

## Citizens' Juries are not Public Meetings

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*This paper draws lessons from newDemocracy's experiences operating various citizens' juries in Australia including, the South Australia Nuclear Fuel Cycle, Democracy in Geelong, and Infrastructure Victoria's 30 Year Plan.*

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*\* newDemocracy is an independent, non-partisan research and development organisation. We aim to discover, develop, demonstrate, and promote complementary alternatives which will restore trust in public decision making. These R&D notes are discoveries and reflections that we are documenting in order to share what we learn and stimulate further research and development.*

## Citizens' Juries are not Public Meetings

### ***What is the question?***

Is "Citizens' Jury" simply another term for a public, or town hall, meeting?

### ***What is a typical viewpoint for a decision maker?***

*All community meetings are the same.*

*People shout without thinking*

*They make impossible demands.*

Most decision makers have attended or convened a public meeting, so it's not surprising that decision makers default to 'the known' when they visualise any public gathering, even one called a *citizens' jury*. Quite possibly, they have unpleasant memories of public meetings. That's because, when self-selection is involved, or an open invitation is extended for anyone to come along, these meetings are likely to attract 'the incensed and the articulate' or "the squeaky wheels" or "the usual suspects" (all terms we have heard ascribed to people at public meetings). Citizens who have attended a public meeting are similarly disgruntled. They may have been howled down by overly-noisy participants or have sat listening to long monologues and are, therefore, likely to stay away.

Often these meeting will have decision makers sitting up front, addressing a crowd that starts to wonder if this is an opportunity for the decision makers to declare: "Boy, have we got a deal for you!" while knowing that the decision has already been made and the meeting is merely tokenistic. By contrast, decision makers are simultaneously reluctant to open up the discussion for fear of being criticised, or the possibility that attendees will make unreasonable demands that cannot be delivered. This creates further outrage, and everyone goes away unsatisfied.

### ***How is a citizens' jury different?***

A citizens' jury, and other types of mini-publics, are distinct from public meetings in four important ways:

- 1) The people who attend;
- 2) What they do when they attend;
- 3) How long they are together to learn and deliberate;
- 4) The consequences of this activity.

(See, [Forms of Mini-publics](#))

### ***Here's how it works***

A local, state or federal government needs to make a decision. So far it has heard only from advocates who have a particular outcome in mind and are trying to persuade the government to their position. The government wants to know what the wider citizenry would wish to do, *after* it has been informed, has had a chance to interrogate expert knowledge, has weighed up the strengths and weaknesses of various options, and has considered trade-offs and more. The government cannot convene a focus group or conduct a survey because that would only amplify popular *opinion*, and this opinion is likely to be based on insufficient evidence. In contrast, the aim of a citizens' jury is to arrive at deeply-informed, public *judgment*.

Therefore, a mini-public is convened.

- (1) The people who attend are a diverse, random mix rather than the angriest and those with the most at stake (See, [Group diversity trumps individual ability](#)). The group will resemble the wider population—based on age, sex, location and education levels (See, [Sample size](#)). This is achieved through stratified random selection.
- (2) The group is given a genuine question to answer; participants are not being persuaded toward an appropriate answer and are encouraged to find their own way to a set of recommendations. The group will have the [assistance of a neutral facilitator](#), be exposed to [critical thinking skills](#), and have an opportunity to [hear from experts](#) of their own choosing, as well as enough time to weigh up the strengths and weaknesses of various options (See, [Deliberation](#)). Only then are they likely to be able to adequately explore their common ground and differences, in order to write a collective set of recommendations with which they are all satisfied.
- (3) The group is likely to meet over a period of days, sometimes spread over several months, or it might meet more intensively. By the time it is over they will have learned a great deal and are likely to comment that they have never before experienced such a satisfying and respectful exchange with a group of former strangers. The jury model has further benefits regarding participant satisfaction, as well as outside of participant response (See, [Further Benefits](#)).
- (4) As a consequence, participants will become more politically efficacious. Decision makers will have confidence that their own decision making is in accord with a thoughtful representative sample of the population. Decision makers will have stated in advance how they will act on the recommendation and this will occur. All will be able to stand alongside each other and defend the recommendations with reasoned arguments.

### ***Real-world example***

newDemocracy designed a deliberative process for Infrastructure Victoria which was tasked with delivering a 30-year plan for planning and investment decisions, determining which projects should be priorities for Victoria, and how these projects should be paid for (See, [Infrastructure Victoria](#)). When public meetings are convened to discuss issues like the controversial EastWest Link, or participants can complete an online wish list of infrastructure possibilities, the result provides unhelpful input. Instead, two citizens’ juries were convened—one urban, one regional. The in-depth discussion and final recommendations were balanced and fair and demonstrated outcomes above and beyond those normally obtained from the usual process of arguing over contentious matters.

[The project report](#) provides some insight into the jurors’ nuanced approach to a complex topic. This provides a good example of a classic public decision: it affects us all, its cost (and opportunity cost) will be borne by all, and there are highly complex consequences in all directions. This can never be resolved through a public slanging match or a superficial opinion poll. The government had discovered this earlier when, because of the consultation-as-usual approach, an issue requiring careful and considered deliberation blew up into a major election campaign issue.

With the juries, Infrastructure Victoria gained considerable insight; it was not that protesters or the general public did not like where the road was routed. The jury’s views (p.64) show that one third of jurors simply did not like road spending (a very different conclusion with very different implications). Once caveats were in place, considerable agreement can be

found. This level of nuance and understanding is impossible to discern from typical consultation methods.

### ***Are citizens' juries more effective?***

There are many single instances of research that have been undertaken to evaluate deliberative processes (See, [some examples funded by newDemocracy](#) and more via the [Journal of Public Deliberation](#)), and some that involved a wider comparison (for example, Gastil et al 2017).

One recent paper draws on five researchers' own work and that of other scholars (Curato et al (2017)). These researchers conducted an overview which enabled them to identify twelve key findings in deliberative democracy research. Their twelve key findings add weight to claimed usefulness and soundness of deliberative methods. They found that **deliberation** is: essential to democracy; more than discussion; for all; and the solution to group polarisation.

Further, they found that **deliberative democracy** is: realistic; involves multiple sorts of communication; has a nuanced view of power; and applies to deeply divide societies.

Finally, the study determined that **productive deliberation** is plural, not merely consensual; that participation and deliberation go together; that deliberative transformation takes time; and, finally, that deliberative research productively employs diverse methods.

### ***References***

Curato, N., Dryzek, J. S., Ercan, S. A., Hendriks, C.M. & Niemeyer, S (2017) "Twelve Key Findings in Deliberative Democracy Research", *Daedalus*, volume 146, issue 3, Summer

Gastil, John; Richards, Robert C. Jr; Ryan, Matt; and Smith, Graham (2017) "Testing Assumptions in Deliberative Democratic Design: A Preliminary Assessment of the Efficacy of the Participedia Data Archive as an Analytic Tool," *Journal of Public Deliberation*: Vol. 13 : Iss. 2, Article 1. Available at: <https://www.publicdeliberation.net/jpd/vol13/iss2/art1>

