

newDEMOCRACY

NSW PARLIAMENT LEGISLATIVE ASSEMBLY PUBLIC ACCOUNTS COMMITTEE

PROCESS DESIGN OVERVIEW: IDENTIFYING THE VIEW OF AN INFORMED PUBLIC: ENERGY ECONOMICS AND SECURITY IN NSW

Overview

The Public Accounts Committee (PAC) has commenced an inquiry into the comparable economics of electricity generation.

The contentious nature of the subject matter can be expected to have an impact on the public acceptance of the Committee's findings. Item 5 in the Terms of Reference is likely to be the source of the greatest contention and is proposed as the topic for this deliberative process.

The newDemocracy Foundation (NDF) will provide a design for public deliberation with the objective of providing a method which is viewed as a reflection of community views rather than as a partisan exercise.

Traditional models of decision making and community engagement tend to reward those with a specific interest: i.e. the loudest voices dominate. This process will use random selection of NSW citizens to deliver the most representative sample possible of the community - a miniature population – in order to determine what everyday citizens would recommend given sufficient time and information.

Objective

The objective of this process is to return an agreed community view on item 5 from the Terms of Reference, being:

the potential for, and barriers to, development of alternative forms of energy generation (eg: tidal, geothermal) in NSW.

This question is posed slightly differently below (pg 3) so as to have broader appeal when soliciting the sample thus encouraging broader participation.

It is noted that in this context 'energy' refers to electricity generation.

Methodology

It is proposed that a two Citizens' Policy Juries of 45 participants will be convened for a 2½ month process: one in metropolitan Sydney and one in Tamworth.

Invitations will be extended to a catchment area spanning an agreed number of electorates appropriate to each of the Sydney and Tamworth located processes. Reimbursement of transport costs is being explored so as to avoid excluding participants who may find this a hardship.

Random selection will be used to identify participants as a means of securing a descriptively representative sample of the community. Stratification will be used to ensure a mix of metro/regional participants and age groups are represented.

Selection of Participants

Invitations for each Citizens' Policy Jury would be issued to a sample of 4,000 citizens randomly drawn from the electoral roll. Invitations will explain the process and ask the citizen to decide to opt in to be eligible for selection in the Policy Jury. *(10% response rate required, 20% expected)*

From positive responses, samples are drawn electronically based on pre-agreed stratification goals: recommended as being age and residential location. The objective is to achieve a group descriptively representative of the community even if one subset of the community responds disproportionately to the initial invitation.

This sample (and 5 reserves) will be sent a comprehensive schedule and explanatory kit of pre-reading, with the output being for them to provide a final acceptance allowing NDF to finalise the jury.

While it is recommended a modest per diem payment be announced after this final confirmation and provided at the conclusion of the process it is understood that the PAC budget does not allow for this. For a regional event to be viable reimbursement of travel costs is highly desirable and NDF is evaluating this.

The group is convened solely for this process: any future Policy Jury should recommence a fresh selection process.

Preparation and Information Process

Information and judgment are required to reach decisions. We operate these panels because the judgment of random samples (or mini-publics) has been shown to achieve very high levels of public trust. It is thus imperative that the method of provision of information to the groups does not erode that trust.

Prior to the Policy Jury's first meeting, a background document will be circulated to the panellists: this should be the entirety of the executive summaries from the submissions made to the Committee (with full submissions available to read upon request). This is the baseline content for deliberation. NDF also proposes that a call for summary submissions (one page) will be made through mainstream print media – giving companies, interest groups, expert groups and citizens the chance to contribute. However, throughout the meeting process the Jury is able to request a submission or an appearance from experts of their choosing (as well as hearing more from a submission contributor). It is understood that the Jury would be requesting attendance in its own capacity, not under the authority of the PAC, which has statutory powers related to its role as a parliamentary body.

The CSIRO have confirmed their interest in ensuring ready access to expertise as required.

It is recommended that an online discussion forum (for the use of the Jury, but visible to the public) be operated as part of the process.

What is the status of the Citizens' Policy Jury?

The Citizens' Policy Jury is not a parliamentary proceeding and would not attract parliamentary privilege. However, the Committee highly values public input and considers that the process will be an integral component of the inquiry.

What Does the Citizens' Policy Jury Decide?

It is important that the limit of the group's decision-making authority is pre-agreed and clearly conveyed.

It is proposed that the remit of the jury is to reach agreement on:

The order of preference, barriers to adoption (including financial aspects and public perception issues) and recommended course of action with regard to alternative forms of energy generation (eg: tidal, geothermal) in NSW.

In terms of authority, it is proposed that:

The Public Accounts Committee undertakes that the Jury's recommendations will be provided to the NSW Government as part of the Committee's final report.

Early agreement by the Public Accounts Committee on these two points is the most critical element to the success of the process.

Participants will be advised that the report will be debated in parliament.

What Constitutes a Decision?

In order to shift the public mindset from adversarial, two party, either/or contests and convey a message of broad based support for the recommendations, the Foundation suggests a 75% supermajority be required for a final decision from the group. In practice, citizens' panels tend to reach consensus (or group consent) positions with minority voices included in any report; they rarely need to go to a vote.

Operations

A skilled facilitator has been identified for the Sydney process who is accredited by the International Association of Public Participation who will provide services pro bono. NDF will meet costs associated with the Tamworth event.

Assistance in creating the documentation and facilitating expert appearances will be provided by a Foundation volunteer in conjunction with the CSIRO.

Meetings would take place within either Parliament facilities during business hours or the University of Sydney as venues available at negligible cost. Advice is being sought with regard to an appropriate venue in Tamworth.

Costing Outline

Key cost areas involved for the PAC are the use of Parliament's facilities and printing costs. It is understood the PAC is unable to fund catering, postage, per diems, transport or consultant costs but can advise on costs and distribute electronic mail.

Process design, selection, and provision of facilitators will be at the Foundation's cost.

Key Issues to be managed:

- Interface with subject matter experts to ensure accessibility and availability for participation.
- Interest group buy-in (explicit invitation for inclusion in the preparation of background information is suggested).
- Preparation and assembly of background information (assuming that to some extent the submissions received will inform this process).
- Communication task (this will end up being an education campaign for the broader community as well as a communications task).

TIMELINE FOR 2012 DELIBERATIVE PROCESS:
 ENERGY ECONOMICS AND SECURITY IN NSW
 AN INQUIRY BY THE PUBLIC ACCOUNTS COMMITTEE OF NSW PARLIAMENT

Topic: ***The order of preference, barriers to adoption (including financial aspects and public perception issues) and recommended course of action with regard to alternative forms of energy generation (eg: tidal, geothermal) in NSW.***

Start –3 months	<p>Research Committee preparatory planning session. Key topics:</p> <ul style="list-style-type: none"> ➤ Agree Academic Oversight Representatives. ➤ Identify required background materials for inclusion. ➤ Revise/ amend/ review this program. ➤ Final budget approval by each party. ➤ Agree ideal timings for PAC representatives to attend metro and regional jury assemblies.
Start –80 days	<p>Invitation sent to a random sample of 4,000 citizens drawn from the electoral roll for <u>each</u> Policy Jury. Estimated 20% positive response rate.</p> <p>Briefing of independent, skilled lead facilitator(s). Selection of online platform services (including moderators)</p>
Start -60 days	<p>First round selection to secure representatives.</p> <ul style="list-style-type: none"> ➤ Seeking 45 panellists per Policy Jury (45 + 5 reserves is ideal). ➤ Explanation of commitment required: attendance at all elements of process, including potential online discussion presence. ➤ Stratified random sample to deliver descriptive match to community (NDF to provide technology/ expertise).
Start -30 days	<p>Finalisation of participants. Provision of welcome kit of materials. Potential to open up online discussion environment for participants.</p>
Start -14 days	<p>Media briefing to explain process.</p>
<p>Day 1 (all dates TBC – June proposed) (Full day required, Saturday suggested)</p>	<p>Opening day: The First Assembly – The Learning Phase.</p> <ul style="list-style-type: none"> ➤ Introduction of the topic upon which they will deliberate: understanding remit and authority. Explanation of influence and context: what will be done with the results the groups produce. ➤ Introduction of the process, and its precedents; understanding the inevitability of bias & importance of constructive, critical thinking/doing. ➤ Agreement on group guidelines for participation. ➤ Jury sessions with 2-3 expert speakers driven by each group’s online discussions prior to meeting. Includes open Q&A.

	<ul style="list-style-type: none"> ➤ Group to identify speakers sought for future assemblies. ➤ Ensure familiarity with and acceptability of online tools
Day 14 (4 hours approx.)	<p>The Second Assembly – Understanding</p> <p>Deliberative focus is on the public submissions and on the juries’ own online idea formulation and exploration of challenge at hand.</p> <p>It is envisaged that 4-6 expert speakers will appear in-person or via Skype.</p> <p>Ongoing online discourse among the panellists is encouraged during the “away” period.</p>
Day 16	<p><i>Convenors’ Review: do the participants need more time or assistance to come to a full understanding of their choices? Potential to extend meeting schedule at this point.</i></p>
Day 28 (Full day reqd)	<p>The Third Assembly – Reflect. Discuss. Deliberate.</p> <p>There is no fixed output from the session: the goal is to provide a face to face forum for the representatives to reconvene to discuss their views in small groups. The facilitator should encourage groups to move toward commencing the prioritisation task.</p>
Day 42	<p>The Final Assembly – Reaching Consensus.</p> <p>Delivery of a prioritised list of energy preferences, the barriers that exist, and the recommended course of actions of the Policy Jury for each (with a record kept of minority views).</p> <p>Recommendation(s) must be Specific, Measurable, Actionable, Realistic and with a Time horizon.</p> <p>Presentation of recommendations to Public Accounts Committee.</p>
Day 44	<p>Post event debrief and agreement on Action Items.</p>