

## Agenda – Petitions Committee

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Meeting Venue:

Committee Room 3 – Senedd

HYBRID

Meeting date: 7 November 2022

Meeting time: 14.00

For further information contact:

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2.3 P-06-1298 Petition for a Welsh Government inquiry into the campaign of trans rights activists at Cardiff University

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# Petition for a Welsh Government inquiry into the campaign of trans rights activists at Cardiff University

Y Pwyllgor Deisebau | 7 Tachwedd 2022  
Petitions Committee | 7 November 2022

Reference: SR22/3945-3

**Petition Number:** P-06-1298

**Petition title:** Petition for a Welsh Government inquiry into the campaign of trans rights activists at Cardiff University

**Text of petition:** In recent months at Cardiff University, transgender rights activists have waged a campaign of harassment and violent threats against academics critical of Stonewall. We feel that the university and police have failed to protect the academics, potentially reflecting the links of these organisations with Stonewall. We call for an inquiry into this affair.

More information about this case can be found [here](#):



## 1. Background

On 17 June 2021, 15 academics at Cardiff University signed an open letter which called for a reconsideration of the University's continuing participation in the Stonewall Diversity Champion programme.

The programme was set up in 2001 to support employers to embed LGBTQ+ inclusion in workplaces "and enter the Workplace Equality Index and Global Workplace Equality Index", where they are benchmarked against other companies. In 2021 a number of high profile employers, which had participated in the programme, ended their partnership with Stonewall. These included media watchdog Ofcom, BBC, the UK Government's Cabinet Office, and the UK's equality watchdog, the Equality and Human Rights Commission (EHRC).

The letter stated support for the rights of transgender staff and students, but said that continued membership of **Stonewall's Diversity Champion programme** needs to be reviewed on the basis that:

being associated with Stonewall lies in tension with two of the university's core values: 1) academic freedom and 2) respect for the rights of all staff and students, including women.

Cardiff University also received a letter from staff, students and alumni who disputed the claims made, stating that:

this is a gross misreading of the Equality Act: transphobic views, like homophobic views, are only protected beliefs – people have the right to hold these views, but Universities and other institutions have no duty to protect them from criticism or academic rigour in a democratic society.

The letter called on Cardiff University to issue a "renewed statement of commitment to the rights and wellbeing of their LGBTQ+ staff and students".

### 1.1. Actions taken by the University

A letter to Minister for Education and Welsh Language, Jeremy Miles MS in February 2022 by the Free Speech Union provides a detailed timeline of events following the publication of the open letter, including descriptions of the alleged threats made against signatories of the letter and meetings which took place between the Deputy Vice-Chancellor and Communications Director at the University and the actions taken by them.

The letter states that following the publication of the letter:

a leaflet was distributed on campus picturing a woman holding a gun, the names and pictures of the signatories, and the caption “ACT NOW”. A student whistleblower then revealed violent threats being made on the Facebook page of the Cardiff LGBT+ Society.

It goes onto say that in January 2022, nine of the original fifteen signatories wrote to the Deputy Vice Chancellor expressing their dissatisfaction with the handling of the matter, stating that the University had “overlooked crucial evidence” and:

the University is failing to uphold its legal duty under section 43 of the Education (No 2) Act 1986 to secure freedom of speech. Worse, when serious and well-evidenced concerns about this hostile campaign were brought to the University’s attention, it neglected to act, misplaced evidence, failed to conduct a timely and thorough investigation and refused to re-open the investigation when the violent threats were repeated.

It also states that “despite the continuing campaign against these academics, the Deputy Vice-Chancellor concluded that it was not necessary to make further statements on this issue and the University had acted “reasonably” and had taken “practical steps to safeguard the health, safety and wellbeing of all staff and students involved in this matter”.

Cardiff University has also [published a statement](#) relating to the issues outlined in the Free Speech Union’s letter to Jeremy Miles

## 2. Welsh Government action

In it’s letter to the Minister for Education and Welsh Language, Jeremy Miles MS, the Free Speech Union called on him to:

Consider what interpretation you might make with the Vice-Chancellor or elsewhere that could have a material impact. In particular, we would welcome any action you could take to remind Cardiff [University] of its legal duties under current legislation.

In his response to the Petitions Committee, the Minister said:

As higher education institutions are autonomous bodies, disputes between students, staff and their universities are a matter for the

universities themselves. Therefore, neither the Welsh Government nor Welsh Ministers are able to intervene. Any potential issues of alleged unacceptable behaviour by staff or students are, ultimately, a matter for the university to address under its internal policies.

The Minister stressed that he would “expect the university to continue to meet all of its legislative requirements in respect of freedom of speech and academic freedom and its obligations under the Equality Act 2010.”

The Minister states that the Higher Education Higher Education Funding Council for Wales (HEFCW), the statutory regulator of HE in Wales has received an “assurance from the university that the matter has been thoroughly investigated” and the police are “satisfied that there was no evidence of any laws being broken.”

He states that there is nothing in the letter from the Free Speech Union which “evidences a clear breach of legislative compliance” and that the university had published a Code of Practice and has therefore complied with Section 43 of the Education (No2) Act 1986. The Minister also states that it is the Equality and Human Rights Commission that is responsible for investigating compliance with the Public Sector Equality Duty in Wales (which requires that all universities comply with the Equality Act 2020).

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

# Agenda Item 3.2

## P-06-1294 Don't leave metastatic breast cancer patients in Wales behind – Correspondence from the Petitioner to the Committee, 03 November 2022

Dear Jack and committee members,

I would like to start this letter with the biggest heartfelt thank you for the work and representation you have given so far on behalf of metastatic breast cancer (MBC) patients. Unfortunately, the health minister's response in both the letter and speech failed to address the key issues which were presented from the petition and open letter.

My concern is the information which was presented in the health ministers' response is not in line with the standards of care we are calling for. Quite simply her expectations of MBC patients receiving support and a satisfactory standard of care from a multi-disciplinary team are just not being met. The [national optimised pathways](#) highlighted in her letter do not include MBC, but only a pathway for primary breast cancer. I call into question how these expectations can be measured when there is no existing MBC pathway? Who is accountable for this pathway not existing?

The health minister highlighted in her speech that the Welsh Cancer Network will be reviewing MBC services and will consider a series of recommendations. What are these recommendations? how will they lead to better patient care? How will the success of this be measured? How and in what time frame will this be implemented?

The health minister's speech also stated there are specialist nursing roles being introduced in a South West Wales cancer centre and in a North Wales cancer centre. However, these nurses are not the same as the dedicated MBC nurses which we are calling for. These roles need to be in accordance with the [NICE guidelines](#), be patient led and focus just on the unique issues brought forward from the [leading cause of death in women 35-64](#) in the UK. It needs to be recognised that the holistic needs and support of these individuals require a solely dedicated nurse for MBC. The nurses referenced in the health minister's speech currently look after other groups of patients and fulfil different roles. What evidence is there that patients are having all their holistic needs addressed and how do they feel supported? 277 MBC patients and care givers in Wales have signed our [open letter](#) which agrees they are not receiving this care and desperately need it.

The health ministers speech referenced the promised audit on MBC patients will start "next year" in 2023. [In 2021 it was promised it would have been started in 2022](#), who is accountable that this has not yet happened? I fear this will be another empty promise, as Data collection was mandated in 2012 and promises were made to rectify this in 2019. What is the Welsh Government going to do to ensure this audit starts while patients continue to die? Furthermore, the £11 million investment in a new cancer information system is welcomed, but can the health minister confirm data analyst roles will be included? If not, who will extract the data we need from the new system and who will be responsible to ensure the information is recorded?

Finally, I would like to address the health minister's encouragement to remind people they have the power to help prevent breast cancer through living a healthy life and through screening. Younger women are increasingly being diagnosed with Breast Cancer and MBC remains to be the leading cause of death in women 35-64 despite these women leading normal lives. Additionally, over half of this age group

are too young to qualify for screening according to the national screening guidelines. The public response from this statement has been one of absolute devastation and leaves questions on the clarity of the health ministers' level of understanding of the facts from patients and health professionals alike.

The patients and health professionals of Wales need to have faith that the Welsh government can grasp and address the differences between primary and metastatic breast cancer. How can you as a committee members take this further? And what can we do to move forward and restore our faith in this system.

Yours sincerely,

Tassia Haines

# Agenda Item 3.3



November 1<sup>st</sup> 2022

Dear Mr Goodall

I'm sure you are aware that there is significant concern from within the Welsh professional self-catering industry regarding the passing of the above Order earlier this year. This email is a request that you undertake a formal review of the quality of the advice offered to the Finance Minister by her officials. It is not our intention to point the finger at individuals, but we do assert that there are failings of process standard in terms of the evidence sought, gathered and presented to support the options put to the Minister.

This is the statutory instrument which changed the availability and occupancy thresholds which determine whether a property, which offers furnished holiday lets (FHL), is identified as liable to non-domestic business rates or council tax.

The professional FHL sector welcomed the main consultation, agreeing that the thresholds should be raised to deter second home owners letting their properties for a short period of time to claim business status and small business rate relief. This practice is not supported by professional FHLs or the bodies which represent them.

Regrettably, the decision following the consultation raised the threshold so significantly that it captured many professional FHLs as well, micro and small businesses whose viability is now under threat.

Throughout, we have been concerned about the robustness of the case made by Welsh Government for the new thresholds it chose to implement, especially as only nine respondents to the consultation alighted on the specific figures.

The primary weakness is the lack of any evidence at all to show that the Order will increase the availability of affordable homes in tourism "hotspots", the stated aim (as part of suite of policies) of this legislation. Its other purpose, to ensure fairer local tax-take from operators (ie stopping property owners gaming the rates provision), was not supported by evidence that the Order would achieve this as no work was done to identify how many professional businesses would be lost in the process; lost businesses mean lost revenue from damaged supply chain businesses, plus empty properties for sale may be eligible for periods of exemption.

It is accepted in the government's own documentation that they did not know the number of properties this would affect nor how many legitimate businesses would be caught in the net. It admits in the explanatory memorandum that its own evidence base is contradictory and, as you will see from the Tables to the FOI referred to below, the VOA indicates that the number of businesses/casual lets



(they make no distinction) presently achieving the new thresholds is not especially high. Further, we have seen no sign that evidence of damage to professional FHL business viability, work done by the sector as government had not done it, has been recognised. In short, there has been no economic impact assessment and the other impact information in the RIA is especially weak.

Welsh Government's response to the points we have raised has been that affected businesses should "change their business model", with less than a year to achieve over 100% increase in occupancy rates. This shows an astounding lack of understanding of the sector, very disappointing as responsibility for tourism was brought into Welsh Government soon after devolution.

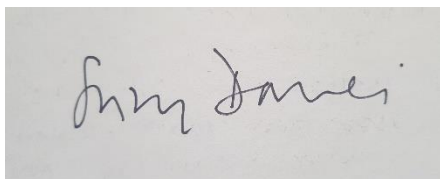
All this has been exacerbated by surges in the cost of living for businesses and customers at the same time as the value of income has dropped due to inflation. None of this is reflected in any updated EM or RIA, even though fuel and energy costs were rising before the Order became law. Whether this would have been material is difficult to say as neither the Minister nor MSes had any information about economic impact in the first place.

We have now had the results of an informal peer review of the work undertaken by officials to advise the Minister. This is inevitably based on material in the public domain and sought through correspondence. While it has no status in and of itself, we urge you to consider the contents of Enclosure 10 and the points raised by two Grade 6 civil servants, with direct DCLG and Cabinet Office experience, notably in the preparation of evidence, EMs and impact assessments in a relevant policy area.

Finally, this request makes no attempt to challenge the government's policy aims. It asks you to consider whether the Minister had the best-informed and best-balanced advice she might have in order to justify her specific decision. We also ask whether the EM and the RIA made available to MSes was sufficiently complete and of a standard which enabled them to understand the consequences of the draft Order.

We look forward to an acknowledgment of this email and a substantive response in due course. Please do not hesitate to contact us for any further information.

Yours sincerely

A rectangular box containing a handwritten signature in cursive script that reads "Amy James".

Chair Wales Tourism Alliance on behalf of

Wales Tourism Alliance  
Professional Association of Self Caterers Cangen Cymru  
UK Hospitality Cymru