

## **Citizens' Assemblies: An Introductory Guide**

### **Introduction**

There has been an increase in the use of citizens' assemblies over recent years in the UK and Ireland. Assemblies have been set up to consider subjects such as English devolution, adult social care and a range of different matters in Ireland (including the abortion laws and climate change).<sup>1</sup> These have been arranged by a range of bodies, including think tanks, academic institutions, parliamentary committees and, in the case of Ireland, the parliament itself. In addition, some people have recommended the use of a citizens' assembly to decide how to proceed with Brexit. Indeed, the University College London's Constitution Unit did lead a citizens' assembly on Brexit in 2017, which considered the UK's future relationship with the EU, particularly in relation to migration policy and trade policy.<sup>2</sup> The public participation charity Involve has stated that citizens' assemblies can provide a high profile way of analysing complex issues and offer policymakers an insight into public opinion.<sup>3</sup> However, it has also stressed that running them can be challenging and expensive, and that there could be a danger of it being viewed as a publicity exercise if not followed by real outcomes.

### **What are Citizens' Assemblies?**

Citizens' assemblies are a form of constitutional convention, and feature groups of citizens brought together to consider an issue or range of issues.<sup>4</sup> The participants are usually chosen at random from a range of demographics representing the wider population (eg they may choose people from different age groups, ethnicities, genders, social classes, political attitudes, etc). Explaining their purpose in the context of a citizens' assembly on adult social care, which it set up jointly with the House of Commons Health and Social Care Committee, the House of Commons Housing, Communities and Local Government Committee stated:

Citizens' assemblies give members of the public the time and opportunity to learn about and discuss a topic, before reaching conclusions. Assembly members are asked to make trade-offs and arrive at workable recommendations.<sup>5</sup>

Their use is often advocated to consider "complex issues", such as areas of policy where there is wide-ranging public opinion (for example, abortion laws in Ireland), or constitutional change.

### **How Do They Work?**

In general, citizens' assemblies are run using a three step process: first, the assembly is presented with a range of information on the issue it is due to consider (often this may involve presentations by experts or interested groups); second, the assembly deliberates on the issue (this stage may involve small group discussions, question and answer sessions, group exercises, etc); and third, the assembly agrees a set of recommendations (which may involve voting on or ranking options). For example, the House of Commons Housing, Communities and Local Government Committee set out the process

used for the citizens' assembly on adult social care as follows:

At the first weekend, assembly members heard from expert contributors who together reflected the range of views on how adult social care should be funded. Assembly members heard presentations from the contributors and spent time questioning them. They discussed what they said in small groups, identifying the issues and arguments that they felt to be most important.

At the second weekend, assembly members discussed what they had heard and reached a set of recommendations. To do this they worked through a series of exercises, involving small group discussions, as well as some voting and ranking of options.<sup>6</sup>

A similar approach was used for the citizens' assembly on Brexit (a project led by University College London's Constitution Unit), where the first weekend was designated as the 'learning weekend' and the second weekend as the 'discussion and decision weekend'.<sup>7</sup> Turning to Ireland, where a citizens' assembly was brought together across multiple weekends, the following steps were generally followed at each of the weekends' meetings:

- Introductory remarks by the chairperson.
- Expert presentations.
- Presentations from civil society and advocacy groups.
- Consideration of submissions by members of the public.
- Question and answer sessions and debates.
- Roundtable discussions.<sup>8</sup>

When required, voting would then take place on issues put up for consideration, with the results used to inform the assembly's recommendations.

The number of citizens on an assembly varies depending on its needs and workload. For example, the adult social care and Brexit assemblies had 47 and 51 members respectively, and the citizens' assembly in Ireland was made up of 99 members (plus a chairperson).<sup>9</sup> There is also variation in remuneration; whereas most citizens' assemblies pay for travel and accommodation where necessary, some (such as the Brexit and social care citizens' assemblies) also pay individuals for attending to further encourage their participation.<sup>10</sup>

### **What Has Been the Experience of Citizens' Assemblies?**

In recent years, citizens' assemblies have considered and published recommendations on a range of issues, including adult social care, Brexit and devolution. In Ireland it was used to deliberate on abortion laws. The recommendations have then been drawn to the attention of policymakers in different ways; for example, the adult social care citizens' assembly was established through an initiative of the House of Commons Health and Social Care and Housing, Communities and Local Government committees, with the results being used to inform a joint committee report.<sup>11</sup> Explaining its reasons for establishing the citizens' assembly, the House of Commons joint committee report stated that it viewed public consensus on any proposals for the future funding of adult social care as "critical to its success".<sup>12</sup>

Another example saw the citizens' assembly in Ireland being specifically backed by the Irish parliament; it established the assembly following a resolution and also set out how its recommendations should be considered.<sup>13</sup> The resolution specified that reports of the citizens' assembly on particular topics, such as the abortion laws, be presented to the Irish parliament and be considered by a joint committee of both Houses of the Oireachtas. The citizens' assembly made recommendations to change the abortion laws in Ireland, and—following a joint committee report and a government bill—Ireland voted in favour of changes to the abortion laws in a referendum of 25 May 2018. In a blog piece for the Constitution Unit, Hannah Kaufman suggested that the Irish citizens' assembly showed:<sup>14</sup>

- Citizens' assemblies can have positive effects beyond the assembly's remit; for example, she stated that the citizens' assembly received a lot of coverage (both in parliament and the media) during the abortion referendum campaign, and that there was evidence the majority of the public were aware of its work.
- They can be used to consider multiple topics (rather than just to focus on one issue).
- They can successfully cover "contentious subjects", such as abortion. The author noted survey evidence showing that although attendees stated they had felt "less positive" about the abortion discussion compared to other topics, this had improved as discussions went on. Members also "felt free to raise their views, felt respected by fellow participants, and thought they had ample speaking opportunities".
- People still valued 'expert' opinion. However, Hannah Kaufman did stress the importance of carefully considering bias (or perceived bias) when selecting expert witnesses.

Similar views were reached in the final report of the Brexit citizens' assembly, which highlighted the "impressive" level of engagement among assembly members and which found that the quality of the discussions was "very high, leading to robust and consistent conclusions".<sup>15</sup> As with the Irish citizens' assembly, the report noted that the assembly had deliberated on a "highly contentious" subject.

However, concerns were raised in the Irish parliament about the recruitment of some of the members of its assembly, with seven confirmed to have been recruited "improperly".<sup>16</sup> Eamon Scanlon TD (Fianna Fáil) argued that this had compromised the process, and that the referendum should have been postponed on this basis. Commenting on this issue, Dr Matt Wall, associate professor in political and cultural studies at Swansea University, stated that it highlighted the problem of encouraging the "voluntary participation" of assembly members:

This is obviously problematic but, to my mind, it is a symptom of a recruitment system that relies on voluntary participation with very limited remuneration. Put simply, even with quota sampling, there is a risk of leaving out people who are politically disaffected or disengaged as such people are much more likely to simply refuse to participate when contacted.<sup>17</sup>

A further concern was raised by Dr Eoin O'Malley, associate professor in political science at Dublin City University, who claimed that citizens' assemblies could be open to "manipulation".<sup>18</sup> For example, he suggested that the assemblies could engage in "groupthink", whereby minority opinions are "effectively suppressed":

Some opinions might be aired, but can be effectively suppressed by the atmosphere in the room. There is significant evidence in social psychology that groups can push opinion to extremes and silence minority opinion. To prevent this, great care has to be taken that all views are respected.<sup>19</sup>

He also explained that financial and time constraints often mean that less time is given to issues than should be, and that the wording of questions and the choice of experts could have an impact on the discussions and recommendations. Highlighting the experience of a previous constitutional convention held in Ireland,<sup>20</sup> he stated:

I don't think anyone involved intentionally tried to manipulate the process, but it was clear that most of us had clear views as to what we considered the 'right' outcome. It would have been easy for the chair or his team to manipulate the outcome.<sup>21</sup>

However, evidence has indicated that the majority of attendees have valued the assemblies, with many giving positive reviews about their experience and encouraging their greater use. For example, attendees at the social care citizens' assembly rated their experience at a 9.5 out of 10, with all agreeing with the statement: "Assemblies like this should be used more often to inform government and parliament decision-making".<sup>22</sup> The attendees argued that it was important for the public to have a say on policy matters, and that the assemblies were a good way of ensuring their views were heard by the government.

### **When Have Citizens' Assemblies Been Raised in Parliament?**

Citizens' assemblies have been raised on a number of occasions recently in connection with Brexit, with the Labour MPs Lisa Nandy (MP for Wigan) and Stella Creasy (MP for Walthamstow) believing they offer the "best path" to a consensus on the issue.<sup>23</sup> In addition, Baroness Armstrong of Hill Top (Labour) recently tabled two written questions asking whether the Government had considered citizens' assemblies and what was its assessment of the report of the Constitution Unit's citizens' assembly on Brexit.<sup>24</sup> Responding on 5 January 2019, the Minister of State at the Department for Exiting the European Union, Lord Callanan, stated:

Stakeholder engagement is a central element of our plan to build a national consensus around our negotiating position. Ministers from across Government have carried out extensive engagement on EU exit—with local authorities, businesses and industry bodies from all sectors of the economy and all regions of the UK, and with civil society groups including consumer bodies, trade unions, charities and academia.<sup>25</sup>

He indicated this dialogue would continue, and that the Government had also noted the report of the citizens' assembly on Brexit.

However, citizens' assemblies have been raised in Parliament before this. For example, in 2007 the idea was raised by the Labour Government in connection with its *Governance of Britain* green paper, with public engagement (in the form of a 'citizens' summit') suggested to help formulate a 'British Statement of Values' and a 'Bill of Rights'.<sup>26</sup> In the 2008–09 session, Lord Tyler (Liberal Democrat) introduced the [Constitutional Renewal Bill \[HL\]](#), a private member's bill which would have required a citizens' assembly be set up to consider changes to the arrangements for parliamentary general elections (including the voting system used). Although the bill did not receive a second reading, Lord Tyler did subsequently secure a debate on the ongoing proposals for "constitutional renewal" (many of which ended up forming the Constitutional Reform and Governance Act 2010). Talking about his proposals for a citizens' assembly, he stated:

It would not be just another committee or commission of the great and good, but a genuinely public process effectively subjecting our present system and the alternatives to a real jury trial. It

would be a public choice and the assembly's conclusion could then be put to a national referendum so that any new system would have broad support from the population at large.<sup>27</sup>

However, the idea was questioned by the then Bishop of Durham, who stated that “most people in this country think that the House of Commons is the citizens’ assembly, and, if that is not working, it is not clear how putting another structure above it would do the trick”.<sup>28</sup>

Citizens’ assemblies were also briefly raised in the House of Lords Constitution Committee’s report on referendums, published in April 2010, which reasoned that their use might be considered in preference to referendums or citizens’ initiatives (whereby citizens petition for referendum questions or for legislation to be introduced) to encourage greater public engagement. The committee stated:

Given our concerns about the use of referendums, we are not convinced by the arguments in favour of citizens’ initiatives. Nonetheless, we acknowledge that there is a need to encourage greater citizen engagement in the democratic process. The use of such tools as citizens’ assemblies and citizens’ juries may be worthy of consideration in this regard.<sup>29</sup>

More recently, the work of the citizens’ assembly on adult social care, in the context of the Commons joint committee inquiry, was welcomed by the Minister of State for Care, Caroline Dinenage, who acknowledged the importance of collaborative working to address the issue of adult social care funding:

I would like to start by welcoming the recent joint report from the Health and Social Care Committee and the Housing, Communities and Local Government Committee on long-term social care funding. I am extremely grateful for their incredibly collaborative approach to working on this report, which captures a number of important voices on the subject of social care funding, not least the citizens assembly [...] I agree that it is time to set political differences aside in addressing these issues, and we welcome the involvement of parliamentarians from across the House, as well as that of leaders, professionals and experts from the health and care sector, in doing so.<sup>30</sup>

## Further Reading

- Democracy Matters, [Lessons from the 2015 Citizens’ Assemblies on English Devolution](#), 2016
- Involve, ‘[Citizens’ Assembly](#)’, accessed 4 February 2019
- Alan Renwick et al, ‘[What Kind of Brexit do Voters want? Lessons from the Citizens’ Assembly on Brexit](#)’, *Political Quarterly*, 7 June 2018, vol 89 no 4, pp 649–58
- Constitution Unit Blog, [Articles on Citizens’ Assemblies](#), accessed 5 February 2019

- <sup>1</sup> See, for example: Involve, '[Citizens' Assembly](#)', accessed 4 February 2019; Democracy Matters, [Lessons from the 2015 Citizens' Assemblies on English Devolution](#), 2016; and [Citizens' Assembly for Northern Ireland website](#), accessed 4 February 2019.
- <sup>2</sup> Constitution Unit et al, [Report of the Citizens' Assembly on Brexit](#), December 2017.
- <sup>3</sup> Involve, '[Citizens' Assembly](#)', accessed 4 February 2019.
- <sup>4</sup> House of Commons Housing, Communities and Local Government Committee, '[What is a Citizens' Assembly?](#)', accessed 1 February 2019; and [Citizens' Assembly website](#), accessed 1 February 2019. Information on different models of constitutional conventions can be found in the Lords Library briefing, [Constitutional Issues and the Case for a UK-wide Constitutional Convention](#) (6 December 2018, pp 6–9).
- <sup>5</sup> House of Commons Housing, Communities and Local Government Committee, '[What is a Citizens' Assembly?](#)', accessed 1 February 2019.
- <sup>6</sup> *ibid.*
- <sup>7</sup> Constitution Unit Blog, '[Citizens' Assembly on Brexit: How Did It Work?](#)', 3 October 2017.
- <sup>8</sup> Citizens' Assembly (Ireland), '[Meetings](#)', accessed 4 February 2019.
- <sup>9</sup> House of Commons Housing, Communities and Local Government Committee, '[What is a Citizens' Assembly?](#)', accessed 1 February 2019; Constitution Unit et al, [Report of the Citizens' Assembly on Brexit](#), December 2017; and Citizens' Assembly (Ireland), '[Frequently Asked Questions](#)', accessed 1 February 2019.
- <sup>10</sup> The adult social care citizens' assembly paid attendees £150 per weekend and the attendees of the Brexit citizens' assembly were paid £200 per weekend. Attendees were not paid for attending meetings of the Irish citizens' assembly (although travel and accommodation costs were still covered).
- <sup>11</sup> House of Commons Health and Social Care and Housing, Communities and Local Government Committees, [Long-term Funding of Adult Social Care](#), 27 June 2018, HC 768 of session 2017–19.
- <sup>12</sup> *ibid.*, p 55.
- <sup>13</sup> Citizens' Assembly (Ireland), '[The Eighth Amendment of the Constitution](#)', accessed 4 February 2019.
- <sup>14</sup> Constitution Unit Blog, '[Citizens' Assemblies: How Can the UK Learn from Ireland?](#)', 25 October 2018.
- <sup>15</sup> Constitution Unit et al, [Report of the Citizens' Assembly on Brexit](#), December 2017, p 77.
- <sup>16</sup> *The Journal*, '[Dáil Descends into Row over Citizens' Assembly Recruitment Criticism](#)', 22 February 2018.
- <sup>17</sup> Irish Politics Forum, '[Missing Links—A Critical Reflection on Ireland's Citizens' Assembly Experience](#)', 7 June 2018.
- <sup>18</sup> Irish Politics Forum, '[Citizens' Assemblies Are Open to Manipulation](#)', 16 May 2016.
- <sup>19</sup> *ibid.*
- <sup>20</sup> Involve, '[Irish Constitutional Convention](#)', accessed 7 February 2019.
- <sup>21</sup> Irish Politics Forum, '[Citizens' Assemblies Are Open to Manipulation](#)', 16 May 2016.
- <sup>22</sup> Involve, [Citizens' Assembly on Social Care](#), June 2018, p 24.
- <sup>23</sup> Lisa Nandy and Stella Creasy, '[MPs Alone Won't Solve the Brexit Deadlock. We Need a Citizens' Assembly](#)', *Guardian*, 16 January 2019.
- <sup>24</sup> House of Lords, Written Questions on 'Brexit: Public Consultation', 5 January 2018, [HL 3922](#) and [HL3923](#).
- <sup>25</sup> *ibid.*
- <sup>26</sup> For further details, see: House of Commons Library, [Citizens' Assemblies](#), 25 November 2009.
- <sup>27</sup> [HL Hansard, 11 June 2009, col 747](#).
- <sup>28</sup> *ibid.*, col 763.
- <sup>29</sup> House of Lords Constitution Committee, [Referendums in the United Kingdom](#), 7 April 2010, HL Paper 99 of session 2009–10.
- <sup>30</sup> [HC Hansard, 2 July 2018, col 131](#).

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