

Wales Council for Voluntary Action

Supporting charities, volunteers and communities

11. Campaigning and influencing

11.8 Petitioning the National Assembly for Wales



Overview

The petitions system provides a useful mechanism for Welsh citizens to let the National Assembly for Wales (NAfW) know about issues that are affecting them. The Petitions system and Petitions Committee are new developments brought about by the Government of Wales Act 2006. The system is similar to petitions processes in other countries but there are important differences that make the Welsh petitions system a very useful and effective mechanism for engaging with the NAfW. The Welsh public can petition the NAfW on any issue that appears to be within its powers. Petitions that are admissible (meet with the criteria set by the NAfW) are passed to the Petitions Committee who consider each petition and decide what further action, if any, is required.

How do I submit a petition?

Petitions can be submitted in writing or via the NAfW's online e-petition system. The NAfW are keen to encourage people to use the e-petitions system as signatures can then be collected on-line. The e-petition system can also be very useful for organisations as it can make it easier to circulate information to others about how to sign up to the petition. The NAfW staff can assist with the scope and

wording of an e-petition before it goes on the website to ensure that it is as effective as possible.

What sort of things can my petition be about?

A petition could be a request for the NAfW to consider applying for legislative competence in a certain area – this would be done via a legislative competence order (LCO), a separate information sheet provides more information on this. It could also be a request for an Assembly Measure (law) to be made in an area that is already devolved to the NAfW, a separate information sheet is also available on this topic. It could also be a request for the NAfW to repeal the Welsh provisions of a specific act of parliament.

This may sound a little complex but essentially the system can be used to highlight a need for a new law, request that the NAfW ask for the powers to make certain laws if they don't already have them, or change an existing law laid down by an Act of Parliament. Looking at petitions that have been submitted so far, before you start to write your own, can be very helpful for ideas about scope and wording. These can be found at: www.assemblywales.org/gethome/e-petitions.htm

What are the criteria for an admissible petition?

In order for a petition to be admissible (and therefore able to be considered by the Petitions Committee) it must meet the following criteria:

- It must contain at least 10 signatures or come from a corporate body.
- It must not contain offensive language.
- It must be within the scope of the NAFW's functions.
- It cannot be the same as/similar to a previous petition from the same person / corporate body submitted within the last year.
- It cannot relate to a subject already considered by the Petitions Committee within the last year.
- It cannot ask the NAFW to intervene in operational decision or actions of local authorities or Assembly Sponsored Public Bodies.
- It cannot relate to matters that are subject to legal proceedings in the courts.
- It cannot involve the adjudication of personal or commercial interests.

This may seem a long list but in fact the criteria for an admissible petition are fairly easy to meet as demonstrated by the fact that over 140 petitions have been submitted into the system since July 2007.

If a petition is deemed inadmissible the Petitions Committee clerk will write to the lead petitioner with an explanation as to why. The Committee clerks are able to provide advice and assistance on how to make your petition admissible and as such offer a very useful resource for

anyone considering using the petitions process.

There are also some terms and conditions that must be met if you wish to host your petition as an on-line petition and collect signatures in that way. These include things like not including confidential or libellous information; use of appropriate language; endorsement of services or products etc. These are all fairly simple conditions to meet and the committee clerks can help with this if necessary.

What will happen to my petition and what outcomes can I expect?

Once a petition has been deemed admissible it goes through the following process:

Stage 1 – Secretariat Assessment. The petition will be assessed by the committee clerk who may ask the lead petitioner for further information or evidence. The petitions team may also prepare briefing notes for the committee highlighting the policy and legal context. This stage can take a few weeks.

Stage 2 – Committee Consideration. The petitions committee is a committee of Assembly Members (AMs) representing all parties within the Assembly who meet every two weeks when the Assembly is sitting. Their sole purpose is to consider the public petitions that have been submitted. This is a fairly unique arrangement and means that as long as your petition meets the set criteria it will go before the committee – an excellent opportunity to raise your issues in front of a cross-party group of AMs.

The Committee will consider each petition and decide upon what further action needs to be taken. In doing this it can request further information from petitioners, relevant organisations or Assembly Government Ministers either in writing or by asking them to present to the committee in person. Once this information has been received the Committee will then decide a further course of action for the petition. The Committee may also refer the petition on to another Assembly committee e.g. Communities and Culture scrutiny Committee, if it fits within their remit. The committee may also close a petition and take no further action if it chooses to.

Possible outcomes – There are a variety of possible outcomes from submitting a petition and it is important to manage your expectations and consider other lobbying options outside of the petitions process as appropriate. Our other information sheets on Influencing the Assembly and Campaigning may provide useful information on this.

The petitions system is very useful for raising awareness of an issue that AMs may not previously have been aware of or may not have been high on the political agenda. Outcomes from the process can include a NAfW committee holding an inquiry into an issue or an individual AM taking the issue on and asking questions of Ministers or holding a debate on the issue in the Assembly. The committee may also pass the petition to another body e.g. the Environment Agency who can then consider the issue and act where appropriate. Not all petitions will lead to new legislation being created or changes in Government policy but those possibilities do exist and you can attract

some very useful publicity and support for your issue in the process. It is an excellent opportunity to ask a committee of the NAfW to scrutinise the issues that are important to the people of Wales.

Committee limitations – the committee cannot overturn decisions of UK Government, the Welsh Assembly Government or local authorities; scrutinise issues that are not devolved to the NAfW or are under the jurisdiction of local authorities; or get involved in legal disputes.

What are the opportunities for the third sector?

The petitions process provides a very accessible route for getting your issues raised at National Assembly level. Provided that your petition meets the required criteria it *will* be considered by the Committee providing an excellent platform for bringing your issue to the attention of AMs. The system can provide a route into other committees and can raise public, political and media awareness of a particular campaign or issue. It is also an opportunity to focus on gathering evidence and support for a particular campaign. Unlike some other lobbying mechanisms this route does not require the backing of an individual AM in order to get the process started. As this is a new system the NAfW are keen to encourage and support organisations to use it and are able to provide support in order to ensure your petition is as effective as possible.

Tips for using the petitions system

- Think about how your request fits with the powers of the NAfW. Consider whether the NAfW has the power to do what you are asking? If not, do you need to alter the wording of your petition so that you are asking the NAfW to request powers or asking them to make a representation to Westminster instead?
- Be very clear about what you want the committee to do. Use the petition to ask for something rather than just raise an issue of concern – offer a solution to the problem you are highlighting. For example, you may wish to highlight the current effects of not having a certain piece of legislation in place, provide evidence for it and ask the NAfW to legislate in that area.
- Take a positive approach. Don't use the system just to criticise a current policy or piece of legislation, be positive and suggest alternative ways of doing things and positive actions.
- When objecting to a Government proposal get your petition in as early as possible.
- Talk to the clerks first. They will provide support for you in drafting your petition to ensure that its scope and wording allow for the best possible outcome and make it admissible to the committee stage.
- Gather signatures from a variety of supportive bodies, it is not always about quantity but more about quality. Any petition with more than 10 signatures will be accepted (provided it meets the other criteria), this means that in some respects 11 signatures

can be as good as 111 but it is helpful to gather signatures from a wide range of people and organisations to show that you have consulted and have broad support for your proposal.

The Voices for Change Cymru project team can provide support and assistance with any aspect of the petitions process and would be happy to hear from you if you are considering submitting a petition and would like to know more.

Further information

Voices for Change Cymru is a WCVA project supported by the Big Lottery Fund. There are now more opportunities than ever to make your voice heard and this project provides services to help third sector organisations influence policy and legislation at local and national levels.

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www.voicesforchangecymru.org.uk

National Assembly for Wales

www.assemblywales.org

E-petitions pages

www.assemblywales.org/gethome/e-petitions.htm

Disclaimer

The information provided in this sheet is intended for guidance only. It is not a substitute for professional advice and we cannot accept any responsibility for loss occasioned as a result of any person acting or refraining from acting upon it.

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