

P-06-1431 A Beacon of Hope at Risk - Please Support Bronllys Well-Being Community Hub! - Correspondence from the petitioner to Committee, 05 September 2024

BWBP's Response to Welsh Petitions Committee

Please note our response to the document received 2nd September 2024 and to be considered on 16th September 2024.

In the document, Eluned Morgan AS/MS, the then Cabinet Secretary for Health and Social Care stated:

"I note the petitioner's concerns about the development of the estate, but I hope you will understand this is not a matter in which I am able to intervene. The use and development of the Bronllys Community Hospital site is a matter for Powys Teaching Health Board, and my officials have confirmed there are no buildings or land which are currently deemed to be surplus to requirements.

I hope the community group will understand the route for engagement is through their established links with the health board."

Our responses to your questions are provided below:

1. What are your thoughts on the attached document?

We are troubled by the Health Minister's apparent inability to intervene in this matter, despite recognising the challenges related to our request, namely, the transfer of underutilised land to BWBP CLT.

Moreover, her response does not encourage the Health Board to address community concerns in a manner that is respectful, transparent, and supportive of the proposed community-led initiative.

Finally, the long-term objectives of this well-researched proposal -- largely funded by the Welsh Government (e.g., The Prince's Foundation and Arwain Grants -- have not been given due consideration. This initiative is designed to reduce financial strain on the Health Board, and by extension, the Welsh Government, while improving the well-being of the local community.

2. Does it adequately address the issues that you raised?

As noted above, the document clearly does not address the issues raised.

3. Do you have further questions in response?

We ask for a more thorough response to all the questions raised, rather than a deflection of responsibility from the Welsh Government to the Health Board.

4. Is there anything that you would like the Committee to know at this stage, either in response to this document or as an update to the committee?

We believe the petition process raises serious concerns about the Welsh Government's commitment to addressing important issues presented by the community. The attached document highlights critical flaws in the petition process itself.

We seek clarification on whether the Welsh Government truly lacks authority over Health Boards. If this is the case, who is responsible for ensuring that these publicly funded organisations meet their obligations and are held accountable? It seems that Health Boards may operate with unchecked autonomy, which surely cannot be correct.

Please advise us on the process for submitting a formal complaint, as we appear to be at an impasse. The Welsh Health Minister is unwilling to intervene, and the Health Board refuses to engage with us in a transparent and meaningful manner.

Issues Regarding the Welsh Government's Petition Process

Document authored by: Bronllys Well Being Park CLT (05-09-2024)

The Welsh Government's handling of petitions raises certain issues regarding people's right to free expression. Although the government's restrictions may not be direct violations of free speech rights, they pose the following challenges to democratic principles.

1. Non-Acceptance of Signatures from Non-Government Online Platforms

The Welsh Government's refusal to recognize signatures from platforms other than its official online site limits the channels through which citizens can engage with government. This restriction, which does not exist in many other countries, might be

perceived as encroaching on people's freedom of expression, constraining the variety of perspectives and ideas.

By exclusively endorsing its own platform, the Welsh Government is able to control the narrative and limit the scope of petitions it must address. This could stifle dissenting voices and discourage citizens from using alternative, potentially more accessible platforms to express their concerns.

2. Limiting the Petition Period

A six-month time limit on petitions is an arbitrary restriction on the duration of petition campaigns. This timeframe may not allow sufficient time for petitioners to gather support and raise awareness about their issue and may limit the opportunity for the full exercise of free speech.

A six-month period for collecting signatures disproportionately affects people in rural communities who need significantly more time than individuals who live in more populated areas to raise awareness. In addition, certain issues might require more time to gain traction and for petitioners to collect signatures, particularly if the issues are complex or not widely understood. Therefore, a fixed six-month petition period might not be suitable for all types of issues.

3. Accessibility and Inclusivity

The Welsh Government requires more than 10,000 signatures in order for the petition to be debated in the Senedd. High signature requirements disproportionately present barriers for rural communities or less well-known issues, limiting the ability of minority voices to be heard. In other words, under current petition requirements, it is almost impossible for local issues in rural communities to be recognised and debated by the Welsh Government.

The unfairness of the "10,000-signature requirement" to rural communities can be demonstrated as follows:

- The population of Cardiff in 2023 was 362,400; the population of Powys was 133,200. A petition relevant to Cardiff would require only 2.75% of people in Cardiff to sign the petition. A petition relevant to Powys, however, would require 7.5% of people across Powys to sign the petition, a proportion almost three times greater than the proportion required for Cardiff.
- Not only are rural communities at a disadvantage because of a relatively small population size, but this disadvantage is exacerbated by a low population density, making it much more difficult to collect signatures in rural areas than in urban areas. For example, in 2021 the population density of Cardiff was 2,572 people per square km, while the population density of Powys was only 26 per square km.

Requiring a high number of signatories for parliamentary debate may mean that some valid issues or concerns never reach the Senedd, severely limiting the scope of public discourse. It could be argued that debate of important issues should not be contingent on an arbitrary number of signatures but rather on the merits of the concerns being raised.

4. Word Limits

Placing word limits on petitions appears to be a matter of administrative expediency for the government. Word limits, however, may infringe on people's ability to fully articulate their concerns, arguments, or requests. When a word limit is too restrictive, it can stifle meaningful public discourse, which reduces the effectiveness of the petition platform as a tool for citizen engagement.

Word limits can undermine the effectiveness of the petition platform as a means for citizens to voice their concerns and engage with the government. It may discourage people from participating in the democratic process if they feel their voices cannot be adequately heard due to arbitrary constraints.

In addition, having to eliminate important components of more complex petitions to meet word limit requirements raises serious freedom of speech concerns. Omitting essential points in a petition distorts or misrepresents the petitioner's views.

5. Word Censorship

The Welsh Government's practice of disallowing specific words or requiring the replacement of certain terms in petitions, such as replacing "facilitate" with "support," may be seen as a form of linguistic control. The government essentially is imposing its preferred language.

This restriction can be problematic because it limits the way citizens can express their ideas, preventing them from conveying the precise nuances of their concerns or proposals. Such restrictions can lead to situations where citizens feel compelled to conform to the government's language preferences, leading to self-censorship.

Although the Welsh Government may regulate certain language for various reasons, doing so may limit the diversity of opinions and ideas that can be expressed through the petition system and hinder the free exchange of ideas.

6. Restricting the Use of Photographs and Graphics

Freedom of speech encompasses not only the right to express opinions through words but also through various forms of visual communication. Restricting the use of photographs or graphics on the Welsh Government's official petition site limits the expressive capacity of petitioners. This restriction is an infringement on people's ability to convey their message effectively.

7. Withholding Signatory Information

Petitioners often use the names and email addresses of signatories to mobilize and communicate with supporters, which is an integral part of political speech and advocacy. When the Welsh Government withholds this information gathered on its petition

platform, it restricts the petitioner's ability to engage in open, informed, and democratic discourse.

Although the Welsh Government's petition practices may not constitute direct infringements on free speech rights, they are problematic because they limit the ways in which citizens can engage with government, express their concerns, and participate in the democratic process. In a democratic society, it is essential to strike a reasonable balance between administrative efficiency and the protection of citizens' rights to free expression and participation in public discourse. In the interest of advancing democratic principles, the Welsh Government should carefully consider any limitations or restrictions to ensure they do not unduly hinder free speech, particularly for individuals in rural areas.