

Citizens' Juries: how public policy should be made?

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Introduction

- To this CECAN webinar:
 - What is a citizens' jury?
 - Why do citizens' juries?
 - How to do a citizens' jury
 - Critiques of citizens' juries
 - A useful tool for policy evaluation?
 - Areas of methodological debate
 - Your comments and questions

What is a “citizens’ jury”?

- deliberative democracy
- Juries, assemblies, deliberative polling...”mini-publics”
- Citizens chosen, given information and questions to answer over 2+ days
- Jefferson Center method
- Born in the USA, topical here, alive and well e.g. in Ireland

Important work elsewhere: Ireland

- Irish Citizens' Assembly: abortion law, ageing population, referenda, fixed term parliaments, climate change



Important work elsewhere: Mongolia

- Mongolia: enacted law that “deliberative polling” event required before the country’s constitution can be amended

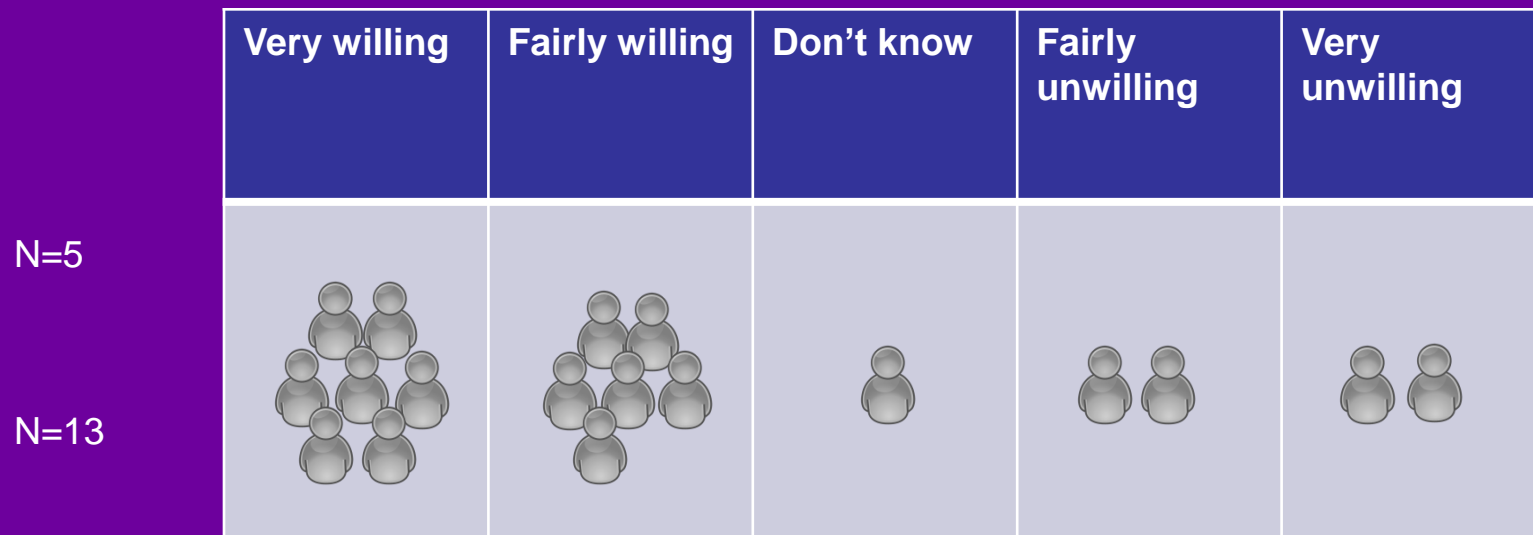


Why do citizens' juries?

- For public policy:
 - To complement representative government (e.g. Ireland)
 - To add legitimacy where unelected officials make decisions
- Surveys and focus groups matter
- But policy is complex
- Citizens' juries can tell us what people think when more informed and able to talk to their peers
- People often change their minds...

People often change their minds

How willing or unwilling would you be to allow your medical records to be used in a medical research study? The information given to researchers would not include your name, date of birth, address or any contact details.



Manchester Jury

How to do a citizens' jury

- Articulating the question(s)
- Recruiting the jury members and reserves
- Designing the jury process
- Facilitating the jury process
- Achieving impact
- Variations in methods across academics and practitioners
- Example: Forest of Dean jury

A Tale of Three Towns



Articulating the questions

- Normally set by commissioner(s) of jury with help
- Often time consuming to get right
- In Forest of Dean, one main question from the start:
 - Should the new community hospital for the Forest of Dean be built in or near Lydney, Coleford or Cinderford?

Recruiting the jury members and reserves

- Advertising or mailshot?
- “random”, “broadly representative” or “stratified sample”?
- Minimise self-selection bias
 - Pay people
 - Take account of built-in bias in sampling variables
e.g. Employment status
- In Forest of Dean:
 - Lots of free advertising over 3 months, 218 applied, jurors paid £470 (reserves: £75)
 - Sampled on age, gender, ethnicity, educational attainment, employment status, postcode



Designing the juries

- Requires time, skill and experience
- Begin with information needs, then how to satisfy needs:
 - Partial and impartial expert witnesses (usually unpaid)
 - Witnesses chosen with advice from jury commissioner
 - Deliberation, not debate
 - Design and jury materials reviewed by oversight panel
- In the Forest of Dean:
 - Half-day induction, three days of evidence, final day of deliberation & compiling juror report (published)
 - 11 impartial witnesses (a lot!) on different topics
 - Witnesses from three towns at jury start and end

Facilitating the juries

- Again, requires skill and experience e.g. to enable good deliberation
- Facilitators must be independent
- Allow public to observe? Occasionally recorded.
- In the Forest of Dean:
 - Two facilitators from Jefferson Center
 - Public observers, press, TV (unusual)
 - Microphones
 - Mostly public and but some private deliberation (as BBC clip makes clear...)

Achieving impact

- Important, especially for policy juries
- One method: post-jury workshop
- In Forest of Dean:
 - All materials and outputs published
 - The governing bodies of the two health bodies met 4 weeks after the jury
 - Two jurors and I presented the findings
 - The two bodies unanimously backed the jury recommendation of Cinderford as site of new hospital
 - What if they hadn't?

Areas of debate amongst practitioners

- Representative
 - Sortition or advertisement? “Random”? Screen shortlisted candidates? How many people? How many mini-publics?
- Deliberative
 - Seek consensus? How much time for deliberation? External evaluators?
- Impartial
 - Who sets jury questions? Who selects experts and evidence? Open to public?
- Influential
 - Decision makers or informers? Complements or replaces aspects of representative democracy?

A useful tool for policy evaluation?

- For evaluation or for making / informing policy?
- An evaluative process – formative rather than summative
- Provides safe environment to allow views to change with evidence
- Evaluation relies on values as well as evidence
 - Some evaluation methods, like cost/benefit analysis, are based on normative assumptions
 - Public bodies typically seek/claim objectivity
 - Where to derive values on which evaluation is based?
- Citizens' juries are just one part of the answer

Potential critiques of citizens' juries

1. Small sample of unelected people
2. Not truly representative, self-selection bias
3. Resource intensive
4. Commissioners can manipulate process, ignore results
5. Potential for designer and facilitator bias: conscious, unconscious
6. Do juries offer the best reasons or “thoughts and feelings?”

Monitoring, minimising and reporting bias

- In the Forest of Dean:
 - 3-person independent oversight panel reviewed jury design and slides for bias, reports on web
 - Juror questionnaires: low levels of bias reported
 - Funders independent from process design
 - Jurors' reports
 - Transparency: website

Summing up

- Citizens' jury is a method of deliberative democracy
- Many variants and different practices internationally, generally aiming to be: representative, informative, deliberative, impartial, influential
- An evaluative process in reaching policy decisions
- Important critiques include potential for bias
- An empowering process for participants
- One piece of the jigsaw

Further reading

Further information on citizens' juries:

www.citizensjuries.org www.herc.ac.uk/citizens-jury/ <https://democracyrd.org/>

References on mini-publics (final one is a critique):

Smith, Graham, and Corinne Wales. "Citizens' juries and deliberative democracy." *Political studies* 48.1 (2000): 51-65.

Escobar, Oliver. "Pluralism and democratic participation: what kind of citizen are citizens invited to be?." *contemporary pragmatism* 14.4 (2017): 416-438.

Scott, Anna Mae, et al. "Developing and applying a deductive coding framework to assess the goals of Citizen/Community Jury deliberations." *Health Expectations* 22.3 (2019): 537-546.

Price, David. "Choices without reasons: citizens' juries and policy evaluation." *Journal of Medical Ethics* 26.4 (2000): 272-276.