

# **PE2198/B: Establish a standardised and fair public participation process for all Scottish councils**

## **Petitioner written submission, 27 November 2025**

I thank the Scottish Government for its written submission of 27 November 2025. However, the response does not adequately address the democratic gaps and inconsistencies highlighted in my petition, nor does it recognise the structural failures that leave citizens without meaningful, reliable or fair participation channels across Scotland's 32 local authorities.

My rebuttal addresses several key areas of concern.

### **1. The Government's Claim of "Insufficient Data" Is Not a Basis for Inaction**

The Government states it lacks data to assess whether mandating minimum standards across councils is "practical or desirable."

This is deeply troubling. A lack of data on how councils operate their petition, deputation and public question systems is not a justification for avoiding reform. It is evidence of a major oversight in governance.

My petition presents clear examples of inconsistent, inaccessible and opaque procedures across different councils. These inconsistencies harm democratic participation, particularly for marginalised groups.

A national baseline becomes *more* necessary precisely because there is no comprehensive dataset.

The absence of evidence is not an excuse for maintaining a flawed system. It is a reason to examine it.

### **2. Council Autonomy Cannot Override Citizens' Democratic Rights**

The Government places heavy emphasis on council independence and the Verity House Agreement. However, autonomy must not be used to justify unfair, inconsistent or exclusionary practices.

Across Scotland today, councils:

- reject petitions on arbitrary grounds
- impose inconsistent signature thresholds
- delay responses indefinitely
- block deputations without clear criteria
- limit or prohibit supplementary questions
- fail to provide accessible routes for participation

These barriers undermine the spirit of the Community Empowerment (Scotland) Act 2015 and disenfranchise citizens.

Local autonomy does not supersede fundamental democratic rights. National baseline standards protect citizens, especially when local practices fall short.

### **3. COSLA Cannot Act as a Substitute for National Accountability**

The Government suggests I “take this proposal to COSLA.”

With respect, this is unrealistic and inappropriate.

COSLA represents the interests of councils, not the public.

It has no authority to require councils to adopt consistent and fair procedures, nor does it have a track record of initiating democratic reforms that reduce council discretion.

If national standards require voluntary acceptance by councils, then Scotland will continue to experience a postcode lottery of democratic rights.

Only Parliament can address this deficit.

### **4. The Government’s Cited Initiatives Do Not Resolve the Core Problem**

The Government provides a long list of initiatives, such as Open Government work, participatory budgeting, children’s rights guidance, deliberative democracy, etc. However, none of these:

- regulate petitions
- regulate public questions
- regulate deputations
- ensure accessibility
- enforce transparency
- provide consistent procedure across councils

These programs, while important, are irrelevant to the democratic failings my petition identifies. Fair petition rules cannot be replaced with handbooks and non-binding guidance.

### **5. Resource Constraints Cannot Justify Democratic Inaction**

The Government notes that creating a national oversight body was “paused due to lack of capacity.”

However, ensuring that local authorities follow fair, transparent procedures is a core democratic duty, not an optional project dependent on surplus funding.

If Scotland has resources for multiple participation frameworks and strategies, it must also prioritise the foundational democratic rights of its citizens.

## **6. Democracy Should Not Be Determined by Geography**

Today, a citizen's ability to be heard depends entirely on where they live:

- some councils allow 20-signature petitions, others demand 500
- some allow digital petitions, others do not
- some allow deputations, others routinely block them
- some allow follow-up questions, others forbid them
- some provide timely responses, others ignore submissions

This is a democratic lottery and it is incompatible with a modern, fair and transparent Scotland.

National standards would not undermine local democracy. **They would protect it.**

## **Conclusion**

The Government's response does not adequately address the structural issues the petition raises. It relies on:

- deference to local autonomy,
- an acknowledged lack of data,
- unrelated participation initiatives, and
- the suggestion that COSLA should lead reform.

None of these provide meaningful safeguards for citizens.

I respectfully urge the Committee to recognise that without national baseline standards:

- fairness cannot be guaranteed,
- transparency cannot be enforced,
- accessibility cannot be assured, and
- participation rights will remain inconsistent and vulnerable.

Minimum standards for public participation are not an attack on local government. They are essential protection for democracy itself.