Department of Health and NHS England and involve people who use child and adolescent mental health services. The group is expected to report in spring 2015.

²⁰ Department of Health, *No Health without Mental Health; A cross-government mental health outcomes strategy for people of all ages*, February 2011

²¹ Department of Health, *No Health without Mental Health: Implementation Framework* [, July 2012

²² Department of Health, *Closing the Gap: Priorities for essential change in mental health*, February 2014

²³ “Youth mental health care 'in dark ages' says minister, BBC, August 2014

4.2 Mental health services for children and young people

Child and adolescent mental health services (CAMHS)

Child and adolescent mental health services (CAMHS) are provided through a network of services which include universal, targeted and specialist services, organised in 4 tiers;

- Universal services such as early years services and primary care (Tier 1 CAMHS)
- Targeted services such as youth offending teams, primary mental health workers, and school and youth counselling (including social care and education) (Tier 2 CAMHS)
- Specialist community CAMHS (Tier 3 CAMHS)
- Highly specialist services such as inpatient services and very specialised outpatient services (Tier 4 CAMHS).²⁴

The Government has committed to improving mental health services for children and young people. In response to a Parliamentary Question in September 2013, Edward Timpson, Parliamentary under Secretary of State for Children and Families, said:

The Government are helping children and young people access good mental health services through the Improving Access for Psychological Therapies (IAPT) programme, which is the responsibility of NHS England. The Department of Health have funded Children and Young People's IAPT with £54 million, and underlined that commitment by emphasising the importance of children and young people's mental health through the NHS Mandate. This will encourage local clinical commissioning groups to invest in children and adolescent mental health services (CAMHS).²⁵

In September 2014 the Chief Medical Officer, Professor Dame Sally Davies, published a report on *Public Mental Health Priorities: Investing in the Evidence*²⁶. The report highlighted that 50% of adult mental health problems start before age 15 and 75% before age 18. The Chief Medical Officer also explained that underinvestment in children and young people's mental health services does not make sense economically, as early treatments helps prevent costly problems later in life, including unemployment, crime and substance misuse.

Health Select Committee inquiry 2014

In February 2014 the House of Commons Health Select Committee launched an inquiry into children's and adolescent mental health and CAMHS. The Committee stated that it was undertaking this inquiry in light of concerns about "the extent to which children and adolescents are affected by mental health problems and difficulties with gaining access to appropriate treatment".

The inquiry is taking evidence on:

- The current state of CAMHS, including service provision, access and funding
- Trends in children's and adolescent mental health, including the impact of bullying and of digital culture

²⁴ The [Department of Health](#) website (archived pages) provides a brief overview of children and adolescent mental health services (CAMHS). The [Youngminds](#) website also provides advice for children and young people and parents about CAMHS.

²⁵ [HC Deb 2 Sep 2013: Column 65W](#)

²⁶ Annual Report of the Chief Medical Officer 2013 *Public Mental Health Priorities: Investing in the Evidence*, September 2014

- Preventative action and public mental health

The Minister for Care Services, Norman Lamb, gave evidence to an inquiry session in July 2014. He stressed the Government's commitment to improving CAMHS services and raised concerns about funding for CAMHS services:

Is it really rational that 6% of the mental health budget is applied to children and young people when we know that a very significant proportion of mental health problems start in the teenage years? ...I think there is overall a funding issue and I will, for as long as I have this job, fight for a better deal for mental health.²⁷

Mental health services in schools

The former Minister for Schools, Elizabeth Truss, stated in a recent House of Commons debate that "between 60% and 85% of English secondary schools provide access to counselling, which equates to between 50,000 and 70,000 sessions a year."²⁸

In response to a Parliamentary question in October 2013, the Parliamentary under Secretary of State for Children and Families, Edward Timpson, outlined what schools should be doing to support pupils' mental health:

Good schools take action to boost pupils' mental health resilience and intervene early to set those at risk of more serious problems back on track. When children need more specialist support, schools refer pupils to specialist medical services such as children and adolescent mental health services (CAMHS) or work with partners to access the clinical expertise they need.²⁹

4.3 Mental health education

The national curriculum

Mental health education is not currently on the National Curriculum. It is included in the guidance for non-statutory PSHE education.

In response to a Parliamentary Question, the Minister for Education, Nick Gibb, set out the Government's position:

Currently mental health education is included in the non-statutory programmes of study for Personal, Social, Health and Economic (PSHE) education. This covers learning about the characteristics of emotional and mental health, and the causes, symptoms and treatments of some mental and emotional health disorders. Pupils should be taught how physical, mental and emotional health affects our ability to lead fulfilling lives. The programmes of study give teachers a framework for teaching, creating scope to tailor the subject to meet the needs of their students.

The Department does not provide specific support to schools for the inclusion of mental health education within the curriculum. However, schools usually seek support from local partners and other organisations to help them to teach about mental health.³⁰

²⁷ Health Committee, *Children's and adolescent mental health and CAMHS*, 15 July 2014, HC 342 2014-15, Q387

²⁸ [HC Deb 10 December 2013 c72WH](#)

²⁹ [HC Deb 14 Oct 2013 c600W](#)

³⁰ [HC Deb 16 November 2010 c754W](#)

The former Minister for Schools, Elizabeth Truss, had previously stated that schools have the flexibility to decide what is taught to promote children and young people's wellbeing and resilience:

“Ofsted has made it clear that it expects schools to look at the whole child, and will focus inspections on outcomes. Together with a slimmed-down curriculum, that gives schools more freedom to add skill and character-building activities, promoting children's wider well-being.³¹

Following a [consultation on PSHE education](#)³², in March 2013 the Department for Education confirmed in a Written Ministerial Statement that PSHE would remain a non-statutory subject.³³

The Liberal Democrat party announced in October 2014 proposals to make PSHE lessons mandatory and ensure this includes teaching about mental health problems such as depression and anxiety.

According to [an article in The Guardian](#) the plans are included in the party's pre-Manifesto document, which will be debated a party conference, and states:

Just as we aim to prevent diabetes and cancer by helping children to learn about healthy eating and the dangers of smoking, drugs and alcohol, so we also need to ensure they understand about mental illness and how to cope with mental health issues.

It is particularly important that this education is up to date and topical at a time when children and teenagers are growing up in a world where social media dominates their lives. Issues such as online bullying and websites which promote suicide and anorexia need to be talked about.

Training for teachers and professionals on mental health

In March 2014, the Department of Health funded a website called “MindEd” to help professionals who work with children and young people to recognise the early signs of mental health problems. In response to a Parliamentary Question in May 2014, the Minister for Care Services said:

The Department funded the MindEd website which will help anyone working with children, including all school staff, to spot the signs of mental health problems in children and help them get the support they need. Spotting the signs of mental health problems early in children and young people is essential to prevent problems from escalating and continuing into adulthood.³⁴

In June 2014, in consultation with head teachers, the Government published guidance on [Mental Health and Behaviour in Schools](#).³⁵ This advises schools on identifying and supporting pupils whose behaviour suggests they may have unmet mental health needs. The guidance provides information on:

- how and when to refer to Child and Adolescent Mental Health Services (CAMHS)

³¹ [HC Deb 10 December 2013 c71WH](#)

³² 'Lib Dems plan to make mental health and social issues part of curriculum', The Guardian, 3 October 2014

³³ [HC Deb 21 March 2013 52WS](#)

³⁴ [HC Deb 6 May 2014 c137W](#)

³⁵ Department for Education, [Mental health and behaviour in schools](#), June 2014

- practical advice to support children with emotional and behavioural difficulties
- strengthening pupil resilience
- tools to identify pupils for likely to need extra support
- where/how to access community support

Calls for change

There have been calls from charities and interest groups to introduce mandatory teaching about mental health into schools.

Six national mental health organisations, including Mind and the Royal College of Psychiatrists, published their *Manifesto for Better Mental Health*³⁶ in August 2014. This recommended ways that the Government could improve mental health treatment and support in the next Parliament. The Manifesto advocates specific changes to give children a good start in life:

Schools have a golden opportunity to protect and promote children’s mental health at the same time as helping children attain good educational outcomes. Children with mental health problems can easily fall behind in school and the consequences of this are profound.

We need the Government to mandate and support all schools to protect and promote children’s wellbeing. This should include placing mental health on the curriculum, skilling up teachers and school nurses in child development and ensuring that local child and adolescent mental health services (CAMHS) offer timely, engaging mental health support for children who need it.

Stigma and discrimination

One of the six key objectives of the Government mental health strategy is that fewer people will experience stigma and discrimination and that public understanding of mental health will improve.

A [survey](#) published in September 2014 by the anti-stigma campaign Time to Change found that many young people with mental health problems miss out on education.³⁷ The survey showed that nearly one in four students (24%) did not attend school, college or university because they were concerned what other students would say and 15% of people experienced bullying as a result of mental health problems. It also found that nearly a third (31%) of those had been subject to discriminatory language, including being called “crazy” and “attention seeking”. Nearly half of respondents (48%) chose not to tell people about their mental health problems, instead saying they were absent due to physical illness. In response to the findings, the Minister for Care Services, Norman Lamb, said:

..I’m pleased that Time to Change is working with schools to address this. We’re already working with the Department for Education to help teachers and others in contact with children to spot the signs of mental health problems, and I’ve recently

³⁶ Rethink Mental Illness, Centre for Mental Health, Mental Health Foundation, Mental Health Network, Mind and the Royal College of Psychiatrists, *A Manifesto For Better Mental Health*, August 2014]

³⁷ Time to Change, [Students missing out on education because of mental illness](#)] (last access 30 September 2014)

launched a Taskforce to look at how we can make sure every child with mental health problems gets the support they need.³⁸

4.4 Further reading

Department of Health, [No Health without Mental Health; A cross-government mental health outcomes strategy for people of all ages](#), February 2011

Department of Health, [No Health without Mental Health: Implementation Framework](#), July 2012

Department of Health, [Closing the Gap: Priorities for essential change in mental health](#), February 2014

Department for Education, [Mental health and behaviour in schools](#), June 2014

³⁸ Time to Change, [Students missing out on education because of mental illness](#) (last access 30 September 2014)

5 Work Experience

“We should have the chance to do at least a weeks’ placement, at a place of our choosing. We should have access to professionals who inspire us.

Every school pupil should have the opportunity to participate in better work experience for a mandatory minimum of one week in a field of their choice, as well as access to opportunities linking them to professionals to help inspire.”

This briefing focuses on the position in England. Education is a devolved area of policy; Scotland, Wales and Northern Ireland have different curricula and different systems of school organisation.

5.1 Current position in schools and colleges in England

There is currently no requirement for pupils of compulsory school age (aged approximately 5 to 16) to undertake a work experience placement as part of their learning. Prior to 2012, maintained schools³⁹ in England were required to offer a period of work-related learning to pupils at Key Stage 4 (age approx. 14 to 16). The requirement was not for work *experience* specifically.

One of the recommendations of the March 2011 [Wolf Report](#) on vocational education, accepted by the Government, was that the statutory duty on schools to provide every young person in Key Stage 4 with a standard amount of “work-related learning” should be removed.⁴⁰ The rationale for Wolf’s recommendation was that very few young people aged 16 move into full-time employment and that consequently, schools and colleges should be encouraged to prioritise longer internships for older students.⁴¹

The Education Secretary’s full Written Ministerial Statement on the Wolf Report is available [in Hansard](#).⁴² The Order removing the requirement for work-related learning came into force on 1 September 2012.⁴³ However, the Government has stressed that removing compulsory work-related learning at Key Stage 4 is not the same as abolishing work experience – as indicated by then Secretary of State for Education, Michael Gove, in an [answer to a PQ of 6 January 2014](#).⁴⁴

Also in response to the Wolf Review, the Government introduced the concept of 16-19 study programmes, which would incorporate ‘experience of the workplace’ tailored to the needs of individual students.⁴⁵ In connection with this, the DfE funded 25 work experience placement trials in FE colleges between 2011 and 2013. An [evaluation](#) of the trials was carried out by the National Foundation for Educational Research (NFER).⁴⁶ Non-statutory [guidance](#) on

³⁹ Maintained schools are those maintained by the local authority. Free schools, academies and independent schools are not maintained schools.

⁴⁰ Wolf, Alison (March 2011) [Review of vocational education](#). All web publications and articles retrieved 2 October 2014 unless otherwise stated.

⁴¹ *Ibid.*, Pp. 17

⁴² [HC Deb 3 March 2011 c 33-35 ws](#),

⁴³ [The Education \(Amendment of the Curriculum Requirements for Fourth Key Stage\) \(England\) Order 2012](#), SI 2012 No 2056

⁴⁴ [HC Deb 6 Jan 2014 c 20-21](#)

⁴⁵ The rationale behind study programmes is to improve parity of esteem between vocational and academic programmes, and to ensure that those aged 16-19 have sufficient ‘breadth and depth’ in their studies. There is also a focus on improving standards in core subjects like English and Maths.

⁴⁶ NFER for the DfE, [Evaluation of the Work Experience Placement Trials. Research report](#), October 2013

incorporating work experience into 16-19 study programmes was published by the DfE in October 2013.⁴⁷

Since taking office, the current Government has sought to increase diversity in the school system by a number of means, including setting up studio schools and university technical colleges. Studio Schools offer project-based learning, working with local employers; students also have access to a personal coach. The aim is to equip students with the skills and knowledge needed in work or further education. University Technical Colleges are established in partnership with higher and further education institutions, or employers. They offer a combination of technical and academic learning and qualifications, and the partner organisations offer work experience placements. According to the January 2014 school census, there are 17 University Technical Colleges and 23 Studio Schools in operation.⁴⁸

Maintained schools must secure access to impartial careers advice and guidance for pupils in school years 8 to 13 and, in doing so, must have regard to statutory guidance published by the DfE.⁴⁹ Individual academies and free schools may be subject to similar requirements via clauses in their funding agreements with the Secretary of State for Education. The Commons Education Select Committee [announced](#) a follow-up enquiry into careers guidance on 7 July 2014, having previously published a [report](#) on this issue in January 2013.⁵⁰

5.2 Recent debate

On 2 October 2014, the British Chambers of Commerce (BCC) published the results of its UK-wide *Workforce Survey*. An overview of the findings was given in a [press release](#):

The British Chambers of Commerce (BCC) has today (Thursday) published findings from its Workforce Survey, *Developing the Talents of the Next Generation*. Results from the survey show that businesses overwhelmingly feel that many young people are not adequately prepared for the workplace upon leaving the education system.

Findings from the survey of almost 3,000 companies show that more than three-quarters (76%) report a lack of work experience as one of the key reasons young people are unprepared for work. Over half (57%) said that young people are lacking basic 'soft' skills, such as communication and team working, to succeed in the working world.

The BCC has made a number of recommendations to better prepare young people for work and to encourage businesses to play a greater role in preparing the next generation of workers. This includes universal work experience in all secondary schools, and assessing schools, colleges and universities on the employment outcomes of their pupils, rather than just exam results.⁵¹

The press release also notes that more than half of businesses surveyed said that they did not offer work experience placements. Perceived barriers included cost, administrative burden, and lack of information.

⁴⁷ DfE, [Post-16 work experience as a part of 16 to 19 study programmes. Departmental advice for post-16 education and training providers](#), October 2013

⁴⁸ DfE, [Schools, pupils and their characteristics](#), January 2014.

⁴⁹ DfE, [Careers guidance and inspiration in schools](#), April 2014.

⁵⁰ Education Select Committee, [Careers guidance for young people: The impact of the new duty on schools Seventh Report of Session 2012–13](#), Volume I, HC 362-1, 23 January 2013. See also Education Select Committee press notice, [Call for evidence: Careers guidance for young people follow-up](#), 7 July 2014.

⁵¹ BCC press release, [Young people need more support to make transition from education to work, says BCC](#), 2 October 2014

Specific recommendations included:

- The introduction of work experience in all secondary schools, delivered through links with accredited Chambers of Commerce
- Assessing secondary schools on the future jobs and earnings of their pupils, via inspection.
- Supporting the appointment of business governors on school governing bodies.

Also on 2 October 2014 the UK Commission for Employment and Skills⁵² issued a [press release](#) calling for more to be done to “dispel the myth of feckless young people”:

“Whilst it’s true that young people need more support to help them move from education to employment, our research shows that most businesses who recruit a young person are pleased with the calibre of their newest member of staff.”

“Indeed, [our survey of over 90,000 employers](#) finds that 59% of business who recruit 16 year old school leavers feel they are well prepared for work, rising to 74% for college leavers and 83% for University leavers. This dispels the myth that young people are feckless, unwilling or unable to work.

“Where businesses feel young people are poorly prepared for work, this is usually because they lack experience rather than specific skills or knowledge – yet few employers actually offer work experience themselves.

“That’s why we support the British Chamber of Commerce’s call for more and better work experience. Rather than being confined to two weeks in the summer, work experience needs to be thought of in its broadest sense and include business mentors, talks in schools and mock interviews alongside work experience placements.

“Employers, schools, colleges and young people themselves should all expect meaningful work experience to be the norm. Schools and colleges in particular have a role in ensuring that access to this kind of activity is not governed by ‘who you know’.⁵³

Earlier, in February 2014, UKCES published a report, [Not just making tea: a guide to work experience](#). This argued that work experience was “crucial” for young people:

Young people with 4 or more work experience-type activities under their belt are 5 times less likely to be not in education, employment or training. This is true even for graduates – those with work experience get better degrees, higher wages and are less likely to be unemployed.⁵⁴

⁵² UKCES is an executive non-departmental public body sponsored by the Department for Business, Innovation and Skills.

⁵³ UKCES press release, [Time has come to dispel the myth of feckless young people, UKCES claims](#), 2 Oct 2014.

⁵⁴ UKCES, [Not just making tea: a guide to work experience](#). 19 Feb 2014, Pp 4.

5.3 Further reading

Press commentary

CBI press release, *Employers want education system to better prepare young people for life outside school gates – CBI/Pearson survey*, 4 July 2014.

'Schools need more lessons in work experience' in *The Telegraph* [online], 20 July 2014.

'Vince Cable says UK should send 80,000 pupils a year to China', in *The Independent* [online], 27 May 2014

'Social immobility: There are those who benefit from the 'right' connections and 'right' introductions, and those who are left behind; Those from disadvantaged backgrounds face too many obstacles', in *The Independent* [Online], 31 March 2014.

Gothinkbig.co.uk website article, *Work experience should be mandatory in schools according to a new survey by Barclays Life*

Parliamentary material

House of Lords debate, *Schools: Careers Guidance*. HL Deb 23 July 2014 c GC478 – 493

DfE evidence to House of Commons Education Select Committee, *Careers guidance follow-up inquiry. Written evidence submitted by the Department for Education*, published 3 July 2014

House of Commons Education Select Committee, *Careers guidance for young people: The impact of the new duty on schools: Government Response to the Committee's Seventh Report of Session 2012–13* Sixth Special Report of Session 2012–13, HC 1078, 22 April 2013.

House of Commons Education Select Committee, *Careers guidance for young people. The impact of the new duty on schools*, Seventh Report of Session 2012–13. HC 632-1, 23 January 2013.

DfE and Ofsted publications

Ofsted, *Going in the right direction? Careers guidance in schools from September 2012*, 10 Sept 2013.

DfE, *Post-16 work experience as a part of 16 to 19 study programmes. Departmental advice for post-16 education and training providers*, October 2013.

Other material

Alison Wolf, *Review of vocational education. The Wolf report*. March 2011

6 Bring back exam resits in Maths and English

“Bring back exam resits in Maths and English, in English schools, and help us achieve our potential.

We believe that resits should be reintroduced for both Maths and English qualifications. This will allow pupils to achieve the highest grade they are capable of.”

Over the past two years, the Government has introduced wide-ranging reforms to GCSEs and A levels. These reforms have included changes to the way GCSE resits are managed. General information on the reforms is available in the Library standard note SN/SP/6962, [GCSE, AS and A Level Reform](#).

6.1 Reforms to GCSE assessment and impact on resit opportunities

The November 2010 Schools White Paper, [The Importance of Teaching](#), had said that the Government was seeking advice from the Office of Qualifications and Examinations Regulation (Ofqual) on changes to restore confidence in GCSEs. The proposed changes included an increased focus on the use of examinations in assessing pupils. Following a number of consultations and announcements relating to the reform of GCSEs in England, the then Education Secretary, Michael Gove, announced proposals for comprehensive [reform of GCSEs](#) in February 2013.

Ofqual published a report in June 2013 entitled [Review of Controlled Assessment in GCSEs](#). Given the report’s findings, Ofqual “developed a set of principles to apply in reformed GCSE qualifications”, which included: “Non-exam assessment should be used only when it is the only valid way to assess essential elements of the subject”. Ofqual added that “we will use these principles when designing qualifications in the future”.⁵⁵

On 12 July 2013, Ofqual sent an [open letter to schools on changes to GCSE and A level qualifications](#). The letter summarised a number of changes that had been made to examinations in England, or which had been announced for the future. This included changes affecting GCSE resits:

GCSE assessments

From next year, GCSE students in England will take all their assessments at the end of their course. Moving to this linear-type structure means that re-sit opportunities will be limited and students who wish to re-take GCSEs will generally only be able to do so the following summer. The exception is for GCSE English, English language and mathematics: students who want to re-take these subjects will be able to do so in November. From 2014 the November series is for re-sits only and not first time candidates.

6.2 Resits and school league tables

A further [announcement](#) was made by the then Education Secretary on 29 September 2013. This was aimed at discouraging schools from entering pupils early for GCSEs. It stated that, with effect from September 2013, only a student’s first entry to a GCSE examination would count in their school’s performance tables.⁵⁶ The Secretary of State said:

The evidence shows that candidates who enter early perform worse overall than those who do not, even after resits are taken into account.

⁵⁵ Ofqual, *Review of Controlled Assessment in GCSEs*, June 2013, p4

⁵⁶ The Government is making wider changes to the means by which schools are held to account for their pupils’ performance – more information on these is available on the [relevant Gov.uk web page](#)

It seems likely that candidates are being entered before they are ready, and 'banking' a C grade where their performance at key stage 2 would suggest that if they had continued to study the subject and taken the GCSE at the end of year 11 they could have achieved a top grade.

This is of particular concern in maths, where there is high progression from A*/A grade at GCSE to A level, but low progression from grades B and C.

In addition, I believe that this speaks more generally of a narrowed curriculum, focused not on sound subject teaching as a basis for successful progression, but on preparation to pass exams.⁵⁷

It was reported in the *Guardian*, following the announcement of these changes, that head teachers had reservations about the reforms and their immediate implementation.⁵⁸

6.3 Education Secretary comment

In a piece for the *Telegraph* on the Government's exam reforms, the Education Secretary Nicky Morgan gave an overview of the Government's case for the reforms of which the changes to resits are a part:

The truth is, before this Government came to office Ministers trumpeted ever higher grades and pass rates, while standards were allowed to fall. England's performance in international studies stagnated while other countries surged ahead, and employers and universities cried out that young people weren't leaving school with the knowledge or skills they needed. This wasn't the fault of hard working teachers, but of a system which prized all the wrong outcomes.

And it was the most disadvantaged children who suffered the most, as schools were encouraged to push these young people towards poor quality qualifications which experts described as having "little or no labour market value" but which counted for as many as five traditional GCSEs.

In a similar vein, rather than waiting until young people had completed their courses, many were made to enter exams a year or more early. This allowed them to 'bank' a basic pass for the sake of league tables, but denied them the opportunity to demonstrate their full ability and achieve their best.

That approach is in the past. Under the leadership of my predecessor, Michael Gove, we've turned the exam system on its head, so that it works for children, not politicians.

We've removed the incentives to enter students for low-quality qualifications by removing them from league tables, so young people study subjects which will genuinely help them in the future.

[...]

We've cracked down on early entry and repeated resits, so that pupils only take exams when they're ready; and replaced disjointed, bite-size modules with end-of-course exams to restore confidence in the system.⁵⁹

⁵⁷ Department for Education, [Changes to early entry at GCSE](#), last updated 18 November 2013. Includes information on some transition measures that were in place after the change was first announced.

⁵⁸ Guardian, [Headteachers criticise new rules on pupils entering GCSE exams early](#), 29 September 2013

⁵⁹ Telegraph, [Our reforms will boost confidence in the exams system](#), 10 August 2014

6.4 Impact of changes on 2014 GCSE results

In August 2014, Ofqual published *A brief explanation of summer 2014 GCSE results*, giving a preliminary analysis of the results from the first year of pupils taking their exams after the reforms. It noted the following key findings:

- Fewer entries from 15-year-olds in 2014 – schools appear to have been more selective, entering only their most able 15-year-olds.
- Results for 16-year-olds are generally more stable than the results for all candidates, because of changing entry patterns.
- There is more variation at centre level in English/English language. This appears to be more pronounced in schools that have previously used a modular approach with re-sits.⁶⁰

A further briefing on *Variability in GCSE English/English language in summer 2014* was also published; this provided more detail on the finding that schools which had previously used modular approaches to GCSEs or made use of resits (often the same schools), had more varied results in GCSE English and English Language than in previous years, and that the variation tended to be in a negative direction.⁶¹

⁶⁰ Ofqual, *A brief explanation of summer 2014 GCSE results*, August 2014, p1

⁶¹ Ofqual, *Variability in GCSE English/English language in summer 2014*, August 2014

6.5 Further Reading

Report

[Research Evidence Relating to Proposals for Reform of the GCSE](#), Oxford University Centre for Educational Assessment, May 2013

Press

[Are your marks worth the paper they're written on?](#), *TES*, 19 September 2014

[School fury over unexpected results](#), *TES*, 22 August 2014

[GCSEs: grades drop three times faster at 'resitting schools'](#), *Telegraph*, 21 August 2014

[GCSEs 2014: schools in uproar as English grades drop](#), *Telegraph*, 20 August 2014

['We desperately need to restructure our whole education model'](#), *Telegraph*, 14 August 2014

[Without a pilot, exams will crash and burn](#), *TES*, 12 August 2014

[GCSE reforms causing 'burnout' and stress for school staff](#), *TES*, 8 August 2014

[Number of students taking GCSEs early falls 40%](#), *Guardian*, 22 May 2014

[The revolution is coming, so what should you expect?](#), *TES*, 25 April 2014

7 Young people should be directly involved in making laws

“An elected group of young people should have to approve government ideas and policies before they become law.

Young People should have legislative power when it comes to issues directly affecting them. After policy proposals passed through government, it would have to pass through an elected body of Young People who would have to agree with it as well before it becomes law.”

7.1 How is legislation currently considered by Parliament?

Bills are draft laws and must be considered by and agreed to, in the same form, by both Houses of Parliament before they become Acts of Parliament.

Both Houses follow similar procedures in scrutinising bills. Generally a bill goes through the following stages, first in one House and then in the other:

- (a) Introduction and First Reading (no debate);
- (b) Second Reading (a debate on the general principles of the Bill);
- (c) Committee Stage (the first opportunity to consider amendments to the Bill and to agree to each clause and schedule in the Bill). In the House of Commons, many bills are considered by public bill committees, which receive written and oral submissions on the bill;
- (d) Report Stage (in the House): the second opportunity to amend the Bill;
- (e) Third Reading (in the House): the final opportunity for the House to say “yes” or “no” to the Bill before it goes to the other House (and, in the House of Lords, there is a very limited provision for further amending the Bill). The Lords debates two separate motions on Third Reading and passing the Bill, but in the Commons Third Reading and passing are the same thing;
- (f) Consideration of Amendments made by the other House;
- (g) Royal Assent.⁶²

7.2 What happens before a bill is introduced into Parliament?

Policy is developed, usually by Government, as a result of manifesto commitments or in response to events. Civil servants work to turn policy goals into legislation. The Government has published *Consultation Principles*. They outline why consultation is valuable in the policy development process. They call for open policy making throughout the process, noting that consultation can be used to gather new ideas, to test options, to understand unintended consequences, and to consider implementation.⁶³ Before legislation is introduced into Parliament, ministers must have the approval of colleagues on relevant cabinet committees.

7.3 Where could youth democracy intervene?

At present those with an interest in a particular policy or piece of legislation can put views forward at a number of points in the policy development stage and legislative process:

⁶² For more detail, see *House of Commons Background Paper: Public Bills in Parliament*

⁶³ For more information, see Hansard Society, *Making Better Law: Reform of the legislative process from policy to Act*, 2010. This report examines the legislative process from policy development and consultation through to enactment

- Pressure on political policies to commit to certain policies;
- Responding to consultations;
- Lobbying individual MPs, members of the House of Lords and Government ministers; and
- Providing formal evidence to public bill committees.

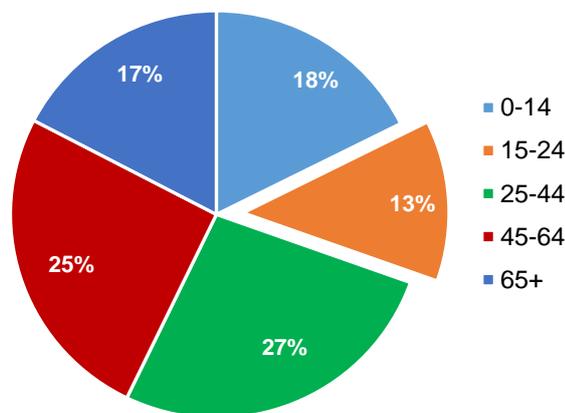
The proposal to secure the assent of an elected body of Young People before it becomes law prompts the question, at what point in the process should this elected body have its say? Can it be before Parliament has given its view on the legislation?

It also prompts questions about why young people should have a right of veto over legislation. It is unusual for legislation only to affect a particular group in society because of the consequences it has for others. The figures below show that young people are particularly under-represented in the House of Commons but does this necessarily support the case for young people having a veto over legislation affecting them?

How many young people are there in the UK?

The overall youth population in the UK represents approximately 13% of the total population.

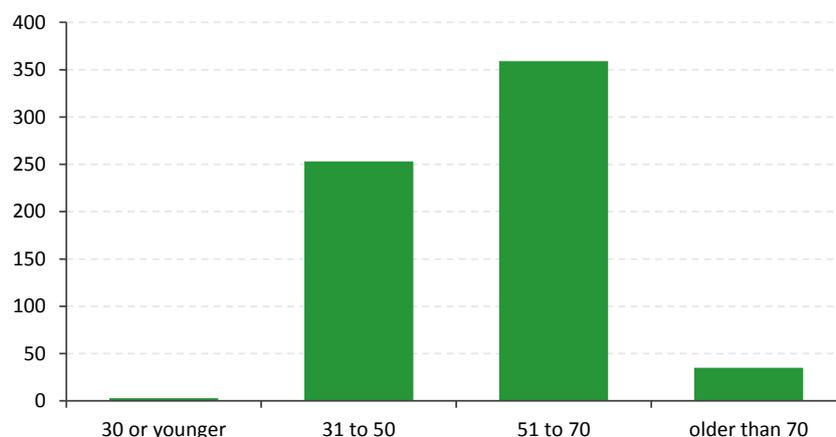
Proportion of the United Kingdom population by age group, mid-year 2013



To what extent are MPs representative of different age groups?

The chart below indicates the ages of MPs broken down into four different age groups. The youngest age group (30 or younger) includes just 3 MPs or less than 0.5% of the total. The most common age group is 51 to 70 with 369 Members falling into this group. This equates to roughly 55% of MPs. In September 2014, the average age of MPs stood at approximately 54.

Number of MPs by age groups



Source: House of Commons Library

7.4 What form could youth democracy intervention take?

If it is decided that giving young people a say in the legislative process is appropriate but that it should fall short of a veto are there any models that could be adopted?

Rural proofing requires policy-makers to consider the rural impacts of their policies and, where necessary, make adjustments to ensure they apply fairly to rural areas. The Rural Communities Policy Unit supports rural proofing by providing advice, guidance and support to policy officials across Government, including through published rural proofing guidance materials and toolkits. Could **youth proofing** be undertaken on policy proposals?

A **requirement to consult the Youth Parliament** could be introduced in the Government's consultation principles.

The **Youth Parliament** or one of its committees could decide that it should always seek to give evidence to the public bill committee scrutinising the relevant legislation in the House of Commons.

7.5 Further reading

House of Commons Library, [House of Commons Background Paper: Public Bills in Parliament](#)

Hansard Society, [Making Better Law: Reform of the legislative process from policy to Act](#), 2010.

8 Everyone should be paid at least the Living Wage

“Everyone should be paid at least the Living Wage of £7.65 per hour (£8.80 in London). Anyone who works, regardless of age, should have a decent standard of living.

The National Minimum Wage should be raised in line with the living wage in order to guarantee workers the decent standard of living they deserve.”

The Living Wage (LW) is an hourly rate of pay set annually by reference to the basic cost of living in the UK and London. It aims to reduce “in-work poverty”, which is where an individual’s earnings are insufficient to take him or her above the poverty line. Unlike the National Minimum Wage, employers are not legally required to pay the LW.

8.1 The Living Wage and the National Minimum Wage

The LW is currently set at £7.65 throughout the UK, except in London, which has a higher LW of £8.80 because the cost of living in London exceeds the cost of living in other parts of the UK. The UK rate is set by the Living Wage Foundation and calculated by the Centre for Research in Social Policy at Loughborough University. The London rate is set by the Living Wage Foundation and calculated by the Greater London Authority.⁶⁴

Both these LW rates are above the National Minimum Wage, which is currently set at £6.50 per hour for people aged over 21, £5.13 for those aged 18-20 and £3.79 for under 18s. The National Minimum Wage is set annually by the Government once it has taken advice from the Low Pay Commission, which is a non-departmental public body that looks at the effect of the National Minimum Wage on workers and on employment levels.

Some have described the LW as “employee-focussed” insofar as it concerns the employee’s standard of living without factoring in general labour market concerns. In this way, the LW is different to “the minimum wage, which focuses on what the labour market can bear without a significant effect on employment”.⁶⁵

8.2 The debate

There has been a lot of debate about whether employers should be required to pay the LW. Some argue that it is unacceptable for workers to be paid a wage which does not provide for the basic costs of living and that the National Minimum Wage should be set at a level which is equal to or above that LW. People that support this view contend that the LW is the fair “price” of a person’s labour and that, in order to trade, businesses have to pay a price for all sorts of goods and services, even if they find it difficult to afford.

Others argue that making it a legal requirement for employers to pay the LW could increase unemployment, because employers’ labour costs (the amount they pay to employ staff) would be increased, therefore they would offer fewer jobs.

Small businesses have also voiced concern. Many small businesses struggle to survive and have difficulty with cash-flow (the amount of money coming in to meet ongoing expenses); the additional labour costs of paying the LW could force some small businesses to close.

Some analysts have challenged the argument that a statutory LW would have an adverse effect on employment. These analysts argue that raising the minimum wage to the LW would increase demand for goods and services, because low paid workers would have more disposable income. This increased demand may in turn produce a modest boost to

⁶⁴ [Living Wage Foundation website](#) [accessed 16 September 2014]

⁶⁵ Resolution Foundation, *Beyond the Bottom Line – the Challenges and Opportunities of a Living Wage*, 2013, p4

employment levels. It may also generate additional revenue for the Treasury through higher tax receipts and save the Government money through lower benefit expenditure.⁶⁶

8.3 Prevalence of low pay by region and industry

Just under 20% of employees in the UK – around 4.8 million workers – were earning less than the Living Wage in April 2013 (when the LW was £8.55 in London and £7.45 outside London).⁶⁷

The incidence of low pay varies by region and by industry. The table shows the *10th and 20th percentiles* for hourly employee pay – the 10th percentile is the point at which 10% of employees in the region are paid less; similarly, 20% of employee jobs pay less than hourly earnings at the 20th percentile. The median is the point at which half of employees earn more and half earn less.

Distribution of gross hourly pay for employee jobs, April 2013 ¹

Workplace-based; ranked by earnings at 10th percentile

| Country/region | Number of jobs ² Thousands | 10th percentile | 25th percentile | Median |
|--------------------------|--|-----------------|-----------------|---------------|
| United Kingdom | 24,473 | £6.58 | £8.14 | £11.62 |
| London | 3,644 | £7.43 | £10.36 | £15.87 |
| South East | 3,299 | £6.81 | £8.45 | £12.12 |
| Scotland | 2,164 | £6.69 | £8.34 | £11.59 |
| East | 2,244 | £6.57 | £8.01 | £11.35 |
| South West | 2,067 | £6.50 | £7.87 | £10.78 |
| West Midlands | 2,100 | £6.48 | £7.79 | £10.86 |
| North West | 2,593 | £6.45 | £7.79 | £10.80 |
| Wales | 1,078 | £6.45 | £7.73 | £10.54 |
| Yorkshire and The Humber | 1,962 | £6.45 | £7.69 | £10.61 |
| East Midlands | 1,696 | £6.40 | £7.71 | £10.50 |
| North East | 951 | £6.35 | £7.64 | £10.65 |
| Northern Ireland | 674 | £6.25 | £7.44 | £10.23 |

Notes: (1) Employees on adult rates of pay whose pay for the period was not affected by absence. (2) Figures for number of jobs are for indicative purposes only and should not be considered an accurate estimate of employee job counts.

Source: ONS *Annual Survey of Hours and Earnings, 2013*

Industries with the highest proportions of jobs paid below the Living Wage include Accommodation & food services; administrative & support services; and retail.

⁶⁶ Landman Economics, *The Economic Impact of Extending the Living Wage to all Employees in the UK*, October 2013

⁶⁷ House of Commons Library estimate, based on [ONS estimates of proportion of employees paid below LW by local authority](#) and ONS *Annual Survey of Hours and Earnings 2013*.

Distribution of gross hourly pay for employee jobs by industry, April 2013 ¹*Ranked by earnings at 10th percentile*

| Industry | Number of jobs ² Thousands | 10th percentile | 25th percentile | Median |
|--------------------------------------|--|-----------------|-----------------|---------------|
| All employees | 24,473 | £6.58 | £8.14 | £11.62 |
| Mining & quarrying | 42 | £9.98 | £12.70 | £19.35 |
| Electricity & gas supply | 171 | £9.93 | £12.62 | £17.88 |
| Public administration & defence | 1,258 | £9.22 | £11.16 | £14.53 |
| Finance & insurance | 1,061 | £8.85 | £11.15 | £16.92 |
| Information & communication | 953 | £8.49 | £11.76 | £16.78 |
| Professional, scientific & technical | 1,514 | £8.02 | £10.60 | £15.33 |
| Water supply, sewerage etc | 132 | £7.86 | £9.81 | £12.69 |
| Construction | 807 | £7.84 | £9.96 | £12.58 |
| Transport & storage | 1,063 | £7.83 | £9.52 | £11.71 |
| Real estate activities | 319 | £7.40 | £9.27 | £12.02 |
| Manufacturing | 2,395 | £7.29 | £9.20 | £12.58 |
| Education | 3,858 | £7.25 | £8.93 | £13.61 |
| Health & social work | 3,659 | £6.84 | £8.37 | £11.83 |
| Agriculture, forestry & fishing | 121 | £6.31 | £7.18 | £8.81 |
| Wholesale & retail | 3,529 | £6.25 | £6.86 | £8.50 |
| Arts, entertainment & recreation | 472 | £6.20 | £6.93 | £8.81 |
| Other services | 402 | £6.20 | £7.35 | £10.08 |
| Administrative & support services | 1,405 | £6.19 | £6.80 | £8.75 |
| Accommodation & food services | 1,221 | £5.50 | £6.19 | £6.63 |

Notes: (1) Employees on adult rates of pay whose pay for the period was not affected by absence. (2) Figures for number of jobs are for indicative purposes only and should not be considered an accurate estimate of employee job counts.

Source: ONS *Annual Survey of Hours and Earnings, 2013*

The Office for National Statistics (ONS) has published [estimates](#) of the proportion of employee jobs paid below the Living Wage at April 2013 for constituencies and local authorities, in response to a Parliamentary Question (PQ 180794, 8 January 2014). These figures show the proportion of employees *working* in a constituency or local authority paid below Living Wage, rather than the proportion of people living there.⁶⁸

8.4 Policy

Government policy

On 6 November 2013 Baroness Royall of Blaisdon asked the Government “what steps they are taking to promote the adoption of the new rate of the living wage”.⁶⁹ Responding for the Government, Viscount Younger of Leckie said that the Government’s “key policy is to support the low-paid through the national minimum wage” and that this was “set at a level that helps as many low-paid workers as possible, but without damaging their employment prospects”.⁷⁰

Labour proposals

A November 2013 Labour Party press release stated that Labour would introduce “Make Work Pay Contracts” if it won the General Election on 7 May 2015.⁷¹ The [press release](#) explained that, under these contracts, firms that sign up to paying the LW would benefit from

⁶⁸ Cabinet Office, [Tables showing the percentage of employee jobs with hourly pay, excluding overtime, below the living wage by a\) parliamentary constituency and b\) local authority, April 2013](#), DEP2014-0020

⁶⁹ [HL Deb 6 November 2013 c220](#)

⁷⁰ *Ibid*

⁷¹ Tackling the cost of living crisis with decent wages, helping business, cutting the cost of failure, Labour Press release, 3 November 2013 [accessed 16 September 2014]

a 12-month tax rebate of up to £1,000 for every low paid worker who get a pay rise. Thus, Labour propose to encourage employers to pay the LW through the tax system, rather than require them to do so through the law.

8.5 Living Wage Commission report

During summer 2013 an independent commission – the Living Wage Commission - began a year-long investigation of the future of the LW. The Commission was chaired by the Archbishop of York and included academics and figures from industry and the trade unions. The Commission report, published in June 2014, made the following recommendations:

- The UK government should make it an explicit goal to increase the take-up of the voluntary Living Wage to benefit at least 1 million more employees by 2020.
- The UK and devolved governments should ensure that all directly employed public sector employees are paid a Living Wage.
- The UK and devolved governments should ensure that the public sector always procures on value, rather than spreadsheet cost, which would enable stronger consideration of contractors paying a Living Wage.
- Central and local government should support the Living Wage by championing it to employers across the UK.
- The Living Wage Foundation should oversee the production of a toolkit for businesses to measure both the costs and benefits of increasing wages for the lowest paid workers.
- Accredited employers should proudly display the Living Wage kitemark in order to build consumer awareness of the Living Wage.
- The Living Wage Foundation should oversee the development of an online tool to allow consumers to identify which goods and services are from Living Wage providers.
- All publicly listed companies should publish the number of people paid below a Living Wage in their organisation, and the UK government should legislate if they fail to do so.⁷²

8.6 Further reading

- [The Living Wage](#), House of Commons Library Standard Note, SN06675, September 2014
- Living Wage Commission, [Work that Pays – The Final Report of the Living Wage Commission](#), June 2014
- Resolution Foundation & IPPR, [Beyond the Bottom Line – the Challenges and Opportunities of a Living Wage](#), 2013
- Landman Economics, [The Economic Impact of Extending the Living Wage to all Employees in the UK](#), October 2013

⁷² Living Wage Commission, [Work that Pays – The Final Report of the Living Wage Commission](#), June 2014, pp7-8

9 Give young people a voice in improving their communities

“Councils and politicians should run activities to help us have a say, including through youth councils, conferences and consultations.

We believe that before young people reach the voting age they should be thoroughly involved in our democracy through a series of measures such as youth elections, referendums for young people, youth committees, and conferences and events for young people on political issues. We believe that there needs to be a political obligation on both MPs and local authorities to involve young people in decision-making.”

9.1 Local authorities and MPs

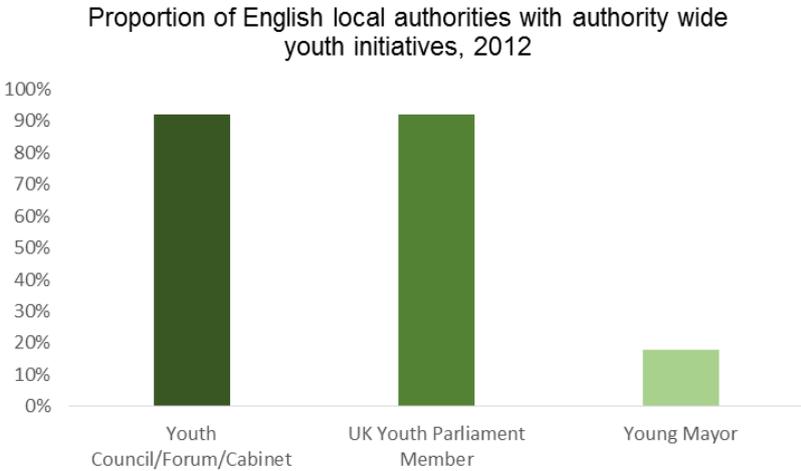
The 2009 Youth Citizenship Commission stated that young people “can find traditional political, representative and governmental processes, language and behaviours off-putting”.⁷³

Innovative responses to this situation have been proposed in the past for local authorities. In 2007, the Councillors’ Commission recommended local authorities should develop strategies to engage with young people, involve them in consultation processes, and encourage them to interact with councillors. Methods such as young mayoral elections, political speed dating, and internships with councillors could be used.⁷⁴

Local authorities do not currently have any legal **obligation** to consult young people, either generally or through representative forums such as youth councils. It would be possible to make such groups mandatory, but a change in culture would be needed to ensure they influenced decision-makers.

A range of other initiatives have been introduced by local authorities. The graph below shows the results of a survey in 2012 asking local authorities what type of authority-wide youth initiatives they have used.⁷⁵

Nearly every authority had a representative in the UK Youth Parliament (92%) and the same number reported an authority-wide council/forum or cabinet style representation. Young mayors were less prevalent, with only 18% of authorities having a young mayor. Every local authority that responded had at least one of the three.



⁷³ Youth Citizenship Commission, *Making the Connection: Building youth citizenship in the UK*, 2009, p. 38

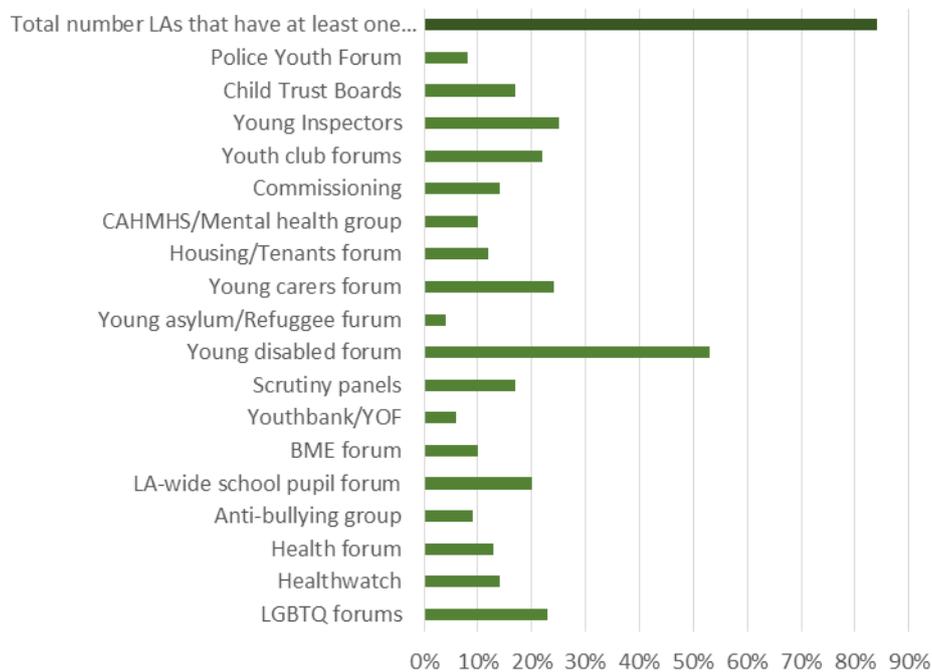
⁷⁴ Councillors’ Commission, *Representing the Future*, 2007, pp. 81-2

⁷⁵ British Youth Council Survey, *A ‘snapshot’ of participation mechanisms in local authorities (England)*, June 2012. 100 local authorities responded to the survey.

Source: British Youth Council Survey

The survey also indicated that 84% of local authorities were undertaking at least one specialist initiative:

Specialist participation initiatives for young people provided by local authorities in England



Source: British Youth Council Survey

MPs are free to decide how to represent their constituents, either individually or collectively. Any collective change which required MPs to consult specifically with young people is likely to require the support of the main political parties. If enacted, it could provoke demands from other groups within the population for similar treatment.

Parliament’s Education Service also offers MPs opportunities to interact with young people.

9.2 Young mayors

Some local authorities have organised elections of ‘young mayors’ in recent years. There are at least 25 such mayors across England and Wales. They are set up at the initiative of individual local authorities.

Young mayors are typically aged between 14 and 18. They are often elected on the basis of a small number of pledges. Detailed statistics on how many young people have voted in young mayoral elections are not available. It is not known to what extent young mayors influence young people’s desire to participate in politics.

Examples of pledges on which young mayors have been elected include:

- Working with local employers to improve the variety and knowledge of work experience placements.

- Giving young people the opportunity to achieve their full potential through free sports facilities.
- Increasing participation in sports, youth forums and drama with disabled young people and women.

Young mayors benefit from having an official position sponsored by a local authority, which gives access to decision-makers. This access is likely to be a more reliable way of achieving influence than one-off events or groups which take place separately from mainstream political decision-making. Nevertheless, young mayors need to be clear and tenacious in order effectively to influence local policy.

9.3 Youth elections

The British Youth Council (BYC) reports that there are over 620 local youth councils across the UK, working with all levels of government.

Some 90% of primary and secondary schools in the UK have a school council; they are compulsory in Wales.⁷⁶ Web resources are available directed at those running school councils.⁷⁷ The effectiveness of school councils is disputed, with some arguing that they are rarely allowed to debate significant issues or truly influence decision-making, and that a focus on formal meetings after school can serve to exclude many students:

School councils exist in over 90% of schools, but unfortunately many of them only involve the really confident young people, get nothing done, and just teach students that ‘taking part’ is about moaning. We’re worried that this gives all the wrong messages to young people about democracy.⁷⁸

9.4 Referendums

The idea of referendums for young people is rarely proposed in discussions of political engagement of young people. A referendum for young people would require:

- a clear question with two possible answers.
- A decision on whether a school, or other body, would act on the result of the referendum.
- Clarify over who was to be eligible to vote: e.g. would it be held in specific schools and colleges, or would young people in work be included?
- Publicity would be required to ensure awareness of the vote.

⁷⁶ See <http://www.smartschoolcouncils.org.uk/about-us/>; <http://www.studentvoice.co.uk/>; <http://www.schoolcouncils.org/>; see also the *School Councils (Wales) Regulations 2005*.

⁷⁷ See, for instance, <http://involver.org.uk/resources/>

⁷⁸ See <http://involver.org.uk/school-council/>

9.5 Further reading

Children in Scotland / University of Edinburgh, *Having a Say at School: Research on Pupil Councils in Scotland*, 2012

Geoff Whitty and Emma Wisby, *Real Decision-Making? School Councils in Action*, Institute for Education, 2007

Jack Lewars, *Representing Student Voice on School Councils*, Teaching Times, no date.

Department for Education, *Higher Standards, Better Schools for All*, Cm 6677, 2005

Councillors' Commission, *Representing the Future*, 2007

Youth Citizenship Commission, *Making the connection: building youth citizenship in the UK*, 2009

Andrew Mycock and Jonathan Tonge (eds), *Beyond the Youth Citizenship Commission: Young People and Politics*, PSA, 2014

LGA, *Engaging young people: councillor workbook*, 2014

10 Euthanasia

“With the assistance of a doctor and working within strict rules, terminally ill and extremely sick people should have the right to end their own life.

We believe that those who are terminally ill or who are living in suffering that is unbearable with no prospect of improvement, should be entitled to end their own lives with the assistance of a doctor who acts within the criteria of due care that provide appropriate safeguarding.”

10.1 Summary

Both euthanasia and assisted suicide are illegal under UK law. Euthanasia could be found to be murder or manslaughter depending on the circumstances of the case. Under the *Suicide Act 1961* it is an offence for one person to assist or encourage the suicide (or attempted suicide) of another. Suicide or attempted suicide are not in themselves criminal offences.

There have been several legal cases about the offence of assisted suicide, particularly concerning disabled or terminally ill people who are unable to end their lives without help from family or friends. The case of Debbie Purdy in July 2009 was a particularly important one. The House of Lords ruled that the Director of Public Prosecutions⁷⁹ (DPP) should create a policy specifically for assisted suicide. This should set out the public interest factors the lawyers will consider when deciding whether to proceed with assisted suicide offences. The DPP’s policy was published in February 2010 following a public consultation.

The Supreme Court recently looked at this issue in the cases of Tony Nicklinson, Paul Lamb and AM. These men applied to the courts stating that the current law on assisted suicide was incompatible their human rights (article 8 right to private life). The Supreme Court decided against making such a declaration by a majority of seven to two. It took the view that Parliament was the most appropriate place for considering changes to the law on this particular issue.

The House of Lords is currently considering the *Assisted Dying Bill 2014*, a Private Member’s Bill introduced by Lord Falconer of Thoroton. The Bill aims to allow competent adults who are terminally ill to have assistance with ending their life if they request it. There was agreement among those who spoke in the Second Reading debate – whether for or against the Bill – that Parliament needed to properly look at the issue following the judgment in the Nicklinson case. They decided that the Bill should proceed to the next stage and be considered by a Committee. The Bill was therefore given its Second Reading without a division vote.

The Government has indicated that it considers this issue to be a matter of individual conscience.

This briefing provides a short overview of this subject in the UK, for a more detailed discussion with international comparisons, please see the House of Commons Library Standard note, [Assisted Suicide](#).

10.2 Definitions

In the UK, many of the proposed changes to legislation and policy relate to assisted suicide (often called assisted dying) rather than euthanasia. The [NHS choices](#) website provides one definition of the two terms:

⁷⁹ The Director of Public prosecutions is the chief prosecutor in the UK. A prosecutor is someone who brings a criminal case against someone.

- **Euthanasia is the act of deliberately ending a person's life to relieve suffering.**
- Assisted suicide is the act of deliberately assisting or encouraging another person who commits, or attempts to commit, suicide.⁸⁰

It should be noted that different definitions exist, which can complicate matters on this subject.

10.3 Assisted suicide- a criminal offence

Until 1961 it was a criminal offence to commit, or attempt to commit suicide. Section 1 of the *Suicide Act 1961* changed this and these acts are no longer crimes.

However, section 2(1) of the Act, which is still on the statute book, states that a person commits a criminal offence if they encourage or assist someone to end their life.⁸¹ So, it is not an offence to commit suicide or try to do so but it is an offence to help someone do this.

In March 2014 the Crown Prosecution Service (CPS)⁸² published details of the number of assisted suicide cases it had looked at since 2009:

From 1 April 2009 up to 13 February 2014, there have been 91 cases referred to the CPS by the police that have been recorded as assisted suicide or euthanasia.

Of these 91 cases, 65 were not proceeded with by the CPS. 13 cases were withdrawn by the police.

There are currently 8 ongoing cases. 1 case of assisted attempted suicide was successfully prosecuted in October 2013 and 4 cases were referred onwards for prosecution for murder or serious assault.⁸³

The Suicide Act 1961 applies in England and Wales. In Scotland and Northern Ireland there is no specific statutory offence of assisting suicide. However, those who do assist suicide could find themselves committing other more general offences.

10.4 Prosecution policy

Following a number of cases on assisted suicide and especially the House of Lord's judgement in the Debbie Purdy case in 2009 (see section below), the Crown Prosecution Service (CPS), following public consultation, published a [new policy](#) on how to deal with these cases in February 2010.⁸⁴

The policy lists the public interest factors in favour, and those against, prosecution in assisted suicide cases. Some of the factors that may make a criminal charge being brought more likely include, if the victim was younger than 18, or if the victim was pressured to commit suicide. Some of the factors that might make a prosecution less likely are if the

⁸⁰ NHS Choices, [Euthanasia and assisted suicide](#), 2014

⁸¹ For background on the changes made to the original wording of the 1961 Act by the *Coroners and Justice Act 2009*, see Ministry of Justice Circular 2010/03, [Encouraging or Assisting Suicide: Implementation of Section 59 of the Coroners and Justice Act 2009](#), and Library Research Papers 09/06, [Coroners and Justice Bill: Crime and Data Protection](#), and 09/27 [Coroners and Justice Bill: Committee Stage Report](#).

⁸² The Crown Prosecution Service are the public organisation in England and Wales that decide whether cases brought by the police should go to court.

⁸³ CPS website, [Assisted suicide: latest assisted suicide figures](#), 1 March 2014. For details of the one successful prosecution, please see CPS news release, [Kevin Howe convicted of assisted attempted suicide](#), 12 September 2013

⁸⁴ CPS, [Policy for Prosecutors in respect of Cases of Encouraging or Assisting Suicide](#), February 2010,

victim had made a clear and settled decision that they wanted to end their life, and if the person who helped them did so out of compassion.

The policy states that each case will be considered on its own facts and merits:

Prosecutors must decide the importance of each public interest factor in the circumstances of each case and go on to make an overall assessment. It is quite possible that one factor alone may outweigh a number of other factors which tend in the opposite direction. Although there may be public interest factors tending against prosecution in a particular case, prosecutors should consider whether nonetheless a prosecution should go ahead and for those factors to be put to the court for consideration when sentence is passed.⁸⁵

The policy emphasises that the act of suicide requires the victim to take his or her own life. It does *not* change the law on assisted suicide, and does not open the door for euthanasia.

10.5 Recent legal cases

Debbie Purdy

Debbie Purdy is a woman with Multiple Sclerosis who is confined to a wheelchair and hopes to end her life when it becomes unbearable. She brought a case in 2009 that the Director of Public Prosecutions (DPP) should provide a policy on what factors would be considered when deciding whether to proceed with a case against someone for assisted suicide. The House of Lords decided the case in her favour and ordered the DPP to develop such a policy.⁸⁶

Tony Nicklinson, Paul Lamb and AM

Tony Nicklinson suffered a stroke in 2005 which left him suffering with ‘locked in’ syndrome.⁸⁷ His condition was not life threatening and he had a reasonable expectation of living for many years. He wanted a doctor to help him end his life by giving him a lethal injection, but if necessary he was prepared to kill himself using a machine. However, under the current law, as noted above, any doctor actively injecting Mr Nicklinson would have been open to a charge of murder, and anyone assisting him to commit suicide could be charged under s2(1) of the *Suicide Act 1961* for assisting suicide.

Mr Nicklinson applied to the High Court for a decision that any doctor who injected him with a lethal drug or who assisted him in terminating his own life would be able to make use of the defence of “necessity” and so would not be committing a criminal offence. The defence of necessity says that an act which would otherwise be a crime may (very occasionally) be forgiven where it was done to avoid a greater evil. The evil done by committing the crime is outweighed by the greater evil which would be the case if the crime was not committed.⁸⁸

If this defence was refused by the Court, Mr Nicklinson sought another decision. He said that the current law on murder and assisted suicide was not compatible with his right to a private life under human rights law (Article 8, European Convention on Human Rights).

Alongside Mr Nicklinson’s case the court also considered the case of another man, Martin, who is almost completely unable to move following a stroke. He would be able to commit suicide with physical help and wishes to travel to Dignitas (a clinic in Switzerland) to do this. Martin sought a court decision that the policy on when to proceed with criminal cases in

⁸⁵ Ibid (page 5)

⁸⁶ [R v DPP ex p Purdy \[2009\] UKHL 45](#)

⁸⁷ Locked in syndrome is where a person is conscious but paralysed following a brain injury.

⁸⁸ *Blackstone’s Criminal Practice*, 2014 edition, para A3.47

assisted suicide needed to be clearer. Martin wanted more detail provided on the role of non-related persons/friends such as doctors, nurses and lawyers.

Both cases were unsuccessful in the High Court.⁸⁹ Mr Nicklinson died six days later from pneumonia, having refused food following the judgment.⁹⁰ His widow, Jane Nicklinson and a man called Paul Lamb (who also has locked-in syndrome) continued with the case and appealed to the Court of Appeal.

The two cases were unsuccessful for the most part in the Court of Appeal. Recently they were then heard at the Supreme Court. The cases were heard together in December 2013 by nine Justices and the judgment was given on 25 June 2014.⁹¹ A useful press summary is also available.⁹²

The Supreme Court dismissed the appeal by a majority of seven to two. The Justices were divided as to whether the Supreme Court had the constitutional authority to make a decision that the current law on assisted suicide is incompatible with the specific human rights, or whether this should be left to Parliament. The Justices were also divided as to whether such a decision should be made in this case.

10.6 Changing the law on assisted suicide

There have been several attempts to change the law in this area over recent years but none have been successful.

The Assisted Dying Bill 2014

The [Assisted Dying Bill \[HL\]](#) is a Private Member's Bill introduced by Lord Falconer in the House of Lords in 2014. An identical Bill was introduced in the 2013/14 session by Lord Falconer but did not proceed beyond First reading.

The Bill aims to allow competent adults who are terminally ill to have assistance with ending their life if they request it. It applies to residents in England and Wales. The [explanatory notes](#) to the Bill provide full details, as does the Lords Library briefing [In Focus: Assisted Dying Bill \[HL\]](#).⁹³

The content of the Bill was shaped by the findings of the [Commission on Assisted Dying](#), which was chaired by Lord Falconer. The Commission published its final report in January 2012.⁹⁴ It described the current legal status of assisted suicide as "inadequate and incoherent" and said that Parliament should consider developing a new legal framework.

The Bill's Second Reading debate took place on 18 July 2014.⁹⁵ Opinion on the Bill was evenly split. However, there was general agreement among those who spoke in the debate – whether for or against the Bill – that Parliament needed to properly address the issue following the Supreme Court's judgment in Nicklinson and that the Bill should go to the next

⁸⁹ [R on the application of Tony Nicklinson v Ministry of Justice](#) [2012] EWHC 2381

⁹⁰ The Guardian, [Tony Nicklinson dies six days after losing 'right to die' case](#), 22 August 2012

⁹¹ [R on the application of Nicklinson and Lamb v Ministry of Justice](#) [2014] UKSC 38

⁹² Supreme Court, [Press Summary: R \(on the application of Nicklinson and another\) \(Appellants\) v Ministry of Justice \(Respondent\); R \(on the application of AM\) \(AP\) \(Respondent\) v The Director of Public Prosecutions \(Appellant\)](#) [2014] UKSC 38 [On appeal from \[2013\] EWCA Civ 961](#), 25 June 2014

⁹³ LIF 2014/006, 14 July 2014

⁹⁴ The Commission on Assisted Dying, ["The current legal status of assisted dying is inadequate and incoherent..."](#), 2012

⁹⁵ [HL Deb 18 July 2014 c775](#)

stage. The Bill was therefore given its Second Reading without a division vote. It will now be carefully considered by a Committee⁹⁶ of the whole House of Lords.

It should also be noted that there is an *Assisted Suicide (Scotland) Bill* currently being considered in the Scottish parliament. More detail on this is provided in the Library standard note.

10.7 Stakeholders and public opinion

There are many interested groups on both sides of the debate, including campaign groups and medical organisations. Brief details of some of these organisations are set out below but this is not a complete list of all groups.

A 2012 YouGov survey of public opinion on a change of law on assisted suicide found that 69% of people believe the law should be changed to legalise assisted suicide for someone suffering from a terminal illness.⁹⁷

[Dignity in Dying](#), is an organisation that campaigns for “greater choice and control at the end of life”. This would include giving competent, terminally adults the choice of an assisted death within a strict legal framework. Dignity in Dying has an [ongoing campaign in support of the Assisted Dying Bill](#).⁹⁸

[Care Not Killing](#) is a group of organisations opposing euthanasia and assisted suicide. It was formed in 2005. Its members include religious groups, disability rights groups and end of life care doctors.

[Not Dead Yet UK](#) was founded in 2006 by Jane Campbell, a campaigner and adviser for disability reforms who was made a Baroness in 2007. It is a network of disabled people who oppose what the organisation describes as “the legalised killing of disabled people”.

Medical organisations

The [British Medical Association](#) (BMA) last debated its policy opposing assisted dying at its 2012 ARM, when members voted against a motion that the BMA should move from a position of opposition to neutrality.⁹⁹ A summary of the BMA’s current policy is set out on its website.¹⁰⁰

In July 2009 the [Royal College of Nursing](#) (RCN) moved to a “neutral” position on assisted suicide, having previously opposed it.¹⁰¹ In October 2011 the RCN issued guidance to nurses on how to respond to requests to hasten death.¹⁰²

The [Royal College of General Practitioners](#) (RCGP) held a consultation on its position on assisted dying in 2013.¹⁰³ On 21 February 2014 it announced that the majority of

⁹⁶ Committee stage involves detailed line by line examination of the separate parts (clauses and schedules) of a bill. Starting from the front of the bill, members work through to the end. Any member of the Lords can take part.

⁹⁷ YouGov, [Support for doctor-assisted suicide](#), July 2012

⁹⁸ Dignity in Dying, [Lord Falconer’s Assisted Dying Bill](#) [accessed 15 August 2014]

⁹⁹ BMA, [BMA continues to oppose legalising assisted dying](#), 27 June 2012. Earlier that month the editor in chief of the British Medical Journal had called on the BMA to maintain its neutrality, arguing “doctors hold the means but the decision rests with society and its representatives in parliament”: see “[Legalisation is a decision for society not doctors](#)”, *British Medical Journal*, 2012, 344:e4075

¹⁰⁰ BMA website, [What is current BMA policy on assisted dying?](#) [accessed 15 August 2014]

¹⁰¹ RCN news release, [RCN moves to neutral position on assisted suicide](#), 24 July 2009

¹⁰² Royal College of Nursing, [When someone asks for your assistance to die: RCN guidance on responding to a request to hasten death](#), October 2011. See also RCN press release, [RCN launches guidance for nurses on assisted suicide](#), 20 October 2011.

respondents had agreed with maintaining a position of opposition to a change in the law on assisted dying.¹⁰⁴

10.8 Further Reading

- House of Commons Library Standard Note, [Assisted Suicide](#), 20 August 2014
- House of Lords Library, [In Focus: Assisted Dying Bill](#), 14 July 2014
- NHS Choices, [Euthanasia and assisted suicide](#), 2014
- Supreme Court: [Press Summary: R \(on the application of Nicklinson and another\) \(Appellants\) v Ministry of Justice \(Respondent\); R \(on the application of AM\) \(AP\) \(Respondent\) v The Director of Public Prosecutions \(Appellant\) \[2014\] UKSC 38 On appeal from \[2013\] EWCA Civ 961](#), 25 June 2014
- The Commission on Assisted Dying, [“The current legal status of assisted dying is inadequate and incoherent...”](#), 2011
- Living and Dying Well, [Another 'Assisted Dying' Bill, Does it pass the public safety test? An Analysis of the Assisted Dying Bill \[HL Bill 24\]](#) 2013

¹⁰³ RCGP, [Assisted Dying Consultation Analysis](#), January 2014

¹⁰⁴ RCGP, [RCGP announces continued opposition to change in law on assisted dying](#), 21 February 2014