

Citizens' juries: reflections on the UK experience

Introduction

Citizens' juries have become established in the UK in a remarkably short space of time. They are an approach to public participation which appears acceptable both to policy makers and to people in communities. The enthusiasm with which those in both central and local governing bodies have supported citizens' juries will be viewed with some cynicism. For example, are they being used to avoid more challenging ways of communicating with local communities? Do they have any influence on policy? Can citizens' juries really be independent?

This article will give an overview of the approach as it has been adopted in the UK. Then, using examples from two citizens' jury processes in Scotland, it will examine how citizens' juries can enable local people to make a difference to policy, but only if they are run in an open and public manner and if they address locally relevant issues.

Citizens' juries in the UK

Since being introduced to the UK in 1996 over 100 citizens' juries have been held on issues ranging from health care rationing, to education policy to taste and decency on television¹. The citizens' jury adopted in the UK is based on German Planning Cells and American Citizens' juries² and has many similarities to approaches in other parts of Europe. The use of juries in the UK can be distinguished from the adoption of similar methods in other countries in three ways.

- *Widespread interest in the approach in a relatively short period of time.* Perhaps because the approach builds on existing traditions within UK consultation, or because it fulfils a need of some public bodies, the citizens' jury has seen a very high level of interest and use.
- *Particular interest among local government and local health authorities.* These bodies have commissioned or run the vast majority of juries reflecting their concerns about existing approaches to consultation and their own accountability.

1 The figure may be nearer to 200 but up to this point there has not been a complete record of all UK juries.

2 Professor Peter Dienel at the University of Wuppertal pioneered the use of 'Planungszelle'. See Dienel, P. 1997. The American Citizens' Jury was developed at the Jefferson Centre for New Democratic Processes under Ned Crosby. See Stewart et al. 1994

- *A high level of diversity in the way the approach is put into practice.* The approach described below has been adapted in a variety of ways to suit local needs and concerns. Those within public bodies attempting to involve the public often stress the need to 'own' the methods they use.

The concept of the citizens' jury has clearly struck a chord with certain policy-making institutions in the UK at a particular time. The idea was first introduced when the legitimacy of unelected health authorities and the democratic deficit in local government was causing particular concern. Juries also represent a policy-oriented process: they have been designed to feed into the actual decisions being taken by public bodies. The agenda for the jury can be structured in a way which is independent and open to citizens' views but which is focused on the concerns of policy makers. This means that this is not a method led by citizens, in a truly bottom-up sense, but one which is extremely useful to policy-makers. Another reason for the interest has undoubtedly been support from central government: the Labour administration's enthusiasm for new approaches to public participation has been instrumental in encouraging the use of citizens' juries and similar methods.

Features of a citizens' jury

As in all deliberative approaches, the basic principle of a citizens' jury is to invite a group of randomly selected citizens to consider a matter of policy. Participants are offered time to discuss their ideas and information to help them reach conclusions.

In the approach followed by most practitioners: 12 to 16 local people are selected to match a rough cross-section of the local community. Various recruitment methods can be used, one being to write to a random sample from the Electoral Register advising them of the jury process and inviting their participation. From these responses, the actual jury is recruited. In some instances, it may be necessary to 'top up' the jury using other recruitment approaches or, in some instances, use alternative recruitment methods where the likelihood of people being on the Electoral Register is small.

A jury will sit for between two and a half days and four and a half days, depending upon the complexity of the question and subject matter. Jurors will be asked to address a question or questions on an important matter of policy or planning. Typically, there will be two moderators working with the jury to assist them in exploring and examining the question from all dimensions. The jurors will work in plenary sessions, small groups, pairs and individually to ensure that everyone has the opportunity to contribute fully to the process.

Jurors are also fully briefed; receiving evidence and cross-examining witnesses. They will discuss the issues fully with witnesses and amongst themselves. They have an opportunity to ask for further information and to call their own witnesses. At the end of the event, jurors draw together their conclusions and recommendations and present them to the commissioning body. The jury proceedings are compiled in a report to which the commissioning body is expected to respond.

Citizens' juries have a number of features:

- participants are selected or recruited, rather than accepting an open invitation to a public meeting;
- information is offered to participants who are given the opportunity to scrutinise different viewpoints and options;
- participants are given time to reflect on the questions at hand; and,
- the jurors are expected to develop a shared view of the question/s they have been asked to address. The momentum of the process, including the style of moderation and the way the agenda is structured reflects this objective.

Case study – citizens' and 'stakeholder' juries in Scottish Social Inclusion Partnerships

In Spring 2000, the Scottish Executive commissioned pilot Citizens' (or people's) Juries and 'Stakeholder' Juries in two area-based Social Inclusion Partnerships (SIPs) in Scotland. This was part of a programme attempting to 'encourage community capacity-building and a further shift in culture among public sector bodies to more effective community involvement in decision making' (Clarke et al. 2000). Two organisations were commissioned to prepare, run and evaluate the pilot juries.

Stakeholder juries

This exercise pioneered an extension of the conventional jury method. A 'stakeholder jury' was introduced to ensure that the results of the citizens' jury were taken forward into concrete action. This brings together

representatives from a range of organisations able to act on jury recommendations. They discuss each citizens' jury recommendation and reach their own conclusion. The two juries then meet at a third event where the policy decisions are discussed. As we shall see in some circumstances this process is one way of increasing the momentum to act on the results of public consultation.

Two processes

Two SIP areas held pilot jury processes consisting of a 'citizens' jury, a stakeholder jury and an 'inter jury forum'. The juries in area A looked at drugs policy; focusing on improving the quality of life for individuals and communities affected by drugs. A group of randomly selected citizens examined the issues, heard from a range of witnesses and reached a set of conclusions (following the approach described above). Then a small group of local 'stakeholders' met to discuss their conclusions, including senior representatives from the health authority and trust, managers in local government and the police as well as representatives from community organisations. They questioned representatives from the citizens' jury and then worked through each of the jury recommendations to produce their own conclusions.

The Area B juries were asked to examine how to encourage participation by local people in the community. Jurors were selected from local communities. The stakeholders who then met to examine their conclusions represented local voluntary organisations, local employers and representatives from various council departments.

Reactions to the process and outcomes

Both sets of juries produced results which were seen as useful contributions to drugs policy and local participation respectively. Each jury considered the issues from a range of angles and while the stakeholders did not implement each citizens' jury idea, they were certainly considered. The exercises were evaluated to assess the effects on participants and on policy. The people's jury members or 'jurors' in both areas A and B were generally very positive about their experiences. They told interviewers that they had gained a lot from taking part particularly from exposure to different viewpoints. One juror commented that the most positive aspect was *"the opportunity to voice your own opinion, particularly about local issues"*. Others commented on what they had personally learned and about how their own opinions had changed particularly for the jurors looking at drugs policy: *"before I thought put them all behind walls but now I know drug dealers are people with families... there is someone behind the stigma"*. Area B jurors had a less powerful reaction to the questions they were asked to look at but that being given the chance to have an input into local policy-making was seen as very valuable.

There were marked differences between the two areas in the attitudes taken by local agencies, the outcomes of the two stakeholder juries and the reactions to the juries by the stakeholders.

In area A, stakeholders were positive about the event. They felt they had been given the opportunity to talk about areas of joint concern with other agencies. Several said the process had changed their relationships with other bodies. One described the jury as “*Direct and effective communication between those who control and influence [these policies]*”. All of the stakeholders in area A were confident that positive changes would happen as a result of the jury process and could name direct changes they were making as a result of the jury. There was support both amongst local stakeholders and participants in the citizens’ jury for a six-month follow-on meeting to see how drugs policy and co-ordination was being improved³.

In area B the stakeholders were generally less happy about the event. In the interviews following the juries, they questioned the relevance of the topic under discussion and were doubtful that the policies of their organisations would change as a result of having taken part. Some commented that the nature of the event was too combative and that they were being asked to commit too much time to it. Others said that the stakeholders present were not senior enough to make commitments to action. While many said they would take the jury recommendations into account, they could not say how they would influence their work. The agencies in area B did not support local press involvement in the process. This is something we discuss below.

The evaluators could conclude that a jury process had worked well in one area according to juror and stakeholder reactions and that it had produced an impact on local policy. But in the second area, while many jurors felt they had benefited from taking part in the process, the issue under discussion was felt to be too remote and most of the local agencies involved did not find that it had or would influence their work in any substantial way.

The effects of citizens’ juries

These very different experiences of citizens’ juries illustrate a number of issues which are pertinent to the general experience of juries in the UK. While citizens’ juries have clearly been successful in building trust and in establishing new relationships, they are expensive and time consuming mechanisms and the mixed reactions among the participants in the Scottish pilots demonstrate a number of points.

³ The follow-on meeting is being convened and assessed at the time of writing. The Scottish Executive will publish the results later in the year.

- *Jurors are enthusiastic and committed participants.* In most citizens’ juries, being invited to have a say is highly valued by the participants who enjoy the debate and take their responsibilities extremely seriously. The Jurors in the Scottish pilots testified that taking part had contributed to their own understanding and development and to their sense of belonging to a community.
- *Local ownership is extremely important.* In the above examples, the process in area A was a lot more successful primarily because of the way the jury topic was chosen. Drugs policy had been selected by community groups in the Social Inclusion partnership and jurors clearly found it of great importance to their own lives. In contrast, the topic chosen in area B was not a burning issue for local people and it was difficult for the jurors to link it to their lives. Community involvement was not something any of the stakeholders felt responsible for and it was easier for individual bodies to avoid committing themselves to action.
- *Choice of subject.* Many issues are clearly not appropriate for citizens’ juries and choosing a relevant, action-based question which community groups have helped frame is essential.
- *The commitment of local policy makers must be established from the beginning.* If local agencies do not ‘buy-in’ to the process from early on, they are much less likely to take the outcomes of public participation seriously. One of the SIP organisers described how one of her main roles had been to continually keep a range of agencies involved in the process and to ensure that senior representatives were on board.
- *Holding juries demands a great deal of organisational capacity.* This kind of deliberative exercise is extremely time consuming and expensive. A lot of commentary on citizens’ juries has stressed the high levels of commitment from commissioning bodies.
- *The process must be open to wider public scrutiny.* We can see how easy it is for local agencies to avoid taking action when presented with the conclusions of citizens’ juries and other public consultations. If juries and similar approaches are to encourage a public dialogue, there must be an opportunity for wider scrutiny of the process, the findings and decision-makers’ responses. Local media coverage is one way of encouraging the wider involvement of the community and of holding decision-makers to any commitments they make. Another is to build in follow-on events and meetings with as wide a community involvement as possible.

Conclusions

Citizens’ juries are a useful approach to add to the participatory toolkit as they can be acceptable to public bodies and to the people to whom they are accountable. However they must be open to scrutiny about control, ownership and the real commitment of those with

decision-making power. Citizens' juries provide a link between policy makers and citizens. This connection is perhaps lacking from some purely bottom-up approaches to participation. The examples in this article show that, if used inappropriately, the jury process can have little relevance to local communities and their needs. However, if the jury question is set in partnership with local groups and the process has support from local agencies, it can provide an independent community input into decisions which affect the public.

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Notes

For further information on citizens' juries, particularly regarding the origins of this method, please visit the following website:

<http://www.jefferson-center.org/citizensjury.htm>