



## Proposed Galloway National Park Consultation

### Delving into the issues: Part II

*Further to our thought paper published in December 2024 which outlined significant concerns about the consultation process, the information highlights even more issues now faced.*

#### **Uncertain Legislation**

The consultation proposes a new Park based on the National Parks (Scotland) Act 2000. At the same time Government are preparing substantial changes to this legislation in the forthcoming [Natural Environment Bill](#).

Full details of the Bill are not yet available; however, indicators emerge from proposals in the [Biodiversity Strategic Framework](#). These include changes to the purpose, aims, park 'principle', duty on public bodies in the park, general powers and governance of National Parks.

To consult on the basis of the current Act, at the same time as introducing major changes to this legislation totally undermines the foundations of the current process.

The current [proposal](#) fails to provide evidence on how any new model could avoid the [problems experienced in current parks](#). It fails to address a core contradiction which stresses conservation at the same time as promoting economic regeneration via increased tourism.

At a recent session of the [Citizen Participation and Public Petitions Committee](#) Maurice Golden (MSP and committee member) commented on the process, *'It sounds as though communities are being asked to sign a blank cheque for something when they do not know how it is going to impact on them.'*

#### **Biased Reporter**

There are significant concerns about the capacity and capability of NatureScot as the consultation Reporter.

NatureScot are the statutory adviser on natural heritage to the Scottish Government and derive most of their funding from them, so their suitability to fulfil the role as an unbiased Reporter is a primary concern. Their website is filled with information asserting the [value of National Parks in Scotland](#) with this position clearly reflected within the consultation documents.

Presentations given by NatureScot to pupils in local schools, without any prior discussion with parents, and using partial materials which only offer a positive view of National Parks have also been a source of great local concern.

The natural heritage focus of NatureScot has also narrowed their view on which stakeholders should be involved. For example, there was no contact with some key services or large employers at the engagement stage of Reporter work.

NatureScot demonstrate clear bias in favour of National Parks which has had an impact on how the consultation has been designed and delivered. They have also failed to provide details of how consultation data will be analysed.

### **Misleading and ineffective communication**

The scarcity of robust and accessible information, together with a failure to effectively manage communications and control the tone of the debate (e.g. repeated unsubstantiated claims of misinformation,) has led to frustration and anger with a potential for long-term damage to community relations.<sup>1</sup>

NatureScot's capability to carry out their own Reporter Plan is in doubt. Both the consultation process and materials are not accessible and do not meet the [National Standards for Community Engagement](#), Scotland's 'good-practice' principles designed to support and inform the process of community engagement.

The standards are supported by the principles of fairness and equality, and state engagement should be:

- effective – in meeting the needs and expectations of the people involved;
- efficient – by being well informed and properly planned; and
- fair – by giving people who may face additional barriers to getting involved an equal opportunity to participate.

The community were anticipating the consultation would offer access to robust, unbiased information on the proposal. Instead, they have been presented with partial information which does not provide the detail required to make informed decisions. In that respect the consultation cannot be deemed to be effective.

The process overall has also been fraught with problems in its structure, format and delivery. This includes, for example, a failure to deliver leaflets as promised, the cancellation of events during the engagement phase, use of materials which are not in an accessible format, an over reliance on digital media and a failure to effectively advertise consultation events. It cannot, therefore, be described as efficient or fair.

### **Inaccessible Process**

From the outset there has been a heavy reliance on an online platform for communications, information provision and surveys. This is to the detriment of those who have no or limited online access.

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<sup>1</sup> Multiple media reports of local opposition e.g. [Holyrood is riding roughshod over rural Scots](#) [Magnus Linklater](#) The Times 7/10/24, [Take a time out on plans for a new national park](#) Prof Roger Crofts The Times 14/10/24, BBC News 6<sup>th</sup> August 2024 Opponents launch campaign against new national park

During the engagement stage, many users reported that the platform was complex and frustrating to use. The interface design appeared to assume that a new National Park would go ahead and initially only offered options to comment on its scope, functions etc, with no option to indicate opposition.

This was also an early indicator of a fundamental lack of understanding about accessibility and the need to meet individual needs to facilitate effective participation.

During the consultation stage the same platform has continued to be used. It remains the primary source of access to information, including details of the consultation meetings. This again risks excluding those with limited or no online access.

Whilst the provision of an information leaflet to households was promised during the engagement stage, delivery was patchy, and many households did not receive one.

Delivery of the more detailed consultation survey appears to have been more consistent but there are numerous problems with the format of this document. It does not adhere to RNIB clear print guidance and the map is not clear to anyone with visual impairment such as colour vision deficiency. A large print version and a clearer map was produced following requests from individuals but there is no reference to their availability either on the website or in the leaflet. An easy read version of the survey (for those with learning disability) is still not available. An initial request for a leaflet in this format was responded to with a large print version.

Scottish Government guidance on producing written information for the public states '*writing for a reading age of 9-11 years old is important as this is the average reading age for adults in Scotland.*' Readability tests carried out on sections of leaflet scored it between difficult and very difficult (college level.)

In addition, only one copy of the leaflet was supplied per household and there is no freepost address or envelope for return. The cost for returning this is £1.55 (large letter,) equivalent to the cost of a basic sliced loaf and a pint of milk. For those on a limited budget this is significant. NatureScot have indicated on their website they may not be able to accept consultation forms posted with insufficient postage.

### **Survey Bias**

Like other elements of the consultation, there is an underlying assumption of support for National Parks. Most questions have no option to indicate opposition. When asking about the proposed park area, the only options are to select one of the illustrated areas or 'don't know/no opinion.' Those whose principal view opposes a park could be completely misrepresented. When this fundamental error was raised with NatureScot, the response has been ambiguous and failed to address the issue.

Their initial response stated, '*If you have indicated opposition to the proposed National Park in Q1, we will assume in our analysis that this position applies to all the other questions unless you indicate otherwise.*'

When asked to clarify this, their explanation was equally opaque: '*By 'indicating otherwise' we mean they would say, in answer to a later question, that they – say – did not oppose that particular aspect...If they chose one of the available options in later questions, without any*

*other text added, we would not assume they were indicating otherwise. They would need to provide additional text for us to be clear they were 'indicating otherwise.'*

This appears to indicate that if a respondent selected 'don't know', in the absence of an option to oppose, but did not add text, their response would be interpreted as support for that aspect of the park. This elementary flaw undermines the validity of the data collected.

These survey questions have formed the basis for activities at consultation events, although at later events the response options were changed to include, '*none of the above - I'd prefer another option/ I don't know at this stage/ I don't want a National Park.*' This change highlights the inadequacy of the original format and is unfair on those who have already completed the survey. It also raises important questions about data analysis, as two differing data sets are being collected.

### **Data Analysis and Presentation**

Given the impact of organisational bias and competence on the consultation process to date, there are significant concerns about how this will affect the analysis and reporting of consultation data.

This concern has been exacerbated by NatureScot's ongoing failure to respond to questions about the methodology being used to analyse and interpret consultation responses. Most recently, in response to a FOI request, they state, '*at this stage in the process **this is still work in progress**. We are therefore withholding this under EIR exemption Regulation 12(4)(d) - Material in the course of completion, unfinished documents, and incomplete data (EIRegulations). We will publish details of the analysis, including the methods used, along with our advice to Scottish Government in spring 2025.*'

In social research terms to have embarked on this process without a clear methodology for data analysis is nonsensical. It indicates either incompetence, or a desire to review response data before it is analysed and weighted.

This introduces the clear potential for manipulation to achieve a desired result. In addition to this, consideration must be given to the way survey data will be presented.

The consultation document includes a citation of evidence of support for a new National Park from a 2022 NatureScot public opinion survey<sup>2</sup>. This 'indicated that 89% of people in Scotland supported the creation of a new National Park.' What the document does not make clear is that this survey involved only 1,010 people.

The same survey also states, '*Groups most likely to strongly support the creation of new National Parks included residents of the South of Scotland (56%)*', which is based on the views of 59 residents of the area, just over 30 people.

At the same time, NatureScot chose not to include findings from their survey of young people also carried out in 2022<sup>3</sup> which placed the establishment of a new National Park as least important from a list of 14 priorities from NatureScot's Corporate Plan.

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<sup>2</sup> Stewart, D. and Eccleston, J. 2023. NatureScot Opinion Survey 2022. NatureScot Research Report 1335.

<sup>3</sup> Gardner, A. and Webster, C. 2022. Youth Survey on NatureScot's Corporate Plan 2022-2026. NatureScot Research Report No. 1295.

When considered together, these issues of data analysis and presentation, alongside those identified regarding accessibility, bias and competence cast significant doubts over the fairness and validity of the process overall.