



## Citizens' Juries

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In September 2007 Gordon Brown announced that the Government would undertake a number of 'citizens juries' on issues including 'crime and communities' and 'the future of the National Health Service'. He stated that the juries he announced would not be a "one-off event" but an "ongoing process of reaching out, of doing the business of government differently". During his speech he also announced that a 'Citizens' Summit' would be convened to "formulate the British statement of values" which had been proposed in the July 2007 Green Paper *The Governance of Britain*.

This note sets out the programme of citizens' juries which were announced by the Prime Minister. It collates information about the events held since July 2007, but also considers the use of citizens' juries and deliberative forums in the UK by local and national Government since 1997.

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## A. What is a citizens' jury?

In his report for the Power Inquiry (an independent inquiry into Britain's democracy chaired by Baroness Kennedy QC)<sup>1</sup> on innovations in democracy, Graham Smith of Southampton University explained that:

Citizens' juries bring together a small group of citizens to deliberate on a particular issue. Typically juries have the following features:

- 12 to 24 citizens selected by a stratified random selection process to ensure a diversity of demographic criteria (e.g. age, gender, ethnicity, etc.)
- citizens are paid a small honorarium for participating over a period of 3-4 days citizens hear evidence, cross-examine selected experts and deliberate on the question (s)
- the event is run by an independent organisation and a facilitator ensures fair proceedings;
- at the end of the process citizens produce recommendations in the form of a report; the sponsoring body (e.g. the public authority) is expected to respond to the recommendations.<sup>2</sup>

IPPR was a pioneer of citizens' juries in the UK. In their 1997 publication, they asked:

What distinguishes a citizens' jury from other models? This particular process aims to combine *information, time, scrutiny, deliberation, independence and authority*. Most other forms of opinion research and public involvement have some of these features. What is distinctive is the package: the model is designed to ensure that all features are present to a substantial degree.

The jurors are brought together for about four days. They are asked to address one or more specific questions and are given as much relevant information as possible. They have the chance to cross examine the witnesses who present data and arguments to them, and to call for additional witnesses and information. They have time to deliberate – to discuss and debate the matter in hand, both with the witnesses and amongst themselves in small groups and in plenary sessions – before drawing conclusions. The jury is independent of the commissioning body and its verdict is expected to carry some authority, derived from an understanding that the jury is unbiased and the proceedings are fair and appropriate to the task of citizen participation.

Citizens' juries were first developed in Germany and in the USA. In Germany these developed as 'planning cells' or *plannungzelle*, developed by Prof Peter Dienel of the University of Wuppertal. Planning cells consist of 25 members, sub-divided into sub-groups of five. They are commissioned by local and national government bodies, most often to address practical planning models.<sup>3</sup> In the United States, citizens' juries were pioneered by

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<sup>1</sup> Library Standard Note SN/PC/3948, *Power to the People: the report of Power, an Independent Inquiry into Britain's Democracy*

<sup>2</sup> Graham Smith, *Beyond the Ballot Box: 57 Democratic Innovations from Around the World – A report prepared for the Power Inquiry*, May 2005, p117, <http://www.makeitanissue.org.uk/Beyond%20the%20Ballot.pdf> (last viewed 14 December 2007)

<sup>3</sup> Anna Coote and Jo Lenaghan, *Citizens' Juries: Theory into practice*, IPPR 1997, p13

Ned Crosby of the independent Jefferson Centre in Minneapolis.<sup>4</sup> US juries typically have 12 members and were commissioned by the Jefferson Centre with the intention of challenging conventional politicians and their decisions. Commentators have noted that in the United States, juries “have attracted media attention, but as yet appear to have had little direct influence on the political decision-making process” whereas in Germany the planning cells are commissioned by government who agree to take into account their recommendations and judgements in future decision-making processes.<sup>5</sup>

## **B. Experience of citizens’ juries and citizens’ summits in the UK before July 2007**

Although citizens’ juries have been a key part of Gordon Brown’s approach to public service reform since he became Prime Minister in June 2007, they have been a feature of policy-making and consultation both in local and central government in the UK since the 1990s. Some examples of their use, and that of larger deliberative forums or ‘citizens’ summits’ are set out below.

### **1. Local Government**

The importance of consultation in local government was set out by the Government in the 1998 White Paper, *Modern Local Government: In Touch With the People*, which stated that the Government “wishes to see consultation and participation embedded into the culture of all councils... and undertaken across a wide range of each council’s responsibilities”.<sup>6</sup> The 1998 consultation paper, *Modernising Local Government: Local Democracy and Community Leadership* (DETR) stated that for those councils that expand public participation, “The prize is an ever closer match between the needs and aspirations of communities and the services secured for them by their local authority, better quality service, services secured for them by their local authority, better quality services, greater democratic legitimacy for local government and a new brand of involved and responsible citizenship: in short, reinvigorated local democracy”.<sup>7</sup> The paper set out a number of methods to involve the public, including focus groups, citizens’ juries, citizens’ panels and referendums. On citizens’ juries that paper stated that:

4.12 A citizens’ jury brings together a group of approximately 12-16 citizens, selected to be representative of the local community, to consider an issue in depth (usually over 3-5 days). The jury are fully briefed and hear information from and question expert witnesses, before discussing the issue amongst themselves. They then draw up their conclusions, facilitated by a trained moderator. A jury is not used to make binding decisions, but to advise or make recommendations about a policy. If the council choose to reject their recommendations, it must say why. In pilot studies, councils welcomed the quality of the reports and recommendations and found that jurors take their role very seriously. But an important issue to address is how to make the jury as representative and free from bias as possible.<sup>8</sup>

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<sup>4</sup> <http://www.jefferson-center.org> (last viewed 14 December 2007)

<sup>5</sup> Graham Smith and Corrine Wales, *The theory and practice of citizens’ juries*, Policy and Politics, vol 27 no 3, July 1999.

<sup>6</sup> DTLR, *Modern Local Government: In touch with the people*, Cmnd 4014, para 4.6

<sup>7</sup> DETR, *Modernising Local Government: Local Democracy and Community Leadership*, para 4.4

<sup>8</sup> DETR, *Modernising Local Government: Local Democracy and Community Leadership*, para 4.12

The 2001 report *Public Participation: Issues and innovations* from the Public Administration Select Committee provided some examples of their use:

Deliberative approaches include using citizens panels or citizens' juries to examine policy choices, and or calling special conferences to allow actual or prospective users to discuss options in detail. Islington Council, for instance, recently convened a day-long conference meeting with around 60 people to discuss adult education provision in the borough. Participants were paid £50 to spend a day on the issue, and were chosen to include both people who had made no use of adult education opportunities and others who had overcome difficulties to improve their qualifications and job prospects. In Sandwell, in 1999, there was a conference day that 200 old people were involved in. They:

'identified 13 challenges to the chief executives of the health authority and the council which were then fulfilled over the year, and they ranged from very practical issues like a better response to repairs for older people in housing through to some work that took longer, that was about how can we get an approved list of builders of people who are safe for older people to invite into their own homes. I do not think the chief executive of the health authority left to his own devices would have thought that was a hugely important issue for older people, but older people were able to tell us that yes, actually that was one of the things that made them feel confident about staying in their own homes and continuing to live full lives'.<sup>9</sup>

## **2. The use of citizens' juries by the Womens' Unit in the Cabinet Office**

The Women's Unit commissioned two citizens' juries to "inform the development of a National Childcare Strategy and to advise Ministers on their potential contribution to the new dialogue with women. These were the first juries commissioned by central government and the first women-only juries to be held".<sup>10</sup> The two juries were held in Nottingham in April and May 1998 and involved 15 women in the first jury, and 16 in the second.

An appraisal of the juries was then carried out and published by the Cabinet Office.<sup>11</sup> This concluded that:

Citizens' juries can make an effective contribution to the policy consultation process in a number of ways. Their greatest strength lies in their ability to cover issues in depth and to access the informed views of the public. This arises particularly from the number of days for which they sit, the emphasis on group work, and the unique way in which they combine information provision and group deliberation. As such they seem to prove an effective mechanism for involving the public in the policy debate. They also provide a forum for dialogue between government and the public. They may, therefore have a potential to develop the relationship between them, albeit on a very small scale, although there was also some scepticism among jurors about how much influence juries have on policy development. Finally, taking part in a jury seem

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<sup>9</sup> Public Administration Select Committee, *Public Participation: Issues and Innovations*, 26 March 2001, HC 373-I, para 51

<sup>10</sup> Cabinet Office, *Citizens' juries: An appraisal of their role based on the conduct of two women only juries*, 1999, pii

<sup>11</sup> Cabinet Office, *Citizens' juries: An appraisal of their role based on the conduct of two women only juries*, 1999

sot be a very powerful, beneficial and positive experience for jurors themselves. Both women's juries had a degree of intensity, energy and momentum which is unusual in most other research or consultation for a, and which contributed to jurors' experiences of them as exciting, stimulating, fulfilling and confidence raising.

Despite their obvious strengths as a method of consultation a number of concerns surround their use and application. Clearly, because they involve only a small number of people they are unlikely to reflect fully the views of the wider population. In additions, even where the selection of jurors is carefully controlled, the commitment of time required by jurors and the nature of tasks involved may result in a selection bias. This suggests that a single citizens' jury, conducted in isolation from other research or from consultation exercises, can only make a limited contribution to policy development.

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Finally, taking part in a jury requires jurors to give an enormous commitment of time and energy. For jurors to consider the process worthwhile there has to be a genuine commitment by the commissioning body to consider the recommendations that the jury makes seriously. However, there may be a danger that commissioning bodies raise jurors' expectations unduly by making unrealistic promises which cannot be met about their contribution to the policy process.<sup>12</sup>

### 3. The People's Panel

In central government, the Labour government established a People's Panel in 1998. The Panel was made up of 5,000 members of the public. It had a profile that was representative of the UK population in terms of age, gender, region and other demographic indicators. Extra members were recruited to replace those who had left and to ensure the continuing representative nature of the panel over time. An additional 830 members were recruited from ethnic minority groups to make the sample large enough to ensure that the group could be used for quantitative research. Focus groups, in dept interviews and surveys of the Panel or of distinct groups from with the panel were possible. The panel was used for a variety of purpose, from consideration of leaflets on GM food to perceptions of ministerial involvement in the appointments process. By early 2001 the total cost of the panel was £12,112,735.<sup>13</sup>

In 2001 the Public Administration Select Committee commented on the operation of the Panel:

...To date, many of the questions put to panelists have been of quite a general nature, such as 'Do you agree that new technology will make it easier for you to deal with the government'. It has not been used to held identify real policy changes (for example whether pensioners would prefer specific payments or additions to the basic pension)...<sup>14</sup>

They continued:

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<sup>12</sup> Cabinet Office, *Citizens' juries: An appraisal of their role based on the conduct of two women only juries*, 1999, p iv

<sup>13</sup> Public Administration Select Committee, *Public Participation: Issues and Innovations*, 26 March 2001, HC 373-I, p xxv, footnote 95

<sup>14</sup> Public Administration Select Committee, *Public Participation: Issues and Innovations*, 26 March 2001, HC 373-I, para 68

Critics argue that the Panel has experienced some problems. It has recently proved necessary to augment the ethnic minority component. The first assessment by the Cabinet Office in March 2000 revealed a high attrition rate: 9% of respondents have asked to leave, 21% have refused to take part in surveys, and 23% have been uncontactable (8% more than once). This leaves the panel more white, middle class, professional and activist. Panel members are also becoming more knowledgeable about, and interested in, public services and so less representative of the public at large. The panel had not been much used either to track opinion through time for cross-cutting surveys and may not be suitable for such work. The density is too thin for recruitment of focus groups and some Departments need larger groups of people to work with than it can provide. Of eighteen users, only eight identified some contribution to decision-making. Additionally, Ben Page of MORI told us that the findings of the panel were in line with other opinion poll data, which raises the question whether it is necessary at all? Overall the Panel seems to us an interesting experiment (as are the panels established by local authorities and other bodies). But **we would like the Cabinet Office to consider how it could be more innovative and distinctive, as well as to keep its usefulness under continuous review.**<sup>15</sup>

The Panel was wound up in 2002. The Government announced that:

We believe that the People's Panel has been influential in demonstrating the value of establishing the views of citizens and the users of public services in policy-making and service delivery.

Since the People's Panel was set up in 1998, government departments and agencies have improved greatly in their efforts to consult with their customers, and to assess satisfaction with the services they provide.

Therefore, we have taken the decision that there is no longer a need for the Cabinet Office to carry out this function centrally, when it can be done more effectively by departments, agencies and local services as part of their mainstream policy development and service delivery.<sup>16</sup>

The extent to which individual departments took up this work themselves is not clear although several examples are set out below.

#### **4. Your health, your care, your say**

According to the Department of Health website, around 42,000 people took part in the 'Your health, your care, your say' consultation in 2005. Four regional "listening events" were held between September and October 2005 in Gateshead, Leicester, Greater London and Plymouth, each attended by between 50 and 100 people. Participants were divided into groups of 10 to discuss issues surrounding local community health and social care services.

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<sup>15</sup> Public Administration Select Committee, *Public Participation: Issues and Innovations*, 26 March 2001, HC 373-I, para 70

<sup>16</sup> HC Deb 31 Jan 2002 c532W

These four events were followed by a national citizens' summit which took place in Birmingham on 29 October 2005. The summit was attended by 998 randomly selected participants from around the country. The preliminary report of the summit explained how the selection procedure worked:

To ensure that this consultation exercise reflected the widest possible range of views, people of all ages and social groups from all around England were brought together to give their opinions on how health and social care services were working. The organisers:

- Sent out packs to 125,000 people in the nine regions of England inviting them to apply to take part in the event
- Asked people who wanted to take part to provide some information about themselves
- Invited people to come along on the day, representing a cross-section of the population of England. Those who attended the Citizens' Summit ranged from teenagers to people in the nineties, they were from a wide variety of social backgrounds, and they came from across the country – from Cornwall to Cumbria. To make sure that the views of people who don't always get involved in this kind of consultation were heard, the organizers asked more people from some specific backgrounds to come along.

The report went on to explain that:

During the course of the discussion, participants voted on a range of options and discussed the reasons why they had made their choices. At the end of the day, everyone reflected on the options their group had selected to see if they would make significant improvements to health services around the country.<sup>17</sup>

The summit was broadcast live on the web.

As well as the "listening events", the public could respond to the consultation process by completing a questionnaire which was available both online and on paper.

The Government published their proposals for reform in the 2006 White Paper *Our Health, Our Care, Our Say*. A follow-up event, 'Holding the Government to Account' was held on 2 March 2006. A selection of over 100 of the 1250 people who took part in the original deliberative events attended the day, where health ministers explained their policies.

## **5. National Pensions Debate**

National Pensions Day took place on Saturday 18 March 2006. 1075 people took part in discussions in six locations: Northern Ireland, Scotland, South Wales, Birmingham, London and Newcastle. Participants were selected to reflect the UK's adult population. Opinion Leader Research organized these events. According to their report of the day:

People spent their day in groups of 10, made up of people from a range of backgrounds. In their groups they had detailed discussions on the Pensions

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<sup>17</sup> *Your Health Your Care Your Say: Preliminary report of citizens' summit, Birmingham, 29 October 2005.*

Commission's proposals. They also had the opportunity to 'vote' on questions at the heart of the Pensions Commission's proposals, using voting key pads.

Alongside the Pensions Day debates, large numbers of people took part in an online debate and events with stakeholder groups. The organisation People and Participation have reported that:

On the day, the process consisted of small and demographically mixed table groups each with a facilitator for their discussion about policy, as well as plenary sessions for information giving and voting. The information giving included video briefings from Adair Turner and interactive quizzes. Parts of the Turner Report proposals were explained in turn, then debated and voted upon, with results being available immediately. Ministers and members of the Pensions Commission were also present at each event to listen and to conclude proceedings. The satellite link-up on National Pensions Day allowed results and comments to be shared, so that a more in-depth picture could be developed throughout the day.

An online questionnaire was also developed for the project. This was a self-selecting process, available to anyone with access to the Department for Work and Pensions (DWP) website. Publicity was given by national newspapers and via the local recruitment process.

A pension's debate resource pack was developed in order to allow stakeholders to run their own events. This could all be downloaded from the DWP website and feedback from these events was fed back to OLR electronically or by post. The organisations running these events had no restrictions on recruitment and could run the event for whoever they liked.

There was also an interesting comparison of attitudes taken from participants at the beginning and end of the regional events and National Pensions Day events. Before the process even started it was clear that this was an issue people felt strongly about: 93 per cent of participants felt pensions were a "quite important" or "very important" issue. Following the day's events, 55 per cent of participants felt they knew "a lot" about pensions (compared to just 13 per cent at the start). In terms of solutions, at the end of the process participants agreed with the Turner Report that people would have to save more for their retirement (88 per cent), employers would have to contribute more to employees' pensions (85 per cent), a greater share of taxes would have to be spent on pensions (80 per cent) and people would have to work for longer (57 per cent); these were all higher levels of agreement than had occurred at the beginning of the day.

The contrast of these results with those from the online debate showed the online respondents to be overall more motivated (99 per cent considered pensions to be important) and a more informed group (58 per cent already felt they knew "a lot" about pensions). These participants also felt most strongly about saving more, followed by a greater share of taxes going to pensions, increasing average retirement age and pensioners becoming poorer compared with the rest of society.<sup>18</sup>

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<sup>18</sup> People and Participation website, *National Pensions Debate*, <http://www.peopleandparticipation.net/display/CaseStudies/National+Pensions+Debate> (last viewed 14 December 2007)

## 6. Climate Change Citizens' Summit

A Climate Change Citizens' Summit was held in London on Saturday 12 May 2007. A Department for Environment Food and Rural Affairs press release stated that the Citizens' Summit had two key objectives:

As part of the draft Climate Change Bill consultation, to help government design policy to maximize positive individual behaviour on climate change; and

To drive awareness, information and debate on climate change.<sup>19</sup>

The Summit involved a "representative sample" of 150 people, recruited from six locations around the country (London, Birmingham, Bristol, Manchester, Newcastle and Nottingham). Prior to the Summit, all participants took part in regional workshops where they discussed issues around climate change.

The event was organised by Opinion Leader Research.

## 7. HM Government Policy Review Citizens' Summit

A Citizens' Summit was held by the Blair Government in March 2007. Sixty people spent a whole day discussing questions about public services as part of the Government's policy review. This followed five citizens forums held around the country (in Leeds, Birmingham, Manchester, London and Bristol), each involving 25 citizens.<sup>20</sup> A Cabinet Office press notice explained:

As part of the Government's policy review looking at future challenges for the country, Ipsos MORI have invited some of the citizens who have taken part in regional forums to come to No 10 to debate the issues on public services in more detail. Citizens will be engaged in debate and will be asked to consider all the facts and deliberate over public service provision in a way that Ministers would have to everyday, considering all the angles and consequences of their decisions.

[...]

After each discussion and debate, they will be asked to vote on key questions about local services; they will be asked to explore how they interact with their local services, how Government can encourage citizens to actively take part in improving their own lives and communities, and whether there is a need for clearer rights and responsibilities as well as how to improve customer service in public services.

The conclusions from the regional forums and the summit will be reported to Cabinet for discussion next week. ...<sup>21</sup>

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<sup>19</sup> Defra Press Notice, *Citizens' Summit puts climate change in the spotlight*, 12 May 2007, <http://www.defra.gov.uk/news/2007/070512a.htm> (last viewed 14 December 2007)

<sup>20</sup> Number 10 website, *Policy Review*, <http://www.pm.gov.uk/output/Page10729.asp> (last viewed 14 December 2007)

<sup>21</sup> Cabinet Office website, *No 10 Citizens Summit will take people's conclusions on public services direct to Cabinet*, [http://www.cabinetoffice.gov.uk/newsroom/statements/070302\\_summit.aspx](http://www.cabinetoffice.gov.uk/newsroom/statements/070302_summit.aspx) (last viewed 14 December 2007)

## **C. Government proposals on citizens' juries and a citizens' summit**

In a speech given on 3 September 2007 to the National Council of Voluntary Organisations the Prime Minister set out proposals for a series of Citizens' Juries:

...if we are to meet the challenge of engagement the old models of consultation need radical renewal. While they have been useful in shaping policies we have come nowhere near realising the potential of the public to make better policies. I am determined that the wisdom and experience that resides within the British people will be better put to use in the future. Now in the old days when politicians went round the country the principal method of communication was political party speeches from platforms. More recently this country opened up to question and answer sessions where politicians went round the country offering to do questions and then answers, and often, I admit at least in my case, the answers from the politicians were far longer than the questions. Now we need new ways and means to bring together citizens to discuss both specific challenges that need addressing, and concrete proposals that we can discuss for change...

... starting this week we will hold Citizens Juries round the country. The members of these juries will be chosen independently. Participants will be given facts and figures that are independently verified, they can look at real issues and solutions, just as a jury examines a case. And where these citizens juries are held the intention is to bring people together to explore where common ground exists.

The first Citizens Jury will be held later this week on issues related to children, how to ensure that every child can be safe, secure, successful at school; how parents can get the advice and support they need as they try to bring up their children; how we can ensure that our education system for every child reaches the highest standards. And I know too that parents are concerned about whether children are too exposed to harmful violence and sexual imagery in video computer games and on the internet, so as we launch the court consultation on our children's plan we will be looking at all the evidence on the effects of this material, whether we need new rules for the advertising and sale of these products to children and young people, and what more can be done to help parents regulate access to inappropriate material on the internet.

The second Citizens Jury will be held next week on crime and communities. None of us needs reminding, after the all too tragic events of recent weeks, of the horrific consequences of gun and gang violence. We will do everything in our power to catch and convict those responsible for such heinous crimes that have shocked every parent and every community. And we know that for the people in criminal justice agencies to take effective action to enforce the law, the involvement and support of local people is crucial, that crime falls when communities become stronger. So the Citizens Jury on crime will look at how we can empower people in their neighbourhoods to work with the police and other agencies to tackle crime and antisocial behaviour.

It will be followed by nine simultaneous Citizens Juries on the future of the National Health Service, one in each region, linked by video. These will bring together patients, staff, the public. They will examine major questions of concern to people, like access to services, the quality and safety of care, how we can reduce health inequalities.

So in the next three weeks we will tackle three big issues in Citizens Juries. But this is not a one-off event, it is going to be an ongoing process of reaching out, of doing the business of government differently. So for example I believe we can only win hearts and minds in the fight against terrorism if we engage people in discussion, debate, dialogue at the grass roots, in people's communities. This will therefore be an issue that we will put to the people directly, particularly in those areas most affected, in encouraging local debate, dialogue and interaction.

I also propose that representatives assembled from every constituency come together in a nationwide set of Citizens Juries held on one day. And these juries will look at a range of issues like crime and immigration, education, health, transport and public services, and I hope they will receive the enthusiastic support of MPs and local councillors from whatever party. Citizens Juries will help shape the policies in the way that people for whom they are created want. Direct citizen involvement in policy making can be the ally rather than the enemy of a renewed representative democracy.<sup>22</sup>

In *The Governance of Britain* Green Paper, the Government stated that when developing the British Statement of Values they would:

Use a range of engagement methods to support a national conversation and debate, suitable to the level of knowledge, interest, needs and characteristics of different groups. These might range from citizens' juries to deliberative polling and electronic and media-based outreach. The Government will draw on local experience in designing and running events to inform the process of debate, as well as learning from the more limited experiences of engagement and consultation at national levels such as the *Your Health, Your Care, Your Say* consultation process run by the Department of Health in 2005.<sup>23</sup>

#### **D. Citizens' juries and deliberative events held since July 2007**

Citizens' juries and deliberative events which have been held or announced since Gordon Brown became Prime Minister include the following:

- Five citizens' juries have been conducted by the Department for Children, Schools and Families. The first jury met in Bristol on 6 September 2007<sup>24</sup> at a cost of £57,074.<sup>25</sup> Citizens juries also have been held in London, Leeds, Portsmouth and Birmingham. The cost of these four juries totalled £467,704. All five events were organised by Opinion Leader Research. The Department have stated that these events "took the form of deliberative forums".<sup>26</sup>

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<sup>22</sup> Speech to the NCVO, 3 September 2007. Available at <http://www.number-10.gov.uk/output/Page13008.asp> (last viewed 14 December 2007)

<sup>23</sup> Ministry of Justice, *The Governance of Britain*, Cm 7170, July 2007, p202

<sup>24</sup> Number 10, *First Citizens' Jury to meet in Bristol*, <http://www.pm.gov.uk/output/Page13091.asp> (last viewed 14 December 2007)

<sup>25</sup> HC Deb 22 October 2007 c107-8W

<sup>26</sup> Ibid.

- On 12 September a citizens' jury took place in Leicester on crime and communities.<sup>27</sup> This was organised by the research and events companies BMRB and Live events. The total cost of the event was £105,000.<sup>28</sup>
- On 18 September a citizens' jury took place on the NHS.<sup>29</sup> In parliamentary answer given on 30 October 2007 the Minister for Health, Dawn Primarolo, stated that:

...the Department held a series of citizens' juries informing Lord Darzi's review of the NHS. Again this was a national deliberative event conducted through nine regional events in each strategic health authority outside London. On 18 September 2007 over 1,100 patients, members of the public and NHS staff were involved in the events. The aim of which was to identify the way forward for a 21<sup>st</sup> century NHS which is clinically-driven, patient centred and responsive to local communities. Lord Darzi, the Prime Minister and the Secretary of State (Alan Johnson) attended the event in Birmingham and were video linked to each of the other eight events. The component of this was the nine 18 September events totalling £868,930.02.<sup>30</sup>

These events were organised by Opinion Leader Research.<sup>31</sup>

- The Cabinet Office has held a "day long deliberative forum" on the draft legislative programme on 20 October 2007. This was delivered by Ipsos Mori at an estimated cost of £52,575.<sup>32</sup> 76 members of the general public attended this event, with an average payment of £207 for each person who attended, which included the cost of their accommodation and travel.<sup>33</sup>
- The Department for Communities and Local Government has announced that it will be using citizens' juries to consider issues of "cohesions, migration and housing". In a parliamentary answer given on 30 October 2007, Hazel Blears explained that "These are in the early stage of being arranged and no formal contracts have yet been issued, and no firm costs or budgets have yet been assigned to these".<sup>34</sup>
- The Department for Innovation, Universities and Skills has announced a series of five student juries to be held in November and December 2007. The cost of these juries has been budgeted at £20,000, plus participants expenses.<sup>35</sup> Two juries will take place in London, then one in each of Sheffield, Bristol and Manchester.<sup>36</sup>
- An event was held on 10 December to promote the *Governance of Britain* Green Paper. In a parliamentary answer given on 21 November 2007, Michael Wills stated that

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<sup>27</sup> Number 10 website, *Citizens' Jury Discusses Law and Order*, <http://www.pm.gov.uk/output/Page13164.asp> (last viewed 14 December 2007)

<sup>28</sup> HC Deb 29 October 2007 c925W

<sup>29</sup> Number 10 website, *Citizens consulted on 21<sup>st</sup> century NHS*, <http://www.pm.gov.uk/output/Page13218.asp> (last viewed 14 December 2007)

<sup>30</sup> HC Deb 30 October 2007 c1219-20W

<sup>31</sup> HC Deb 30 October 2007 c1219W

<sup>32</sup> HC Deb 29 October 2007 c615-6W

<sup>33</sup> HC Deb 5 December 2007 c1344W

<sup>34</sup> HC Deb 30 October 2007 c1160W

<sup>35</sup> HC Deb 26 November 2007 c164W

<sup>36</sup> HC Deb 19 November 2007 c575W

Mr. Wills: We estimate that the event in Leicester on 10 December will cost in the region of £40,000. Final costs will be available once the event has been completed.<sup>37</sup>

Further events are due to be held in the new year.<sup>38</sup>

- In his 3 September 2007 speech to the National Council of Voluntary Organisations, the Prime Minister, Gordon Brown, also announced that there would be a Citizens' Summit on a British Statement of Values:

...a Citizens Summit, composed of a representative sample of the British people, will be asked to formulate the British statement of values that was proposed in our Green Paper on the future government of Britain, a living statement of rights and responsibilities for the British people. It won't take root anyway unless there is a real sense that it has been brought forward by people themselves, and this will be part of the wider programme on consultation led by Jack Straw and Michael Wills on the British statement of values, the idea of a British Bill of Rights and Responsibilities, rights and duties, the components of the Constitutional Reform Bill. Jack Straw will announce the details of this programme shortly.<sup>39</sup>

No further details have yet been announced.

## **E. Guidance on citizens' juries and deliberative forums**

The Cabinet Office offers interactive guidance on consultation, which includes information on Citizens' Juries. It states:

Citizens' Juries aim to give ordinary citizens a stronger role in democratic decision-making. A jury is made up of a small panel of 12 - 15 lay people who are not experts on the topic under discussion, nor members of interest groups or other key stakeholder organisations. Over the course of a day or more, the jury hears 'evidence' from a range of experts before discussing the issues amongst themselves and reaching a conclusion on the policy options available.

Citizens' juries are a useful gauge of public opinion and may also indicate how public views may change when presented with all available information and a broad range of options and arguments.

Citizens' juries are usually only used to assess public opinion on high profile or contentious issues. However, you should remember that the views of 15 people will not be representative of the entire public spectrum and that you will have to consider the jury's views alongside those obtained through more far-reaching consultation methods. You should also be aware that citizens' juries can become very expensive: you may have to pay for the time / expertise of your chosen speakers and will probably have to pay expenses - and for the time - of your jurors. And since they are spending a considerable amount of time getting involved in policy-making discussions, it is important too that you manage the expectations of your jurors carefully.

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<sup>37</sup> HC Deb 21 Nov 2007 c975W

<sup>38</sup> HC Deb 21 Nov 2007 c975W

<sup>39</sup> Gordon Brown, Speech to the National Council of Voluntary Organisations, 3 September 2007, <http://www.number-10.gov.uk/output/Page13008.asp> (last viewed 19 October 2007)

Like citizens' juries, Deliberative Forums seek the views of a random sample of people and allow them to formulate opinions about policy options having heard presentations and arguments from a range of experts and key stakeholders. Deliberative forums are run for a much larger audience - usually at least 100 people are invited. They are often high profile and reported on by local or even national media. For these reasons, deliberative forums are really only appropriate for consulting on big, far-reaching issues.

Deliberative forums can again be useful to gain an indication of public opinion as well as to chart changes in opinion. There is evidence to show that in many cases, participants' original perceptions about a policy idea alter markedly having heard a broad range of ideas, options and arguments. Think carefully about how you might measure changes in opinion and how you might record the views of those attending.

Again, it is vital that you manage the expectations of those participating in your forum and give them feedback as the policy develops.<sup>40</sup>

Many of the events held since July 2007 would appear to have taken the form of deliberative forums, rather than the traditional citizens' jury model.

Nick Herbert, the Conservative Shadow Justice Secretary, has asked a parliamentary question about compliance with the Code of Conduct on Consultation:

**Nick Herbert:** To ask the Secretary of State for Justice whether the operation of citizens' juries will comply with the Code of Practice on Consultation. [155548]

**Mr. Straw:** Where the Government are consulting with the public it will comply with the Code of Practice. However, where citizens' juries are used to explore ideas and initial policy thinking rather than gain feedback on specific proposals the question of compliance or otherwise with the code may not arise. Any engagement has to be serious and help to strengthen the relationship between government and the public. This will mean adherence to good engagement principles.<sup>41</sup>

The Government has recently finished a consultation exercise on its consultation guidelines, but the results of this are yet to be published.<sup>42</sup>

Jack Straw has been asked about how individuals were chosen to sit on the citizens' juries held during autumn 2007:

**Nick Herbert:** To ask the Secretary of State for Justice how participants in citizens' juries will be chosen; and who is responsible for the (a) process and (b) decisions. [155547]

**Mr. Straw:** The choice of participants is dependent on the objectives for the jury and the subject matter. This might require a representative sample of the population, a

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[http://bre.berr.gov.uk/regulation/consultation/consultation\\_guidance/methods\\_of\\_consultation/citizens\\_juries\\_forums.asp](http://bre.berr.gov.uk/regulation/consultation/consultation_guidance/methods_of_consultation/citizens_juries_forums.asp) (last viewed 14 December 2007)

<sup>41</sup> HC Deb 17 September 2007 c2243W

<sup>42</sup> Better Regulation Executive, <http://bre.berr.gov.uk/regulation/consultation/>

random sample or perhaps particular groups as in the DCSFs recent citizens' juries which involved young people, parents, teachers and local community stakeholders.

(a) The Department or organisation running the citizens' jury or other engagement process will retain responsibility for the process, even when a third party may have been engaged to deliver such a process.

(b) Each citizens' jury or other engagement process should make clear to the participants where the final decision will be taken.<sup>43</sup>

## F. Citizens' Assemblies

In the 1 December edition of *Progress* magazine, Guy Lodge and Rick Muir of the IPPR commented that:

..the government needs to avoid giving the impression that citizens' juries are an example of 'giving away power' – in reality they are consultative bodies, not decision making ones. Moreover, they have limited power to 'set the agenda' given that the questions they address are designed in advance by the body which has commissioned them.<sup>44</sup>

Instead, they suggest that "ordinary citizens" could be given the power to initiate citizens' juries into the questions they are concerned about, or that Citizens' Assemblies should be used instead. Citizens' Assemblies are bodies of 100 or so citizens who sit over a more prolonged period to deliberate over major areas of public policy. British Columbia and Ontario have both held Citizens' Assemblies on electoral reform, where the recommendation of the Assembly was put to the people in a referendum. There have been calls in the UK for a Citizens' Convention on Constitutional Reform from the pressure groups Unlock Democracy, and Make it an Issue, and from the Liberal Democrat Party. For more information on Citizens' Assemblies see the Library Standard Note, *Citizens Assemblies*.<sup>45</sup>

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<sup>43</sup> HC Deb 17 September 2007 c2243W

<sup>44</sup> Guy Lodge and Rick Muir, 'Jury's out', *Progress*, 1 December 2007

<sup>45</sup> Library Standard Note SN/PC/4482, [Citizens' Assemblies](#)