EDEN City Outreach – written evidence (CCE0076)

[1] Citizenship reasonably translates to national identity, a sense of belonging and being a part of something bigger than yourself. It is not ‘culture’ specific, but is defined by being (recognised as) a valued contributor and stakeholder of your society. Civic engagement, therefore, becomes the means by which citizens are encouraged, invited and facilitated in participating and contributing to the effective running and governance of that society—at all levels. Ideally this would cover everything from grassroots engagement to informing policy decisions, and include both political and non-political activities. Being recognised and supported as a vital part of the community, local or national, is fundamental to achieving a sense of belonging, which in itself is key to establishing a healthy national identity. If one is made to feel excluded or inhibited from making a material contribution to the governance of his/her own life, the ability to identify with that country becomes impaired. As such, political disenfranchisement and the disarming and disempowerment of the average British citizen has the potential to fuel radicalisation.

[2] An overarching objective of citizenship should be to establish a nationally accepted standard of living and quality of life for all citizens. Within that standard civic engagement should be nurtured as an inherent component of developing healthy, integrated communities—the basic way of life. Without first establishing a solid foundation of protected civil and political rights, citizenship ceremonies, and such, becoming sticking plasters applied to stem the haemorrhage of the gaping wound that is the current political system. This call for evidence acknowledged the growing loss of confidence in this political system [the government]. Increasingly we are seeing public accessibility to the government and public accountability from the government diminish, along with transparency, precipitating a shift towards totalitarianism. This was demonstrated in the health secretary’s handling of the junior doctors ‘negotiations’; having failed to reach agreement the Department of Health simply threatened to impose new contracts. This sort of conduct reveals a government that has lost sight of its role as custodian of British life, a government that exists to serve and represent the interest of its citizens and therefore must find effective ways to engage meaningfully and democratically with them.

A priority in improving civic engagement is therefore urgent political reform to establish a framework(s) that facilitates effective grassroots engagement. Engagement should inform the political process, creating a demonstrable link between the views, needs, desires and aspirations of citizens and the corresponding response of the State. This is just one way of strengthening national identity—providing citizens with a legitimate voice within a truly democratic process. Another is the effective representation and protection of citizen’s (civil, constitutional and human) rights. Austerity measures have resulted in drastic cuts in welfare support, including legal aid. The impact was to severely limit access to effective legal assistance in all but a few circumstances. This reform diminished the ability of the average lay litigant in person [LLIP] to fully participate in judicial proceedings. In June 2015 former Justice Secretary, the Rt Hon Michael Gove MP observed a creaking outdated system that was the failing the majority whilst the rich received “gold-standard service.” Neither his acknowledgement, nor the practical, legal and psychological ramifications of the cuts had any demonstrable bearing in compelling necessary reforms to remedy what is inarguably an Article 6 violation of the Human Rights Act 1998. More recent court rulings and United Nations [UN] reports have highlighted how government policy have violated various human rights. The Supreme Court ruling July 2017 determined that increased employment tribunal fees were unlawful. The policy was introduced by government to limit frivolous claims but in reality prohibited the financially vulnerable from equitable access to justice,
whilst inadvertently enabling unscrupulous employer conduct. Increasing criticism of government have done little to elicit any demonstrable contrition or restitution. The subsequent perception is of the government having contempt for its citizens, undermining any sense of valued citizenship or the efficacy of civic engagement.

The government affords its citizens no real opportunity or power over what is widely perceived as a political system that is no longer fit for purpose. It is in this ‘opportunity’ and ‘empowerment’ that the value of citizenship is established. To this end urgent legislative reform is required.

[3] Civic engagement is both a responsibility and a right, but it must begin with being afforded comprehensive, accessible and enforceable rights. British constitutional rights are not clearly identifiable, they are contained in various laws and principles, which for the average British citizen translates to ‘incomprehensible’. Further, we have a system of legislating that obligates the compliance of citizens across vast areas of life in a relationship that is clearly one between ‘citizen’ and ‘State’. However, when the process fails, the relationship inexplicably morphs into that of ‘private individual’ and ‘an organisation—that just happens to be the State’. The only recourse available to disaffected citizens, to what are essentially failures in governance and/or public services, is to instruct ‘private litigation’. That is a fundamental failure to ensure ‘equality-of-arms’ and to adequately provide for and protect the rights of British citizens. It diminishes the regulatory or moderating potential that could (should) come from powers to instruct ‘public interest’ litigation in response to public service failures. Subsequently, justice becomes inaccessible to the majority financially vulnerable, further undermining the citizen’s value or power to inform this political system.

In 2014 three Tower Hamlets residents successfully brought a private claim against former Mayor Lutfur Rahman, addressing electoral fraud and other associated local government corruptions. The litigation was clearly in the public interest with the stoic efforts of the petitioners benefitting the whole community, and perhaps indirectly all British voters. Claims of this nature should reasonably be available as state funded provisions, and not the ‘responsibility’ of citizens to privately remedy. Where individuals cannot afford the costs (psychological or financial) of instructing private litigation, fundamental failures in regulating, governance or public services are permitted to go unaddressed.

The law should freely and equitably protect the civil, constitutional and human rights of all citizens—equality under the law—including making adequate provisions for ‘public interest’ litigation and formal and effective engagement with the government, its agents and representative on matters of fundamental failing in governance and/or regulating. Additionally, the law makers must remain accountable to their citizens and their laws, where appropriate, subject to reasonable challenge to ensure fairness and efficacy.

Throughout 2016 to 2017 I submitted a number of observations regarding material omissions in the legislating of the Courts (and Tribunals) that leave average users of these services, in particular LLIP, vulnerable to abuse of process and miscarriages of justice. These I further perceived to be Human Rights violations. The Ministry of Justice [MOJ] and the Attorney General’s Office [AGO] should be under a statutory obligation to engage on the issues raised and either a) evidence current legislating as sufficient and effective or b) make the necessary reforms to remedy the identified omissions. Instead, the AGO declined intervention on the grounds that ‘The Attorney General provides legal advice to the government and is unable to give legal advice, assistance or
support to individuals and so cannot intervene in or investigate the matters you have raised’, thereafter deferring responsibility for responding to the MOJ. This decline failed materially to provide the requested clarity regarding the role and remit of the Attorney General previously cited as including the ‘...duty to ensure that the Queen’s ministers who act in her name, or purport to act in her name, do act lawfully because it is his duty to help to secure the rule of law, the principal requirement of which is that the government itself acts lawfully’ [former Attorney General, Lord Mayhew of Twysden]. And this third obligation established by another former Attorney General, the Rt Hon Dominic Grieve QC MP (October 2012) ’...as guardians of certain public interest functions which include, for example, the role of protector of charity and of the administration of justice.’

The MOJ, to date, has failed to offer any response.

Civic engagement must include established, identifiable and exercisable rights, appropriate levels of empowerment and real opportunity to make a difference. These rights need to be protected in statutory powers that ensure ‘equality of arms’ between the State and its citizens. Though counter-intuitive, I believe an increase in legal powers for citizens, including the right to instruct stated funding ‘public interest’ litigation, will not result in increased legal action (in the long-term) but in more effective governance, legislating and regulating.

Civil Society Groups and organisation also have a hugely important and significant role to play in monitoring and enforcement, as an established part of a formally recognised framework of citizen-led regulating. Their roles, as independent representatives of their communities, or the general public interest (by areas of expertise), will greatly aid and improve public accessibility and accountability, increasing transparency and subsequently confidence in the government.

[4] My personal experience is that having the right laws in place is only part of the challenge. Another pressing need is to ensure that those laws and legal freedoms/powers are equitably accessible and adequately protected from abuse. The absence of the latter renders the former effectively redundant.

The whole election process is in need of ‘liberating’. At each election the parties are permitted to dictate the key issues, only then inviting the country to pose questions within their imposed constraints. Having limited the electorate to playing within a pre-defined arena, politicians inadvertently field out what for some are pressing issues, such as the increasing lack of clear, honest, accurate or factual information from politicians (i.e. in the lead up to BREXIT), or government conduct increasingly contrary to the ‘public interest’. The remit of pre-election debates is not for government or the parties to dictate. It is for the electorate to advance what the primary issues are, and for the parties to respond accordingly. This sort of basic reform has the potential to greatly improve the election process and voter engagement/participation.

Similarly, more control and power is required post-election to allow citizens to respond to party or MP failures to deliver on pre-election promises. The electorate should reasonably have powers to hold the party to account and, albeit in the most extreme cases, to declare a vote of no confidence in the government, PM, Minister, MP, Mayor or local councillor. What is unacceptable is to force the country/constituency to tolerate substantial failures and broken promises for 4-5 years, until the next round of elections—where history suggest the same will reoccur. The current system completely disempowers citizens beyond the right to a vote, which alone is not ‘democracy’, and enables increasing unaccountability from the government.
Citizenship is a way of life, it incorporates both the legal and the moral and should reasonably inform all aspects of how we do community life: how we engage with our neighbours; how we choose to serve and support our communities, etc. In that respect it is, in itself a ‘culture’ that needs to be nurtured within society and each community. How that occurs belongs both in the classroom and in effective community-based social support services that facilitate civic engagement, community cohesion and social interaction.

Realistically, it is not possible to escape politics or its impact on shaping our lives, directly or indirectly. Political engagement is therefore inevitable. The real challenge, then, is how to facilitate political engagement in ways that encourage participation from citizens across all walks of society and in a manner that compliments their political inclinations and aspiration. What is unjustifiably absent, and somewhat telling by its absence, is the legitimate voice of ordinary citizens within the current democratic process: An entire community, mourning the catastrophic loss of lives following the Grenfell Tower fire, are forced to express their concerns by protesting outside Westminster and their local authority—because that is the only legitimate voice afforded to them in 21st Century British governance.

Internationally, advances in technology are lauded for facilitating widespread ‘connection’; Connectivity, claims Facebook’s founder, is a basic human right. And still the British government has failed to evidence any demonstrable advances in developing an effective framework of grassroots engagement, maximising the potential of all this valuable technology.

A first priority in establishing effective civic engagement and a real sense of citizenship and national pride is in building effective foundations: The Localism Act was passed in October 2011. This act devolved considerable parliamentary powers to local government in a move that was intended to facilitate grassroots engagement—encouraging collaboration between local communities and authorities. Subsequent to the act the government pruned its own powers, abolished the independent regulator—the Audit Commission and its portfolio of inspections/audits and also the ‘Parliamentary Standards Board’ that once regulated office holders’ conduct. What should have followed was the implementation of the infrastructure necessary to facilitate community groups and organisation assuming the powers of scrutiny, accountability and regulating vacated by Parliament and its agents. Had that occurred, localised vehicles for increased civic engagement would have naturally followed.

Instead, 6 years on, the powers of the community remain woefully underrepresented and inadequately legislated for. The Act has essentially disempowered parliament, and subsequently the local community. It has affording local government almost absolute power (in a material sense), increasing the exposure and vulnerability of communities to local government corruption. The Localism Act 2011 had the potential to facilitate and improve civic engagement. However, the lack of increased rights and powers afforded to the local community, particularly in holding local governments to public account, make this an illustration of how failed legislating has disenfranchised, disempowered and disarmed British citizens. In the absence of the solid foundation necessary to ensure the viability of the act, local government devolution has severely compromised the capacity of the local community for effective civic engagement.
The emphasis is on the government to demonstrate a real commitment to its citizens, their quality of life and civic engagement as a means of protecting and enhancing it. Reasonably warranted, within this commitment, is a willingness to formalise working relationships with community groups and Civil Society Organisation as vehicles for community-led engagement and legislating. The government must provide ‘means’, ‘opportunity’ and most importantly ‘motive’. The means through effective legislating; opportunity through public accessibility and accountability to and from government—at all levels. And, the motivation of being afforded real powers to make a material difference.

The British government has recently come under strong criticism for austerity measures that are failing disabled people—in violation of their human rights. The UN report observes a government ‘evading’ the rights of disabled people, facilitating discrimination, and ‘[dismissive] of the lived experiences, views and interest of Disable people in the UK’ [The latter proffered by Disability Rights UK]. The observation of citizens’ rights being ‘evaded’ is not limited to Disabled Persons, Britain endured similar criticisms from the UN Committee on Economic, Social and Cultural Rights [UNESCR] in 2016 where again Austerity was cited as violating the human rights of financially vulnerable citizens. Throughout there has been a lack of any real evidence of a government willing to recognise it failings, the mood of its citizens or the need for more effective and formal engagement on the issues. The greatest barrier to effective civic engagement we are currently facing is a political system which divorces citizens from the democratic process through State imposed inaccessibility.

The basic value of/for human life is all but eroded from political decision making, with statistics and perception taking greater priority over improving quality of life. One example of this is contained in the 2016 UNESCR report which, in spite of rising employment levels, raises concerns about the high number of low-paid jobs, especially in sectors such as cleaning and homecare. Government statistics portray economic and social stability, perhaps even improvement. The reality is that many continue to struggle following the 2008 crash; the decline in their standard of living buried in misleading statistics. In his 2015 documentary, ‘The Super Rich and Us’ Jacques Peretti, investigative journalist, observed that government statistics portraying strong growths in the GDP primarily reflected growth limited to the minority super-rich. The majority, he concluded, had seen no material increase in income since 2008. This sort of disingenuous reporting reveals a lack of real empathy to the diminishing quality of life of the many who continue to struggle to recover from the global financial crisis. It portrays a growing chasm between the rhetoric of government and real-life, an indifference to the detrimental impact of political decision on real-lives, and the loss of any sense of duty towards the British Public.

The most basic values should hold dear every human life (and quality of life), with a heightened focus on the vulnerable within our communities; it should ensure that all are treated fairly, justly and equitably; and should promote mercy and benevolence towards one another. One would have to completely discard these values, dehumanising the people behind the policies to behave the way the government now stands condemned of. Where conscience fails, the law should prevail which suggests equally worrying fundamental failures in the way this government legislates. It is this sort of unabashed disregard for the views and lived-experiences of the average British citizen (and even official bodies speaking on their behalf), that informs the sense of having been ‘left behind’—that ours is a government that simply does not care.
Civic engagement is both a ‘right’ and a ‘way of life’, it is facilitated by government (legislating) and realised through the activities of its citizens. It cannot be achieved in isolation, therefore where civic engagement occurs, social cohesion follows. As ‘want’ seems to fuel intolerance, empowering communities to positively impact the local economic and social landscape can only improve social integration.

To that end I would like to propose a model with the potential to improve citizenship and raise the standard of living and quality of life in local communities—Community Support Networks [CSN].

The aim of the CSN is to support communities to support communities, facilitating a shift from individualisation towards communal support services and solutions. One of the primary objectives is to encourage majority engagement. The CSN works by harnessing and pooling even the most limited contributions from the entire community, enabling every citizen to make a valued contribution. Each contribution is then co-ordinated, by the CSN, to achieve maximum impact: Collecting large volumes of small donations, co-ordinating limited voluntary support, or compiling individual knowledge and experiences. The co-ordinated output is sufficient funds to finance priority community-led projects that benefit the wider community, a scheduled programme of voluntary support that places minimal demand on the volunteers and, lived-experiences and knowledge augmented into valuable comprehensive information and insight. Together these become the mechanisms that afford every citizen a 'legitimate' voice within the local democratic process and opportunity to shape local life and/or policy, in ways that are both organic (in input) and formal (in output). Much like Facebook the CSN will enable individuals to effortlessly engage, connect and collaborate with their community on areas of shared interest, concerns and aspiration, through a user-friendly online environment. The model is self-financing through a combination of nominal membership fees and community fund generating—which also creates a physical presence within the community. One proposed method of fund-generating includes adopting public green space (under the provisions of the Localism Act 2011) for community development into edible communal gardens incorporating a restaurant and other retail opportunities. The CSN encourages communal support solutions, facilitates civic engagement, and creates vehicles for improved social interaction, community cohesion and effective political engagement in addition to creating a framework for community-led regulating.

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