Submission to Local Government & Regeneration Committee
Inquiry into the Flexibility & Autonomy of Local Government
April 2014

About the Electoral Reform Society
The Electoral Reform Society is an independent campaigning organisation working to champion the rights of voters and build a better democracy in Britain. We believe that politics is too important to be left to the politicians. We will offer an independent voice, and work across Britain to shape the democratic debate at all levels. We put the interests of the citizens within our democracy first. We are a respected voice, engaging in living debates, keen to learn from others, impartially assessing issues to develop solutions. We use first principles to develop new ideas and practical policies to strengthen our politics today. We campaign collaboratively to help create the democracy we deserve. Our staff in England, Wales and Scotland work together with our members, supporters and partners to fight for change. We will provide the tools and the ammunition to campaign for a better democracy. - See more at: http://www.electoral-reform.org.uk/about-us/

Introduction
We welcome the Local Government and Regeneration Committee’s Inquiry into the flexibility of local government in Scotland. As the Committee itself notes there are number of strands of discussion ongoing in Scotland around local democracy, reflecting the heightened interest in constitutional structures engendered by the debate around the independence referendum.

We would suggest that many of the issues under discussion need to be considered outside the confines of local government structures, and that we should be considering how we can adequately empower local communities to interact with all the democratic and decision making structures that impact on their lives.

Democracy Max
As our contribution to the referendum debate, ERS Scotland conducted a 13 month long citizen led inquiry into what makes a good Scottish democracy – ‘Democracy Max’. We began with a participative and deliberative discussion between 80 citizens, selected to be broadly representative of Scots. The findings from that day were then taken to a series of roundtable discussions and public events in order to be examined in more detail.

Throughout the process it became clear that a central theme for how people felt democracy in Scotland could be improved was to focus on how we do local democracy. We would highlight the following findings:

- People are interested in local-based and community politics, but do not find their concerns addressed in ‘high level’ political discussions on often narrow terms set by current institutions
- Inspiring people to be involved, providing role models and examples of success is important, bearing in mind that if people see others who look and sound like them in positions of power they are more likely to engage and take notice
- Making deliberative democracy part of a more localised approach could also increase people’s faith in the system and confidence in their own ability to influence that process, leading in turn to a greater inclination to engage and participate

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1For instance
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- Once people could see more clearly who was making decisions about their community and how, they would be more inclined to pay attention and get involved, improving engagement and representation and increasing accountability
- Mini-publics emerged as a potential method of engagement that recognises the need for institutional reform if people are to see the value of being involved in running their own communities

There are perhaps two main concerns with devolving power right down to communities.

1) Doing so where the capacity and culture has not yet been developed. This will damage any chance of success. We must remember we live in a highly centralised state and the habits of democracy take a while to develop, so we must ensure adequate time to do so. This is a long term objective (10 to 15 years) with a role for local councillors in developing this capacity. However the best way to learn is to do, and the best way to build ‘democratic muscle ‘is to exercise it, so we should be careful, but not risk averse.

2) That reform will see the structures, protocols and institutions of an old fashioned type of administrative politics replicated at a local level. Systems of committees, votes and factional power play can only damage communities. Innovative deliberative structures such as mini-publics may well be much better suited to real local governance.

We wanted to think more deeply about these suggestions and concerns, so we convened a day long deliberative and dialogic event where 90 citizens spent time discussing how to strengthen local democracy and the merits and disadvantages of some initiatives. We called this event ‘From Centre to Community – reclaiming local democracy’.

The following submission is an immediate reflection of the discussion at From Centre to Community. It does not necessarily represent the policy of the Electoral Reform Society which is decided jointly with our elected Council.

We will be publishing the full report in the summer. We would welcome the opportunity to discuss both the format of the discussion and the outputs, and hope they are of interest to the Committee.

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2 Mini-publics were proposed decades ago by political scientist Robert Dahl. He wondered whether we could envision a kind of mini-populus, representative of the population and empowered to learn about and deliberate on public issues, and to contribute directly to decision-making. Mini-publics are designed to avoid the trappings of party politics and technocratic policy-making. The use of mini-publics has increased notably in the last decade, and the variety of democratic innovations that are emerging based on this idea is remarkable: From the now classic Citizens’ Jury, to the German Planning Cell, the Danish Consensus Conference, or the Citizen Assemblies in Canada or Iceland. Mini-publics are formed by randomly selected citizens (for instance, selected by lot from the electoral roll), usually using quotas to ensure certain social characteristics, e.g. gender, age, ethnicity. Mini-publics are empowered to call in a diversity of ‘witnesses’ to provide evidence and arguments on a given issue: officials, citizens, community activists, politicians, representatives from the third sector and businesses, academics, etc. Finally, the mini-public deliberates on the evidence before reaching a recommendation or decision. (Extracted from Oliver Escobar’s response to the Scottish Government’s Community Empowerment Bill consultation)
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From Centre to Community – reclaiming local democracy

The three over-arching themes which developed during the day were:

- Developing and changing values – through education and knowledge exchange in order to improve communities abilities to interact with democratic structures
- Structural and electoral reform – providing the practical facilities to enable participation
- New local structures, including mini-publics – to involve communities in decision making and avoid replicating existing inaccessible and unequal structures

In the first discussion of the day, participants were asked to consider why local democracy should be strengthened.

Thoughts included that a strengthened local democracy would:

- Increase social capital – with positive impacts for health and well-being
- Improve social cohesion
- Be more participative and representative – by increasing engagement more people will want to take part
- Overcome the centralising mind-set and reduce top-down decision making
- Include better consultation mechanisms
- Separate party politics from local decision making
- Improve the tools to hold Government to account
- Increase trust in democracy by facilitating personal experience of same
- Empower local communities
- Result in better service delivery and practical outcomes – a better balance of services – one size does not fit all
- Better integrate local and national structures
- Increase diversity of involvement
- Improve distribution of power

They were then asked to consider how we might make this happen. Suggestions included:

- Adequately funded community development teams in every neighbourhood
- Improving the accessibility of existing decision making structures
- Increasing the number of councillors
- Making voting compulsory or paying people to vote
- Establishing a citizens assembly to hold councillors to account
- Reducing the voting age
- Offering the right to time off work to participate in democratic processes
- Training politicians to be community facilitators
- Devolving tax raising powers to communities
- Encouraging employee ownership / community ownership of local assets
- Co-opting Members of the Scottish Youth Parliament and community councillors to local authorities
- Establishing life-long education systems to support responsible citizenship
- Guaranteed roles to ensure diversity of representation
- Allowing young people to genuinely participate in decisions which affect them – in schools, government and the wider community
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- Improving the transparency of the decision making process

Clearly these ideas do not solely relate to local democracy, but our investigations have led us to believe that implementing some innovations at local level could be a transformative action.

Finally we asked our participants to consider what changes might be necessary to deliver on these ideas.

This was a much more difficult discussion but they were prepared to consider some radical actions. They acknowledged the opportunities offered by the Community Empowerment (Scotland) Bill but did have further ideas. These included:

- Changing the tax system to provide for local choice and control
- Creating a much more local level of governance
- Developing social media and websites which support public participation in local decision making
- Adopting community development principles in the development of local services
- Ensuring full access to broadband
- Considering community ownership of broadband
- Training and skills development to have equalities issues mainstreamed
- Re-designing democratic processes in schools to ensure wider inclusivity than self-selection
- Providing independent organisation development training for all communities
- Establishing a Community Citizen Award programme to stimulate and empower
- Training and recruiting community facilitators across Scotland
- Providing agenda neutral funding for communities
- Learning from Latin American examples
- Involving local people from the outset of planning community projects
- Expanding the Saltire awards to reward innovation in community engagement
- Establishing community credit unions to fund change – mobilising local assets to contribute to funding

Clearly some of these ideas are more feasible than others, and some would take time to implement, as we highlighted above. They do however show that our citizens have imaginative ideas as to how we could re-engage local communities in the democratic and decision making structures around them.

**Conclusion:** Reflections on the process and ERS Scotland’s priorities for action

Our experience of engaging citizens in discussing difficult issues is wholly positive. They are well able to consider both the negatives and the positives, but are also willing to challenge norms and conventions. If the task at hand is to re-engage with and within local communities then surely we should be asking those communities what would inspire them.

ERS Scotland convened From Centre to Community to assist us in prioritising action points. We intend to take forward ideas around citizen engagement, including mini-publics, citizens’ juries and citizens’ assemblies as we firmly believe that involving the public and trusting them to make decisions is necessary for the health of our democracy.
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We would suggest the Committee consider the structural changes that will be necessary to facilitate this kind of citizen involvement, including adequate resourcing both of the structures and for the participants.

We are also committed to ensuring that communities can be empowered to take action where they come together and work for change. Our submission to the Community Empowerment (Scotland) Bill consultation reflected on this, and suggested that the request to participate be extended to include a request to run local facilities and to decide on how any profits are spent.

We would also suggest the Committee consider the requirement for information and knowledge if communities are to interact effectively with local government. Transparency around the decision making process at every level is essential, as is providing citizens with the tools to understand the information that is being made available to them. In regard to this, we would highlight our participants’ suggestion of trained community facilitators.

We are only at the beginning of analysing the shared ideas from ‘From Centre to Community’ and this is just a taster, but we hope you agree it indicates the level of imagination and commitment to making reform work that is present in our local communities.

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