

PROCESS DESIGN FOR NUCLEAR FUEL CYCLE PROJECT

**COMPONENT 2: THE DECISION JURY**

*Overview*

The newDemocracy Foundation has completed a Nuclear Fuel Cycle Engagement Strategy for the Department of Premier and Cabinet. That document focussed on two critical barriers to the taking of a trusted public decision.

Firstly, that while Royal Commissions are generally at the higher end of the scale in earning public trust, very few citizens – if any – will ever read the findings, as they have no cause to and there is no return for their effort (in terms of being listened to or having their views acted upon). For topics *without* polarised advocacy the commentary and reporting will be very neutral and citizen trust will be correspondingly high. For example, while the Royal Commission into Aboriginal Deaths in Custody (1987-91) heard from a variety of differing active interests – all would share agreement that reducing this number to zero is the goal. In contrast, the topic undertaken by this Royal Commission does not have a shared public goal, or even shared consent that the inquiry should have been undertaken at all. So from a low trust base, the challenge is to take a report few will read and address the fact a significant proportion of advocacy commentary will come from positions held before the Royal Commission started.

The first Citizens' Jury sought to address this by taking a small group of randomly selected everyday citizens and having them, in essence, provide that commentary.

The central goal of that citizen-written commentary document was to engage a vast, diverse swathe of the South Australian people in a discussion centred on the facts contained in the Royal Commission report. It is fine to agree or disagree (or fall somewhere in between), but the topic warrants that being an informed rather than an uninformed or misinformed choice.

This reveals the second barrier: when governments invite feedback, citizens often believe that the answer is pre-ordained, will be filtered and therefore won't affect the decision. Giving feedback is a waste of their valuable time.

Addressing this barrier is the key goal of this second Citizens' Jury. Jurors will assess all feedback from the wider community and use it as their key source – alongside the Royal Commission Report – for determining whether South Australia should continue to pursue opportunities in the nuclear fuel cycle, particularly relating to the storage and disposal of nuclear waste from other countries.

Importantly, this second Citizens' Jury will work with a transparent input that acts as an interface between competing voices and interests: an issues booklet modelled on the work produced by the National Issues Forum (NIF) in the United States. See <https://www.nifi.org/>

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Our recommended format is to independently produce an NIF booklet revolving around the agenda set by the first Citizens' Jury. Where those jurors set the agenda for "what's important for all South Australians to consider in the Royal Commission Report", this booklet develops that into a summary case for and against and provides starting point scenarios for the final jury to consider. We emphasise that an issues booklet is a *starting point* for cohesion around the task. It unites the first Citizens' Jury agenda setting power with the desire of CARA and those with opposing views to provide a response, and the need for the elected political representatives to be transparently clear about key components they need to be addressed within a response to government that is likely to be more expansive and wide ranging.

An NIF booklet can be an even blend of the voices of both citizens and government.

Once in the room, the NIF booklet serves as a catalyst for exploring wider community feedback. While Government will, of course, produce its own summary of the wider community engagement activity and results, central to the promise of this jury is that they work with the raw citizen contributed data through a tool which lets them sort and view, but which is unedited and unfiltered.

Importantly, this jury will be visibly large. Vox pop criticisms of the jury methodology can focus on the small size and ask 'how can a group of 40/50 be representative' (a criticism curiously not made about a legislature of similar size). To earn public trust, we must demonstrate beyond doubt that a very wide cross section of the community played a considered role in the recommendations being passed on to the Premier and Cabinet. With 350 people we reach a higher level of statistical confidence, but the main benefit is the scaling up of descriptive representation: South Australians are very, very likely to see someone like themselves – someone they can identify with – in that room.

### Background and Context

This document is a companion piece to a publicly available piece of advice by nDF to the Department of Premier and Cabinet which outlines the over-arching Nuclear Fuel Cycle Royal Commission Engagement Strategy. The two documents should be read together to understand the overall context of other engagement activities the results of which we are dependent on to deliver this process.

The reader should also become familiar with the output of the first Citizens' Jury (June-July 2016) and the community feedback tool produced by the Consultation and Response Agency (CARA) which provides a simple taxonomy and structure for a wide swathe of community feedback across a range of approaches being taken.

An understanding of the NIF issue guide format and examples will also benefit the reader - <https://www.nifi.org/en/nifi-materials>

### Project Objective

Similarly to the first Citizens' Jury undertaken for this project, the key audience for this second Citizens' Jury report is an entire population: not simply the Cabinet or the Premier. This project is

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explicitly a key yardstick for gauging what level of (if any) social consent exists for nuclear fuel cycle industry development.

A jury can be relied upon to call out that which they doubt and that which they endorse without impairments on their judgment as they don't have to worry about outside influencers in the same way professional advocates and elected representatives are seen to need to.

**A successful project will deliver clarity on an informed community view based on the wider community feedback. This will be provided to the Premier and Government as a key consideration for their decision whether to pursue the opportunity related to high level nuclear waste storage. It will be very clear about any conditionality attached to their recommendation.**

The final jury will aim for consensus where possible but will allow for minority views to be aired: the key elements are to allow time for reflection and discussion before reaching conclusions, and to fairly reflect the room. If 30 of 350 people believe x is important, then the number of people noting that is indicative of the wider population.

As ever, this is not an exercise in turning citizens into experts. It uses National Issues Forum style choicework as a starting point, but the topline question remains as the reinforcement to these citizens of the retention of a broad scope of what they may choose to say.

The vast majority of South Australians must see and have proven to them that the recruitment process was genuinely random and not gamed. Citizen trust in government does not enjoy a high baseline, and one would not expect that activity in this topic to be more trusted than the average.

Our implicit related objective is to design a process with sufficient rigour as to withstand (understandable) sceptical scrutiny: one which visibly cannot be influenced by a single politician, an interest group or financial interest. Equally, those active interests must be engaged sufficiently early and substantively as to see the process as worthy of an investment of their time.

NDF's self interest in this process is to demonstrate the desirability of a structural role for randomly selected everyday citizens in helping elected representatives take decisions which earn widespread public trust. We hold the view that a project as visible as this is central to a transformative evolution of how we 'do' democracy.

### About The newDemocracy Foundation

The newDemocracy Foundation (NDF) is a not-for-profit research group, with a particular focus on best practice citizen engagement and innovations in democratic structures. NDF believes that many consultation processes consist of feedback forum events largely attended by interest groups and hyper-interested individuals and have correspondingly little impact on government decisions – eroding trust on both sides.

Such processes do not result in communities feeling they have had a say. In contrast, NDF's proposal is to provide a jury-style process which enables a more representative section of the community to deliberate and find a consensus response. By combining the three elements of random selection, the provision of time and access to all information, and independently facilitated forums for dialogue, a

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much more robust and publicly-trusted outcome can be obtained which can assist governments in achieving public acceptance of hard trade-offs.

NDF provides design frameworks for public deliberation and overall innovation in democratic models. **Our research and advocacy is focussed on identifying less adversarial, more deliberative and more inclusive public decision-making processes.** Our services are provided on a cost recovery basis - consistent with our structure as a not-for-profit research Foundation, with services provided pro bono on occasion. We are not a think tank and hold no policy views. We also commission independent third-party research which occurs in parallel to the process in order to ensure robustness and to capture the potential for improvements to existing democratic processes.

*Rationale: Growing Trust through Public Accountability and Transparency*

**The newDemocracy Foundation contends that if the wider community is told that all feedback across the state was provided to 350 people picked at random who were given five days across two months to review it – and they found areas of common ground – then that is a compelling proof point that the community’s voice is central and being fairly considered.**

Equally importantly, they can check the tool themselves to prove it.

Citizens on this jury will be given the chance to resolve points of conflicting feedback by asking for comments from experts of their own choosing, including the comprehensive, wide-ranging pool who offered contributions through the year-long Royal Commission process.

It is proposed that the wider engagement summary tools be made available to all active interest groups as well (in fact everyone) in order that they contribute to the process of assessing the feedback rather than feeling excluded and that the jury’s operations are a ‘black box’.

Our goal (one achieved in every past project) is that the participants feel so invested in their recommendations that they will take the hard step of standing in front of their report rather than just leaving it to government. The trade-off for government is that this level of trust is only achieved by having something with an uncontrolled result: juries are resistant to simple ‘pick a box’ exercises and will respond how they please.

We aspire to a definition of democracy not as “the vote” but as ‘the taking of decisions which reflect the informed general will of the people’. This methodology provides the operating structure to deliver on that aspiration.

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## Core Methodology

This is the second half of a two-part exercise. The first part was one of framing and agenda-setting, while this second part is one of sharing the task of wrangling a large mass of data to identify the agreed common sentiment upon which to base a recommendation about the existence of social consent to a Government (or lack thereof).

At the outset, it should be noted that the methodology is highly dependent upon an effective feedback tool/s to hold comments from a wide array of local community engagement activities. This is of critical importance as the normal synthesis and sense-making task undertaken by a government (collating and quantifying qualitative feedback) cannot be undertaken here: *the core of the promise is that the unedited feedback (exclusive of personal details) will also be placed in the hands of citizens.*

To envision this, review tools such as Amazon reviews are useful – a user can simply see all the positive reviews, all the one star reviews, all the reviews from people of a certain age, from a certain location etc. If a citizen has an acute interest in “transport of waste” they need to be able to find all the comments (the most logical taxonomy being Royal Commission chapters and clauses) related to that, then filter down to consider differing views – those who felt aligned to a particular scenario as a result, and then to break this apart further by age, location or general sentiment to activities in the nuclear fuel cycle.

It is worth re-iterating that the Government will still produce a summary piece assessing this feedback. Citizens want to be heard by their governments – we are proposing this additional outlet as this desire has not always been well met. We are essentially offering a second chance – *if you don't think government is listening, then why not tell 350 people just like you to see if they'll consider your point?*

To counter any perception of manipulation, it is planned that two of the three meeting weekends occur before government even has the chance to produce this summary. The first meeting should be held after the midpoint of the wide scale engagement in order that jurors have the chance to familiarise themselves with the tool when it has a useful volume of feedback already received, and then to follow the feedback as it comes over a period of weeks rather than be confronted by a single immense task at the end. The purpose is immersion, and also the known value that deliberation works better the more time we are able to give citizens to read, reflect and discuss. All other things being equal, the longer the time the more considered and cohesive the output.

The room will contain approximately 50 people from Citizens Jury 1 – in many ways we are simply ‘scaling up and out’ by moving to the larger number. We are assuming that this group will rapidly earn the trust of the newly recruited 300 as they are everyday people like them rather than professional advocates/politicians. This should expedite the resolution of simple questions, and ensure that the time of the group is spent on the new issues, challenges and concerns raised by the wide engagement.

A key stimulus material is the proposed adapted use of the National Issues Forum format. The adaptation comes from making the first Citizens' Jury's recommendations (regarding the most important aspect of the Royal Commission report) the basis for the format. If that jury calls out five

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key topics, then the NIF guide will respond to those topics keeping the jury's original comments included verbatim – the citizens are setting the agenda for the key considerations and key scenarios. Equally, we will be seeking to include a key reminder that the NIF guide scenarios are a starting point for their deliberations and the second jury is not limited to picking from a list. newDemocracy proposes retaining the Jefferson Center to produce this guide as they visibly non-issue aligned, have the requisite expertise and are beyond the reach of domestic conflicts of interest.

The middle weekend is the true commencement of deliberation. Where the first weekend has been dominated by a need to familiarise (particularly with the tool, also with the Royal Commission/ CJ1 content/ NIF guide) and participate in critical thinking exercises (of even greater importance as the group will spend the next month working remotely without the benefit of an in-person facilitator to help them stay on course).

The large jury in many ways works the same way as Citizens' Jury 1. Rather than a deliberative poll type method (where a portfolio of 4-5 "answers" is polled on entry, then citizens are given the chance to hear from speakers and deliberate before a second round of measurement) it is essential that the open and unrestrained opportunity for feedback be retained. Equally, the need to focus a large pool of diverse citizens within the scope of a massive topic area is a reasonable requirement of government.

To the extent the government needs direction on certain specific aspects, this is reasonable as long as **that direction is entirely public** - hence our requirement that the scenarios are outlined in a public document that the government could choose to distribute widely from September. The opportunity to explore the overarching broad question is not limited.

Similar to the first jury (but using community feedback instead of the Royal Commission as the starting point) is to group areas of interest/concern raised in overarching themes: these should naturally align with the greatest area of interest (both concern and support) has elicited from the wider community even if that is not a straight numerical match.

The challenging aspect for a large group is finding common ground and fairly reflecting the room – it is practically impossible to let all 350 people comment on every piece. However, activities we have seen (such as with Victoria's Citizens' Jury on Obesity with ~100 participants) showed that small, frequently mixed tables could work with a proposition and asked to reflect on a *"Can I live with [statement]? If not, what would need to change so that I could live with it?"* This progressive exploration within small groups (café tables of four in the example above) helped a large group filter through large volumes of trade-offs.

As ever, jury control over sources is central to trust. To manage the dynamic of a large number of people with a large number of potential sources, it is proposed to assemble questions by themes (as identified by the room) for video response by any expert of their nomination. Based on community feedback, the jury may come up with eight questions for an expert anywhere in the world: relaying these questions verbatim to all the experts of their choosing, and having simple webcam videos of those speakers responding is central to allowing a "massively parallel" integration of trusted information to help them work with the vox pop wider community feedback which is likely to be less informed than the in-depth experience of the jurors.

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Citizens will be given an open chance to answer the question ‘*Under what circumstances, if any, could South Australia pursue the opportunity to store and dispose of nuclear waste from other countries?*’ Equally, the NIF guide helps to provide starting point frameworks. The planned operation is that by early afternoon on the second from final day the jury will settle on a scenario closest to their preference before spending the remaining time identifying supplementary points of conditionality or explanation they wish to convey.

Facilitators are advised that the nomination of small sub-groups of writers is a reasonable approach to take: the key counter-balance is that the entire report is subject to a line item read through, and where a meaningful divergence of views exists, to ensure that the record reflects the room. A chosen scenario where 10% of the room is in strong disagreement provides an opportunity for that 10% to spend their time on that dissenting view to ensure this voice is reflected with the same weight.

Alignment and Integration Key Dates for CARA

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| <p><b>Phase 1</b></p> <p><i>July/ August</i></p> | <p>Completion of Citizens’ Jury 1 to produce document highlighting key parts of Royal Commission everyone needs to discuss.</p> <p>Wide distribution of CJ1 findings as integral to three months of wider engagement activities.</p> <p>Media/comms focus on CARA mobile website as central feedback mechanism.</p> <p>Facilitator recruitment: consortium/ team of 8-12 likely. Within that group a Lead Facilitation team of 2-3 are critical: this is a highly complex facilitation task.</p> <p>National Issues Forum scenario document format to be procured.</p> <p>Week two August - activate recruitment: distribution of Royal Commission Reports (and Citizens’ Jury 1 reports) to additional 300 participants (early September).</p> |
| <p><b>Phase 2</b></p> <p><i>October</i></p>      | <p>Opening Citizens’ Jury kick-off and familiarisation meeting.</p> <p>Core goal here is to engage citizens sufficiently early that they follow the public discourse (in media, their own communities, and focused on the aggregated feedback through the CARA tool). They need to immerse in the topic rather than skate across the superficial comment.</p> <p>Distribution of NIF document to jury and general public.</p> <p>‘Shared ownership’ is a core idea – the jury must <u>own</u> what it</p>   |

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|  | produces.   |
| <b>Phase 3</b><br><i>Late October ~ early November</i> | Two further weekend meetings (4 days) of the 350 person jury, resuming after 3 weeks to allow time for reflection as well as large scale video-driven information task. |
| <b>Phase 4</b><br><i>End November</i>                  | Premier closes the loop by responding to recommendations made by Citizens' Jury 2.  |

### Selection

**We will recruit a jury of approximately 350 citizens meeting for five and a half days – including two full weekends – spread across two months.**

The participant count is slightly fluid to allow for the statistical profile match to the Census to be maintained even if there is a shortfall in a single category. The more citizens can identify with an individual participant and see 'people like me' making a decision rather than government "telling them what to do" the greater the chance of success both in enabling a decision and in having the wider community amenable to its content.

There is negligible statistical impact (in confidence level and confidence interval) on representation within that range.

In order to achieve a descriptively representative sample, nDF has considered a range of stratification options. However, our approach is heavily informed by the fact the recruitment approach taken for Citizens' Jury 1 delivered as promised – leaving low incentives for change except to continue to broaden the reach. The more diverse the room the more robust the exercise.

Our recommendation is to proceed again with *only* basic variables (age, gender, metro/regional location) and leave it to the statistical benefit of randomisation and probability to deliver people across a range of professions, lifestyles, ethnic and cultural backgrounds etc. The household type variable (owner occupier or tenant) is used as an effective surrogate indicator of income and education which may otherwise prove unlikely to be accurately disclosed – and we are particularly mindful of the need to have the broadest possible range of educational backgrounds in the room. Finally, we will stratify by aggregated postcodes to ensure that approximately 20% of participants come from outside the Adelaide metropolitan area.

Again, we do not plan to ask respondents to self-identify as being Indigenous and stratify a matching proportion of participants in the room. Two points should be noted in this decision. Firstly, nDF has enjoyed participation from Indigenous members of the community without using this variable which is most likely due to the fact that most people (regardless of cultural background) want to be part of decisions which affect them. Secondly, as a self-identified variable there is no checking mechanism we are able to apply and this has been a question not always answered honestly.

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### Selection – Operational Detail

Random selection is the key tool used to identify participants as a means of securing a descriptively representative sample of the community. Stratification will be used to ensure a mix (matched to Census data) by the variables described above. This is not claimed as a “perfect” method, but it delivers a more representative sample than any other community process.

We will draw on four techniques and pools to conduct the random selection of the next 300 participants so we maximise the involvement opportunity:

1. **The use of a new postal sample of around 10,000 addresses.** The address set will not duplicate any address drawn in the first sample.
2. **The existing pool of RSVPs.** The sample for the first jury is known to be of high quality and even distribution, and benefits from the recipients not being aware they would even be eligible for this. This pool of RSVPs will be incorporated into the final stratified draw.
3. **The use of a major non-government electronic database.** We are focused on a bank as a non-aligned large-scale holder of citizen data: the invitation would come from them ‘passing on’ a newDemocracy piece – essentially an HTML version of the CJ1 invitation. The controversial nature of the subject matter may make this challenging and should be viewed as a ‘nice to have’ complementary option.
4. **Lottery seeded sampling.** Random selection simply requires a verifiable random number seed rather than a “selected” variable. nDF proposes limited use of random number draws (first Lotto number out on Monday – clearly not something government can “fix”) to target local communities where RSVP counts are low (potentially due to slow postal service in regions).

The key is to deliver “people like me” in a sample drawn evenly in this way. Descriptively, we will secure people from all walks of life.

Postal recruitment is being repeated as it worked well: while there is a sufficient surplus of responses as to only require complementary techniques be applied, the issue is now more visible and people should be offered a second opportunity. We will revert to alternative techniques if any small populations are identified as being in shortfall (to illustrate, a shortage of 18-24 female participants can be made up with a Netball Australia database).

All registration is electronically with nDF to indicate that they are available for the final selection (a phone option is also offered).

**Based on those available, a second round stratified random draw is then conducted which seeks to randomly match to the stratification detail set out above.**

**NDF will not provide any juror information to CARA** (personal or contact details). Public cynicism around potential “vetting” is sufficiently high that our goal of public trust is threatened by any perception that lists are reviewed. CARA will meet the participants for the first time on the first day of the jury as they did with Citizens’ Jury 1.

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Just as in criminal juries, payment of per diems is **strongly** advised so as to avoid excluding participants who may find this a hardship: this is proposed as around \$500 per participant in total.

Invitations will clearly note that this payment will be made for time, and that meals are provided. **Accommodation and travel expenses will be provided for regional participants living more than 60km from the CBD venue.**

Invitations should again come from the Premier to emphasise to potential participants the likely importance and impact of their involvement in the task. We emphasise the newDemocracy name to note the independence of a selection process which is outside the control of government. Invitations will explain the process and ask the recipient to decide to confirm availability for selection.

From the positive responses, a sample is drawn electronically based on the pre-agreed stratification goals referred to above. The aim is to achieve a group descriptively representative of the community even if one subset of the community responds disproportionately to the initial invitation. The key measure of success is partly subjective: *do government, elected representatives, the wider community and the media see a group that looks like who they see in their daily lives?*

**The sample drawn is contacted by email seeking a confirmation in writing from the participant, and NDF also contacts each participant by phone prior to the first meeting to build a personal commitment to participating:** once underway we can't backfill for non-attendees so those selected need to feel sufficiently engaged to attend on the first day regardless of other circumstances.

It is noted that with such a large number the 'uniqueness' felt by each individual participant steps down one level. While we saw attendance by all of the 50 randomly selected jurors at Citizens' Jury 1, our estimate is that 320-330 would still be "perfect" attendance for a group of that size. "Life happens", and people are less likely to drop everything to make it work (if they have a sick family member for example) when they are part of a much larger group. There is no meaningful statistical or operational difference from a slight variance.

### Preparation and Information Process

Information and judgement are required in equal parts to reach decisions. newDemocracy advocates these processes because the judgement of random samples (or mini-publics) has been shown to achieve very high levels of public trust because they are non-partisan. It is thus imperative that the method of provision of information to this jury does not erode that trust.

There is no such thing as "perfectly impartial" information: **the facilitator will explain to the participants that all sources have a point of view and that some bias is inevitable, and will also conduct an introductory critical thinking exercise** on the first day.

Deliberation gives them the time to identify this and provide balance. It is the jury's own diversity that is the most effective counterbalance to bias (real and perceived).

There are four key sources of information to inform the deliberations:

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1. The unedited feedback (exclusive of personal details) from the broad scale community engagement activities undertaken by CARA, presented through a simple reporting interface;
2. A National Issues Forum (NIF) guide incorporating the CJ1 recommendations expanded into scenarios and the for/against case made against each point.
3. The Royal Commission Report;
4. Any contributor to the Royal Commission process, and any additional expert contributors to the Royal Commission nominated by the first Citizens' Jury, stakeholders or CARA – published as a single reference guide;

### What Does the Jury Decide?

It is of central importance that the limit of the group's decision-making authority is pre-agreed and clearly conveyed. This must be expressed simply, broadly and openly so as not to be interpreted as directing a particular decision. It serves as focus for their discussions rather than a limiter.

The original Engagement Strategy proposed a broader remit by including all elements of the Nuclear Fuel Cycle as within scope. A key principle of engagement is to reflect the decision that is there to be made, and subsequent actions (including the result of the first Jury) have made clear that the real specific decision being sought is:

***Under what circumstances, if any, could South Australia pursue the opportunity to store and dispose of nuclear waste from other countries?***

In terms of specificity, it is proposed that the Government will *publicly* disclose the areas where it wants clarity by publishing scenarios which respond to the areas of the first jury's concern through a National Issues Forum style guide – sample here <https://www.nifi.org/en/catalog/product/climate-choices-options-chart>

Critical to these books is that they are independent, plain English accessible and equally cover the case **for and against** a given choice. We believe the best examples of this are the National Issues Forum (NIF) guides. We recommend the Jefferson Center (US) produce this for you as a visibly independent group with the most recognised skills in the field and minimal “consultant's incentive” of ongoing work with government.

Technical content will be provided by CARA but editorial, curating and writing done externally to the agency. The rationale is that this is equal parts trust and content. While CARA know the content deeply, public trust cannot be achieved if they feel the authors are trying to sell them on one side of the argument

**\*\*SCENARIO SAMPLE\*\***

***We are now asking whether your shared view is:***

***A. Yes, you should proceed and expedite pursuing this.***

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**B. Yes, you may proceed to a site evaluation - but take your time as the community has a list of conditions and questions we want answered [per CJ1].**

**Do we require that the local community(s) affected opt-in to have the facility rather than see it determined at a State level?**

**C. Maybe later, but for now we need more time to explore this conversation [focus on CJ1 content areas] as we can't see clear community acceptance today.**

**D. No, not under any circumstances. The Government should not pursue this further.**

It should be noted that while important, this is simply one component of the overall open, free response to the Remit. The scenarios are intended to act as a starting point.

In terms of authority, it is proposed that:

***Your unedited and unchanged report will be presented to the Premier, shared with Cabinet and tabled in the South Australian Parliament.***

***A response to this report will be publicly provided by the Premier.***

In short, this needs to pass the test of being a very meaningful contribution to an important public decision. Citizens need to feel that they are experiencing more than “being consulted” but are actively being asked for their considered judgement.

#### What Constitutes a Decision?

We will work with the facilitators to encourage the jury to find common ground where possible: finding statements with broad agreement is of the highest value. However, the core task is to fairly reflect the view of the room, and in this circumstance that is likely to include dissenting and divergent views.

As a fictional example:

*Recommendation: we think everyone should go outside in the sun*

*Minority view: 23 of 350 people were of the view we should not go out in the middle of the day but other times were fine.*

The addition of the minority view serves to create a statement that more of the room can agree accurately reflects the discussion. This gives elected representatives greater clarity and accuracy around the sentiment of discussions.

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### Core Operations

Eight to twelve highly skilled facilitators, experienced with deliberative methods, will be required. Within this group it is reasonable that a facilitation leadership group of three will be essential, and the entire group will need to meet for extensive walk-through briefing.

The newDemocracy Foundation will operate the jury selection process to ensure there is the highest public confidence in the rigour and independence of the randomisation of invitations (and by extension as to why a given individual was not selected). As we have experienced in other processes, the public will accept our 'rejection' far more easily than if this is required to come from government, as principal.

NDF maintains ongoing oversight with a specific focus on neutrality and reserves the right to operationally intervene to maintain this neutrality.

A dedicated project management liaison within CARA is essential.

### Costing Estimate/ Outline

*[This section should be redacted for the facilitator RFQ process and reinstated at the conclusion of procurement as part of NDF's full disclosure of project design and methodology]*

The following cost estimates are provided to CARA for budgeting purposes and are indicative only. Actual costs will be subject to your procurement requirements and other services that may be required to support the Jury.

- a. Printing and postage (allowance only) for specific complementary recruitment where data gaps are identified of \$19,000 (10,000 pieces).
- b. Participant per diems (350 x \$500 pp) of \$175,000 (\*payable mid-October)
- c. Facilitator (10x, plus planning and preparation days primarily for 3 lead facilitators) of \$320,000
- d. Catering (370 x 5 days x \$50pppd) of \$92,500
- e. Travel/ accomm for regional jurors (est. 70 x 3 x \$700 avg) of \$147,000
- f. Provision should be made within the budget for a reasonable level of expenses for nDF representatives (air, accomm, transfers): estimated at \$4,000.
- g. Venues (serviced with AV capability) estimated at \$35,000 per day, so \$175,000.
- h. NIF-style guide produced by Jefferson Center (cost recovery only by nDF) of \$28,000

Items a-h amount to \$960,500. All figures ex GST (except honorariums which are GST free)

NDF can manage b. and h. passed through at full cost recovery. Original invoicing will be supplied.

### NDF Services

NDF can provide the following services:

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- a. Support with Jury 2 program design
- b. Attendance at stakeholder planning workshops
- c. Jury oversight and facilitation support

The total charge for these services is **\$102,000 ex GST**

As a research institute, the Foundation requests that this amount be paid as follows:

- that DPC contributes to a research fund which will capture what is learned through the innovation process up to the value of **\$35,000**. As part of our ATO compliance, the topic of research will be set by the Research Committee of The newDemocracy Foundation.
- that a services grant for advisory and oversight through the project of **\$67,000** is made to the newDemocracy Fund which contributes to the operation of the Foundation and to the future of improving democracy in Australia. *(For completeness of disclosure, newDemocracy notes here the separate procurement of \$28,000 for recruitment tasks related to this project.)*

Key Priority Issues:

- CARA agreement as to process – most specifically and explicitly the remit and authority, as once announced this cannot be changed.
  - Once agreed, production of invitation and commencement of short timeframe recruitment task.
  - Urgent recruitment of highly experienced facilitator.
  - Approval for nDF to work with Jefferson Center to produce NIF-style guide in concert with CARA and facilitators.
  - Early securing of venues.
  - Facilitator's review and contribution to this process design at an early stage.
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TIMELINE FOR 2016 CITIZENS' JURY 2:

DEPARTMENT OF PREMIER & CABINET – CONSULTATION AND RESPONSE AGENCY  
(CARA)

**Under what circumstances, if any, could South Australia pursue the opportunity to store and dispose of nuclear waste from other countries?**

***Your unedited and unchanged report will be presented to the Premier, shared with Cabinet and tabled in the South Australian Parliament.***

***A response to this report will be publicly provided by the Premier shared with Cabinet.***

The Jury is in essence taking on (sharing) the rarely trusted government role of providing the synthesis and analysis of the wider community's feedback. Jurors then apply their own considered judgment and knowledge in order to provide statements and supporting evidence regarding consent for various activities in the Nuclear Fuel Cycle.

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| <p>Kick-off</p> <p>Post Citizens' Jury 1</p> | <p>CARA, nDF and partners next step preparatory planning session.</p> <p>Key topics:</p> <ul style="list-style-type: none"> <li>➤ Identify required operational materials and expert/ contributor program for inclusion.</li> <li>➤ Methodology walk through to expedite likely shape and format of five days of meetings. Refinements to be incorporated based on CJ1 result (unknown at time of writing).</li> <li>➤ List and contact stakeholder communication targets to advise role in agreed process.</li> <li>➤ Finalise program dates and goals.</li> <li>➤ Final budget approval by all parties.</li> <li>➤ Finalise date specifics – check for major event clashes.</li> <li>➤ Finalise venue bookings.</li> </ul> |
| <p>asap</p>                                  | <p><i>Deadline for selection of independent, skilled facilitation consortium/ team. (this document forms basis for initial briefing meeting)</i></p> <ul style="list-style-type: none"> <li>✓ <i>Reconfirmation of existing 50 – <b>Wed Aug 10<sup>th</sup></b></i></li> <li>✓ <i>Recruitment re-activation of existing RSVPs – <b>Thursday August 11<sup>th</sup></b></i></li> <li>✓ <i>Post invitation <b>Friday August 12<sup>th</sup></b> (new sample) – requires OK to print Tuesday August 9<sup>th</sup></i></li> <li>✓ <i><b>RSVP close 5:00pm Thursday September 1<sup>st</sup></b></i></li> <li>✓ <i>Fallback recruitment option trigger dates – email sample Friday 26<sup>th</sup></i></li> </ul>                |

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| <p><i>September</i></p>  | <p>First round notification to secure jury representatives. (Emailed Friday Sep 2<sup>nd</sup> . First review <u>complete</u> by <b>Tuesday Sep 6<sup>th</sup></b>)</p> <ul style="list-style-type: none"> <li>➤ Seeking approx. 300 citizens (to add to existing 50).</li> <li>➤ Email explanation of commitment required: attendance at all elements of process, active reading of Royal Commission report.</li> <li>➤ Stratified random sample to deliver descriptive match to community (NDF to provide technology/ expertise and to call each selected participant).</li> </ul> <p><i>N.B. List of attendees will <u>not</u> be provided to DPC as part of neutrality promise. Cynics will suggest these people are handpicked favorites of government: the best counter argument is to encourage an FOI request which returns zero contact with this jury.</i></p> <p>Briefing calls x300 complete <b>Wednesday September 21<sup>st</sup></b></p> <ul style="list-style-type: none"> <li>➤ Supply NFC Royal Commission Report (hard copy) AND NIF guide <b>wk3 September</b>. Express Post to maximise reading time. Progressive distribution as jurors finally confirmed.</li> </ul>                                   |
| <p>September 21<sup>st</sup></p>   | <p>Finalisation of Jury.<br/>Distribution of materials and activation online.</p>   |
| <p>Day 1</p> <p><b>Saturday Oct 8<sup>th</sup></b></p> <p><i>(Full day required)</i></p> | <p><b>Opening day: Getting Started – Learn through Immersion</b></p> <ul style="list-style-type: none"> <li>➤ Understanding the task is critical: understanding the NIF guide and the scenarios – and how to use them as a starting point.</li> <li>➤ Explanation of influence and context: what will be done with the results the Jury produces. A “timeline” story about what might come next under possible scenarios.</li> <li>➤ Critical thinking exercise.</li> <li>➤ Agreement on Jury guidelines for participation.</li> <li>➤ Key content: walk through of Royal Commission Report and one Great Debate style session <i>based on feedback thus far</i>.</li> <li>➤ Key deliverable: jury knows how to use the online reporting tool and feels motivated to check in with it frequently (twice weekly).</li> <li>➤ Key deliverable: jury engages with NIF document AND Royal Commission Report.</li> <li>➤ Reporting tool will work in mobile environment.</li> <li>➤ Start the “call-out process” of key points and any questions on group reporting. Have the jury writing its own content to expedite comfort with final report writing.</li> </ul> <p>Welcome from Premier strongly recommended if possible.</p> |
| <p>Day 2</p> <p><b>Sunday Oct 9<sup>th</sup></b></p>                                     | <p><b>Starting The Deliberation – Understanding</b></p> <ul style="list-style-type: none"> <li>➤ Jury will need to explore high-level topic, focusing on CJ1 output and the community’s responses. Technology access will be required in room (most jurors will have own device)</li> <li>➤ Focus on synthesising what they find compelling with the feedback of <i>various segments</i> within larger feedback. E.g.: Young people said</li> </ul>   |



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|   | <p>X and older people said Y, and younger regional people in the west of the state said Z.</p> <ul style="list-style-type: none"> <li>➤ Curated panel discussion to focus on key areas of <u>greatest feedback</u> and owned by stakeholder reference group as a visibly impartial group. Balance of perspectives is critical.</li> <li>➤ Likely refinement of some scenario/options as jury develops understanding of community perspectives as well as increasing their own knowledge.</li> <li>➤ Group will identify speakers of their choosing (assisted by a 'kickstarter' list of witnesses which has been approved by an independent stakeholder reference group).</li> </ul> <p>Purpose of meeting is to continue broadening of the topic rather than a rush to solutions, although we continue to capture key points of importance as this will prove to be of assistance in the final writing phase.</p>   |
| <p>Day 3</p> <p><u>Saturday Oct 29<sup>th</sup></u></p> | <p><b>The Third Deliberation – Refine &amp; Question</b></p> <ul style="list-style-type: none"> <li>➤ Avoid rushing group to a decision – consensus will be found slowly.</li> <li>➤ Potential for early clustering of major ideas and any clear “in/out” decisions commences. “What do we think we definitely want to say?”</li> <li>➤ Bulk of day should be focused on drawing out questions (speakers will be a focal prompt). Based on the feedback from the community, what questions do we need to ask to feel confident to make a recommendation? Emphasise that questions will be answered in video and text, so breadth can be wide. This is a “massively parallel” exercise. De-duplication/ prioritisation task being carried out by jurors is essential.</li> </ul> <p>Three key checkpoint questions of value can be put to assess progress:</p> <ol style="list-style-type: none"> <li>1. <i>How does our understanding of this issue help us answer the question?</i></li> <li>2. <i>Why is it critical to the success of setting our priorities?</i></li> <li>3. <i>What else do we need to understand about this issue to best advise the wider community?</i></li> </ol> |
| <p>Close of Saturday</p>                                | <p><i>Convenors’ Review: do the participants need more time or assistance to come to a full understanding of their choices? Potential to extend meeting schedule at this point while still meeting final date requirement.</i></p>   |
| <p>Day 4</p> <p><u>Sunday Oct 30<sup>th</sup></u></p>   | <p><b>The Fourth Deliberation – Finding Common Ground</b></p> <ul style="list-style-type: none"> <li>➤ High likelihood of divergent views. Goal is not to find artificial consensus, but to emphasise it is not a binary decision. What are conditional statements everyone can agree on?</li> </ul>   |

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|   | <ul style="list-style-type: none"> <li>➤ Reflect the room. If the group has a meaningful split (or even a notable minority view) then the task becomes one of noting that and allowing each group (with a count) to convey what they took away from the community feedback, while encouraging them to seek common ground (whatever it may be).</li> <li>➤ Encourage new scenarios. The NIF guide is a starting point, not a menu.</li> <li>➤ Stress testing can occur. NDF can play devil’s advocate to note where recommendations are open to subjective interpretation or are in cross-conflict. This does not (must not) redirect the jury’s intent, but is simply an exercise in critical thinking.</li> </ul> |
| <p>Day 5</p> <p><b><u>Saturday Nov 5<sup>th</sup></u></b></p> <p>12:30-5:00pm</p> | <p><b>The Fifth Deliberation – Shared Ownership</b></p> <p><b>The Final Decision</b><br/> <u>Must</u> ask the group - <i>Can we live with it?</i> – to secure explicit buy-in.<br/> <i>Will we stand shoulder to shoulder in the media to explain our decision?</i></p> <p>Key deliverable is a working draft of their recommendation(s). This draft may simply highlight points of contention for further discussion the following day but some key points will be settled in agreement – allowing the group to sleep on it overnight.</p>  |
| <p>Day 6</p> <p><b><u>Sunday Nov 6<sup>th</sup></u></b></p> <p>9:30am-5:30pm</p>  | <p><b>The Sixth Deliberation – Common Ground</b></p> <p><b>The Final Decision</b></p> <p>A top to bottom walk through of the content of the recommendations is essential. Dissenting minority views should be captured as the goal is to “accurately reflect the room”.</p> <p><b>Handover to Premier.</b></p>   |