

# Compulsory Third Party Insurance

Deliberative Engagement Strategy

July 2017



## Why use a deliberative process?

Deliberative processes in engagement have been used for many years in Australia to enable deep consideration of issues and to develop shared solutions or outcomes that have lasting effect.

Deliberative processes often require participants coming together for a period of time, being given credible and reliable information on the topic under review, discussing (deliberating) the subject at length and arriving at a shared view on the way forward. It can be used to assist government policy development (eg. health, climate change, social inclusion) and to unpick complex issues which need information and time to fully evaluate (eg. nuclear power, GM foods or childhood obesity).

Deliberative processes are best used to make shared decisions, and lend themselves to developing considered advice. However, there are a significant number of other benefits to involving citizens in decision making;

1. **Making sustainable policy based on sound evidence** – a feature of deliberative processes is that the reports/ recommendations resulting from these processes are strongly evidence based. Deliberative processes are not opinion polls, they involve the extensive sharing of information and deep consideration of evidence.
2. **Building trust in government**– the giving of trust by the government to the community through a deliberative process helps build trust. In addition, there is research to show that the community are more likely to trust policy developed by ‘people like them’ than they are governments.
3. **Creating a positive public discourse and managing risk** – deliberative processes generate public discussion (beyond the deliberative room) on the issue being considered.
4. **Inventive ideas and solutions** – deliberative groups aren’t restrained by bureaucracy or politics in their advice. They also bring together individuals with diverse knowledge and experience. The result is always creative and innovative.
5. **Deeply understanding community needs** – but, their needs once they know the facts, information and have had the chance to consider the trade-offs. This can be very different to what they think their needs are without having had the time to consider these elements.
6. **Activating civic participation** – beyond the 4 year election cycle.

Deliberative processes ‘bring a public into existence’ as expressed by Professor Mark Moore from Harvard University during his recent visit to South Australia. “Publics”, he believes, aren’t simply “there waiting for us to talk to them” – the government (through the public service) can help a public into existence by creating the environment in which the public can make informed judgements about things that ultimately affect their lives.

Hence the importance of using a deliberative process for the consideration of the Compulsory Third Party (CTP) scheme. The community don’t have an activated voice on this issue. Indeed, it is clear from a survey recently undertaken by the government there is particularly low knowledge levels about CTP in the community.

A deliberative process will raise the voices of the community and allow a statistically representative sample of the community to explore in depth all the issues and trade-offs associated with different schemes.

## Our Understanding of the Task

At democracyCo we design bespoke processes based on the issues being considered, the needs of relevant communities and stakeholders, timeline constraints and budgets.

Our common design drivers are as follows;

- The government's objectives for the process
- The nature of the community and stakeholders needing to be engaged
- Timelines for the project
- Budget

In addition, we are guided by general principles that are central to deliberative processes. These are;

- **Transparency** – we design our processes to be as open and transparent about all elements of the process design and delivery as possible.
- **Collaboration** – that policy making will be better and more sustainable if it's done collaboratively, meaningfully involving key stakeholders and government agencies in the citizen jury process.
- **Respect** – members of the public (our community) are smart and that collective groups of jurors are as able (if not more able) to develop good policy responses to complex issues as anybody else; when they have the information, evidence and facts to assess the issues and solutions.
- **Independence** – participants need to be allowed to seek their own information / advice and come to their own conclusions without coercion or undue influence. This is the only way that their recommendations will be trusted.
- **Meaning** – deliberative processes are different to usual 'engagement' approaches in that the authorising body makes it clear at the beginning of the process how it will use the outcomes from the process. This is called the 'authority'.
- **Community interest** – we put the community at the centre of our processes and design engagement strategies that centre on community interest ... and even make them fun!

We (democracyCo) are entirely focused on good process, we don't have a view or a position on the issues or problems being discussed. The strategy we have designed for the exploration of the CTP scheme has built these principles into the design.

### Government's Process Objectives

In developing the proposed design in this document, we have sought to fully understand the government's objectives. The following is an overview of the objectives as we have understood them.

1. **Workability of the model** – There are many different elements in a CTP scheme and each has to work with the other to make a model work. The process needs to work in practice and not have unintended consequences.
2. **Stakeholder relations** – the government values its relationships with all stakeholders that have an interest in this issue. Consequently, the process needs to bring these stakeholders

in, in a respectful and meaningful way, but also in a way that is cognisant of the financial interest that some stakeholders have.

3. **Decisive and clear outcomes** – to give the government complete clarity about the views of the community / deliberative group and give the community and stakeholders clarity about how the government will use the outcomes of the process.
4. **Establishment of a 'gateway'** – based on values. Ensures that the decision on the model builds from the community's values and doesn't seek to revisit or relitigate what the ACT community want from the system.
5. **To hear what constituents want from a CTP scheme.**
6. **To ensure improvements to the CTP scheme are based on balancing benefits and affordability.**
7. **To really give the community a voice.**
8. **To increase knowledge of CTP in the broader ACT community.**
9. **Build deliberative skills/ experience in government-** the deliberative engagement strategy on CTP is the start of the ACT government improving their engagement practice and using deliberative democratic processes. Therefore, this process will be a test case, but also an opportunity to develop the capacity of government officials by involving them in the process.

## The Community and Stakeholders

### *Community*

Compulsory Third Party Insurance is relevant to the more than 300,000 Canberra motorists aged 17-65. All motorists must pay third party insurance as part of their vehicle registration every year. However, the knowledge among motorists of the scheme and how it works, in critical respects is not strong.

This is evidenced by the CTP insurance quiz which was designed to gauge drivers' level of knowledge of the ACT compulsory third-party (CTP) scheme and to improve understanding. The results from the survey of more than 1,600 motorists highlighted the following areas which were not fully understood by participants;

- Cost of premiums in the ACT compared to other states and territories
- Eligibility for early payments of medical expenses (up to \$5000)
- The amount CTP insurers pay out for legal expenses
- The need for court proceedings if no party admits fault
- The lack of coverage for property damage
- The eligibility for the Lifetime Care and Support Scheme.

We also know that Canberrans pay the second highest premiums in the country but also have limited access to the scheme, often not becoming aware of this until they are involved in an accident which is not covered, including blameless accidents, such as with wildlife.

To be effective the process needs to involve a representative, diverse sample of Canberra's road users.

## Stakeholders

Apart from the general community there are a number of stakeholders who have a direct interest in the Compulsory Third Party system.

These stakeholders and the nature of their interest is as follows;

Government	<ul style="list-style-type: none"> <li>- Responsible for legislation and policy concerning the CTP system.</li> <li>- Responsible to the public for establishing a CTP system that supports their best interests.</li> </ul>
Insurers	<ul style="list-style-type: none"> <li>- Provide CTP insurance for road users.</li> <li>- Determine the cost of the CTP insurance premiums.</li> <li>- Fund the insurance pay outs through their premiums.</li> </ul>
Lawyers / legal fraternity	<ul style="list-style-type: none"> <li>- Assist injured persons to claim on CTP insurance. Because the ACT has an at-fault system, an injured person will need to prove the other driver was at fault for a successful CTP claim.</li> <li>- The second largest expense for insurers from payouts under the CTP scheme in two of the last three years was legal expenses.</li> </ul>
Health/Disability advocates	<ul style="list-style-type: none"> <li>- Represent the needs and views of all those injured in motor vehicle accidents.</li> </ul>
Active claimants to the CTP system	<ul style="list-style-type: none"> <li>- Those road users injured and claiming against the CTP system.</li> </ul>
Health professionals (doctors, allied health professionals, specialists)	<ul style="list-style-type: none"> <li>- Those helping to assist those injured through a motor vehicle accident to recover from their injuries.</li> </ul>

It is clear that a number of stakeholders have a direct and substantial financial interest in the current CTP system and some stand to be significantly affected by any changes to the current system.

From our research, it is also clear that the legal community has been active in the media in the past about any plans to change the CTP system.

Active claimants of the system will have very direct experiences with the system. The diversity of these experiences will need to be shared with the Jury in a way that supports and recognises the circumstances of the claimants.

**Involving all these voices in the work of the Jury is essential.** All stakeholders have valuable knowledge, expertise, and perspectives which need to be considered by the Jury.



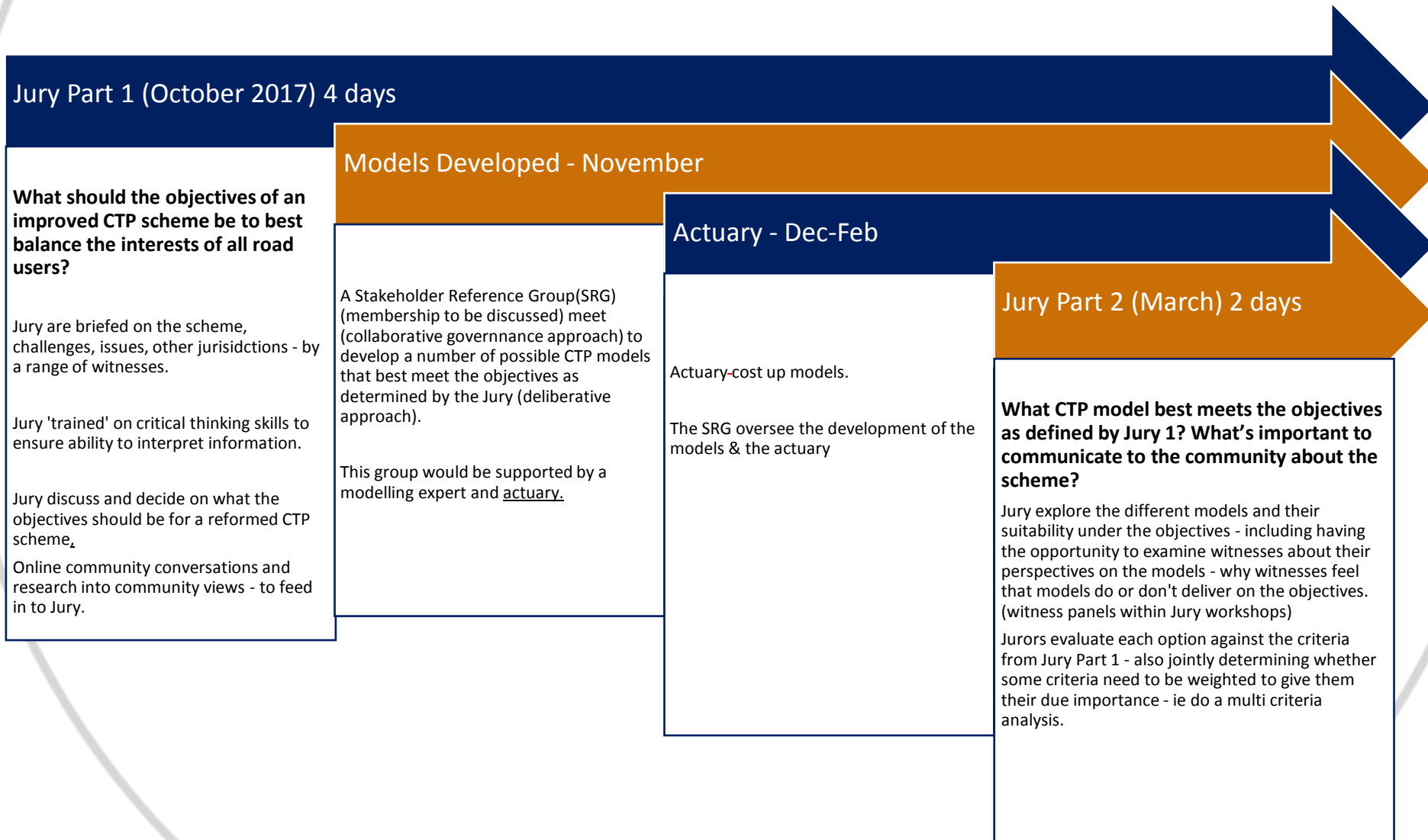
The strategy we have designed involves all these stakeholders in an integral way that also recognises their diverse interests in the scheme.

### Budget

The budget for the process was not identified.



## Process Design Overview



## Process design – the detail

### Deliberative Group methodology

We are recommending a two-part Citizens' Jury of 50 randomly selected Canberrans.

The role of Jury Part 1 will be to develop, explore and consider their values in the context of what outcomes they want from the CTP scheme. This will address issues such as eligibility, benefits and disputes. Most importantly the Jury will explore and reconcile the trade-offs involved in what they want from the scheme.

The Jury will also weight and prioritise their objectives.

To frame this discussion, we are recommending the following remit;

***“What should be the objectives of an improved CTP scheme be to best balance the interests of all road users?”***

The outcomes of this Jury will be used as a community 'brief' for the development of CTP models.

#### **What is a Citizens' Jury**

*Decision-making about complex problems is often dominated by experts and special interest groups, with processes that don't encourage the participation of the general public.*

*Citizen Juries are one way to address this, by incorporating the views of the community into decision-making. They provide an opportunity to learn how the community think about an issue when presented with detailed information about the issue.*

*Citizen Juries have been so named because of their apparent similarity to a legal jury, where a group of citizens reflecting a cross section of the public participates and comes to a decision. However, in many ways they are distinctly different to a legal jury. They do not pitch different sides against one another, and nor do they seek to find a guilty or not guilty finding; instead they rely on reaching a broad consensus among jury members around a series of recommendations after consideration of diverse views.*

*In another difference to a jury in a court of law, citizen juries can incorporate into their deliberations values, ethics, societal norms and trade-offs. This helps to enrich their decision making, and arrive at sensible, logical outcomes.*

*One interesting feature of Citizens' Juries is that they typically result in considered and moderate recommendations that successfully blend competing claims and help reconcile antagonistic groups.*

#### **Special characteristics of the Citizens Jury process**

*Random Selection of Jury Pool: The members of the jury pool are randomly selected through scientific polling techniques.*

*Representative: Jurors are carefully selected to be representative of the public at large. No other process takes such care to accurately reflect the community.*

*Informed: Witnesses provide information to the jury on the key aspects of the issue. Witnesses present a range of perspectives and opinions. The jury engages the witnesses in a dialogue to guarantee that all questions are answered.*

*Impartial: Witness testimony is carefully balanced to ensure fair treatment to all sides of the issue.*

*Deliberative: The jury deliberates in a variety of formats and is given a sufficient amount of time to ensure that all of the jurors' opinions are considered. (<https://jefferson-center.org/wp-content/uploads/2012/10/Citizen-Jury-Handbook.pdf>)*



A Stakeholder Reference Group (SRG) which will include an actuary and a scheme design expert to develop a number (up to four) models that meet the objectives developed by the Jury.

Detailed information about the SRG can be found in the following sections.

These models will then be provided back to the Jury for Jury Part 2. In this stage, the Jury will analyse the extent to which the models meet their objectives. The Jury will rank the models based on the extent to which they meet their original objectives. The Jury will not be able to revisit the original objectives developed in part one of the Jury process.

The question being asked of the Jury at this point will be:

***What CTP model best meets the objectives as defined by Jury 1?***

We also propose that Jury Part 2 be asked for their advice about how the preferred model is best communicated to the broader community. Hence, we propose that the following question also be posed;

***What's important to communicate to the community about the model?***

It is important to note that the Government will need to be clear with the Jury about any parameters they want to put on the Jury's work. We expect that these parameters will only be relevant to Jury Part 1.

**Authority**

At their heart Citizens' Juries are about building trust between the community and government or the authorising organisation. This is a reciprocal process - it is vital that governments trust and respect the community's capacity and ability to deliberate and provide the government with a considered position.

The Authority is the commitment the government makes in advance about what it will do with the Jury's position, and is instrumental in demonstrating the governments' trust in the community.

It also illustrates to the community how different Citizens' Jury processes are from other engagement processes.

The giving of trust by the government through the authority highlights the importance of the process to the government and the community and jurors respond in kind. People are more willing to commit the time required if they know that the government is committed to the process and the jurors take their role very seriously. They know the impact their recommendations / report will have and they feel this responsibility.

Equally it is important for the government to be clear about the scope of the process, what it is prepared to have the Jury's advice on and what it isn't. This also helps to build trust, but more important provides the Jury with clarity about the intent of the process and hence the focus of their work.

There are two jury processes proposed in this strategy and each requires its own authority.

We propose the following authority statements;

**Jury Part 1 - *The Government will accept the objectives of the Jury and will work with stakeholders and industry experts to design up to four models that reasonably meet those objectives for consideration of the Jury.***

**Jury Part 2 – *The Government commits to pursuing the model which the Jury prefers on the basis that it meets the community’s values (as identified in Jury 1).***

## Recruitment

We are recommending that the 50 jurors be recruited through a process of random selection.

Random selection of citizens’ juries delivers the most representative cross section of the community ensuring that there is considered public judgment rather than simplistic public opinion.

While a degree of self-selection naturally occurs (in agreeing to RSVP in the first place) it is important to consider what would otherwise occur in the absence of a jury. Processes which only involve self-selection include only the passionate voices (frequently with polarised views) and very few everyday people not tied to an organisation.

### **Statistical profile of the Australian Capital Territory**

*As at June 2016 the Bureau of Statistics census showed that the ACT had a population of approximately 403,000 people.*

*At June 2015, the ACT’s working age population (aged 15 to 64 years) was 269,500 people or 69% of the population.*

*The proportion of young adults (particularly those aged between 20 and 34 years) for both males and females in the ACT was relatively high compared with Australia.*

*Around 12% of the ACT’s population (47,500 people) were aged 65 years and over at June 2015. This was a lower proportion than Australia (15%).*

*There were 98.5 males for every 100 females in the ACT at June 2015, similar to the sex ratio for Australia (99.0).*

In contrast, random selection actively seeks individual invited voices instead of hearing solely from insisted voices.

We are recommending that the recruitment be undertaken through Australia Post’s databases as this is the most comprehensive accessible database of households in the ACT.

Recruitment would involve Australia Post selecting 6,000 households (at random)

for the invites to be sent to. Any individual in the household will then be able to RSVP indicating their interest in being part of the process.

We anticipate a 5-8% RSVP return rate (in line with our experience and the experience of the newdemocracy Foundation through other processes we have recruited for). We are then proposing a process of random stratification to identify the 50 Jurors from the expected 300 – 480 initial responders.

Stratification will be used to ensure a mix (matched to Census data) by age and gender. We also recommend stratification by whether a respondent is an owner or a tenant, where they live and match this to Census profile: we have found this to be an effective surrogate indicator of income and education level. We will also be seeking to involve a diversity of types of road users and to involve those with a diversity of knowledge of the CTP system.

**Importantly we are proposing that those who have a financial conflict of interest be excluded from eligibility as Jurors. More specifically we are proposing to exclude all those who receive an income from the CTP system and as well as those who live in their household.**

It is vital that the members of the Jury are not motivated in anyway by the substantial impact that any changes to the scheme could have on their personal or households' income.

Employees of insurance companies, government employees of relevant policy sections (particularly the ACT Insurance Agency, CTP policy team and the WorkCover team), those currently going through the process of having a CTP claim considered and those in the legal industry all receive incomes based on the current system of CTP system. It is difficult to see how anybody from these areas could participate in the process with impartiality.

In addition, groups representing these individuals are also going to have substantial opportunity for involvement through the SRG and this is the most appropriate place to draw on their collective skills, knowledge and experience.

The exclusion does not apply to medical and allied health practitioners who may on occasion treat people injured in a motor vehicle accident.

### **Supporting attendance**

We consider participation on citizens' juries as a form of volunteer work, and in our experience, the Jurors, view it in this way as well. However, we also don't want Juror involvement coming at a cost to them. It can be very difficult particularly for people on low incomes to participate if costs such as transport, childcare or parking are not covered.

Therefore, we recommend that Jurors be supported in their involvement through an honorarium. This will particularly assist Jurors on low incomes or people with significant costs associated with their attendance to get involved. We would recommend an amount of \$75 per day/per Juror (or \$450 total) for the 6 days. We propose that this be paid in two instalments. \$300 after the first four days for Jury Part 1 and the remaining \$150 immediately after Jury Part 2.

## Witnesses and evidence

Central to deliberative processes and in particular to citizens' juries, is that the participants are informed with access to all the information they need to help them come to a reasoned judgement. This means that the Jury should have access to evidence, information and perspectives across the issues. The Jury will be supported to interrogate and examine the veracity of views and the quality of evidence.

Evidence can come in many forms and from many sources including:

- The views and opinions of the broader Canberran community
- The views and opinions of key stakeholders in the CTP sector
- Experts in the CTP scheme (researchers, academics, scheme design experts, actuaries)
- Those who have experienced the implementation of other CTP models (representatives from other jurisdictions).

The evidence can be presented in a number of different ways;

- Written material - articles, reports, submissions and general reading material.
- Witnesses – presentations, Q&As and panel sessions.
- Video / Audio visual content.

### **Witnesses**

Expert witnesses include all those persons who aid the jurors in understanding the issues central to the charge to the jury, from the neutral resource persons who introduce them to the vocabulary and history of the topic to the experts who either discuss all the options or advocate for one point of view.

The role of the expert witnesses is to help jurors understand all aspects of the remit. Because the issues contained within the remit may be ones that the jurors have not thought about before, witnesses need to be able to explain the complexities in language that average citizens can understand.

## Proposed approach to evidence

The following table summarises our recommended approach to the provision of evidence to the Jury.

### The views and opinions of the broader Canberran community

#### How and Why?

To support Jury 1 in gathering and considering views of many, not just a few.

Format:

- Written material
- Submissions
- Research summaries
- Online discussion

#### Process

**Submissions** - We recommend submissions to the Jury be sought via Your Say ACT. Submissions to help answer Jury Part 1's remit, – ***“What should be the objectives of an improved CTP scheme to best balance the interests of all road users?”*** (Refer to page 28 for more information about the submissions process)

**Research** – We recommend surveys of the broader Canberran community to get a sense of their views about what the objectives of the scheme should be (in line with the remit of Jury Part 1).

**Online discussion** – We recommend a discussion forum be opened up on Your Say ACT for anybody in the ACT to offer their views to Jury 1 about the objectives. We don't recommend broader social media for these purposes because close moderation will be vital to ensure a respectful and productive online dialogue, keeping community members safe and encouraged to contribute.

## The views and opinions of key stakeholders in the CTP sector

**When and How?** Jury Part 1 and to a lesser extent in Jury Part 2

Format:

- Written material – submissions
- Witness presentations

### Process

**Submissions** – again, we recommend submissions to the Jury are sought via Your Say ACT, helping to answer Jury 1's remit ***"What should be the objectives of an improved CTP scheme be to best balance the interests of all road users?"***

**Witnesses** - As part of Jury Part 1 and Jury Part 2 we anticipate that stakeholders will also be central providing evidence to the Jury.

We recommend that this section be read in conjunction with the section on page 16 on stakeholder engagement.

## Experts in the CTP scheme (researchers, academics, scheme design experts, actuaries), and those who have experienced the implementation of other CTP models.

**How?** Primarily witnesses (supported by reports etc)

**Process and When** Information and advice from experts and those experienced in the implementation of CTP models will be critical to the Jurys' work.

### Jury Part 1

We propose that these experts are chosen in two ways.

1. The Stakeholder Reference Group in conjunction with the facilitator choose witnesses to brief and support the Jury's deliberations on the first weekend. These witnesses will need to cover the breadth of the issues and the breadth of the debate.
2. The Jury itself at the end of Day 2 identify if they feel like they need additional information to support them in their work and what information it is they need. The facilitators, with support from the SRG. will then work to find this information for the Jury to assist them on days 3 and 4. This information may then be provided to the Jury



either through witness presentations or through written material – or even video / audio visual content (depending on what is needed and the availability of potential witnesses).

## Jury Part 2

We anticipate that evidence provided to Jury 2 will be primarily from actuaries / scheme design experts (and most likely those in the SRG) with the aim of assisting the Jury in understanding the models.



## Stakeholder Engagement

As identified earlier in this strategy document, there are a range of stakeholders who have a direct interest in the CTP scheme and will be impacted in some ways by any changes which may result.

It is vital that these stakeholders are significantly involved in the citizens' jury process for a number of reasons;

1. They represent the interests and needs of all those Canberrans who have a significant and ongoing interest in the operation of the CTP scheme.
2. They have extensive knowledge and experience of the CTP scheme from an operational perspective that will be very helpful to the citizens' jury.
3. They are significant contributors to public discussion and debate about the issues surrounding the CTP scheme.

Consequently, we are recommending a significant role for the involvement of key stakeholders in the development of new CTP models for the jury to consider and also in supporting the jury in their work.

### Definition of a 'stakeholder'

*Any individual organisation, individual NGO or organisation that represents a broader group of individuals or groups, that has a 'stake' or interest in the issue being considered.*

**We propose that stakeholders work with an actuary and CTP scheme design expert on a Stakeholder Reference Group (SRG) to develop a number of CTP models**

**(possibly up to 4) in line with the Jury's brief.**

We believe that their involvement in this way will make best use of their knowledge and experience in the CTP system, but within the frame of delivering models that meet the values and needs of Canberrans.

In addition, the SRG or its members will have the following roles:

- Supporting the facilitator to identify appropriate experts as witnesses to the Jury.
- Potentially appear as members of a panel or as presenters to the panel to raise awareness about the substance of the debate about CTP.
- Provide their views and feedback to Jury Part 2 about the model that they think best achieves the objectives as identified during Jury Part 1.
- Provide advice to the facilitators about important reports / documentation that could be of interest or importance to the Jury's deliberations.
- Public communications with their sector and the community about the issues surrounding CTP.

We recommend the following broad representation on the Stakeholder Reference Group:

- CTP Regulator (senior government official)
- Justice and Community Services representative (senior government official)
- Insurance scheme design expert

- Insurance Council of Australia
- Insurer (industry nominated)
- Actuary
- ACT Law Society
- Another legal representative (Law Council of Australia to advise)
- Health / Disability consumer advocacy organisation
- Medicine / allied health academic
- Given the complex and technical nature of the topic, potentially a person with expertise in communicating complexity

We recognise that some of the stakeholders have a substantial financial interest in the scheme as it currently stands. We trust that all stakeholders will participate in the process in good faith and positively support Canberrans to develop a CTP scheme that balances the trade-offs and meets their collective values. To support the group and to clarify roles and responsibilities we have developed a suggested draft Terms of Reference for the group. (See attachment A)

### **Stakeholders not on the SRG**

Not all stakeholders with an interest in the process will be represented on the SRG, however it is important that the perspectives of these stakeholders are heard. It is possible that some of them may be called on to be witnesses, however it is important to ensure that all their perspectives are heard and that they are able to see the process.

Therefore, we recommend that stakeholders be invited to share their views with the Jury through a submissions process and also invited to attend Jury deliberative sessions.

**Submissions** - we are recommending a submission process, where all those interested organisations can provide Jury Part 1 with their views about what the objectives of the scheme need to be. Government should write to each organisation advising them of this opportunity upon announcement of the process at the end of August. (Refer to the Timelines and Communications section of this strategy for more information.)

### **Attendance at Jury sessions**

We also recommend that stakeholders be invited to attend sessions of the Jury as special guests (appropriate sessions to be identified by the facilitator).

We will help develop a set of 'rules' which govern interaction between the Jury and the stakeholders.

## Role and Involvement of Government

We see the role and involvement of Government as follows;

1. To establish the parameters for the process and to provide feedback / advice to the Jury about whether those parameters are being met. We anticipate that the government will need to brief the Jury at the beginning of Jury Part 1 about why they decided to call the Jury and the parameters they are placing on the process. We expect they will then need to provide feedback to the Jury at one or more points about whether those parameters are being met.
2. To be a participant on the Stakeholder Reference Group (as above).
3. To support the Jury in any way that the Jury wants/ requests.
4. To explain the Citizens' Jury process and the rationale for the process to the community generally and more specifically to the community.
5. To undertake and support communications and engagement activities in support of the Jury process. Our recommendations regarding what this might involve are outlined in the Communications section – page 28.
6. To organise venues and logistics for the Jury.
7. The Government will receive the Jury's recommendation/ report.
8. A limited number of officials to attend and watch the Jury process as observers and potentially helping Jurors access written evidence via a Resource Hub.



## How have we met the Objectives?

The following table provides a summary of how the recommended strategy meets the government's objectives.

Objectives	How Achieved
Workability of model	<ul style="list-style-type: none"> <li>- The Jury develops the brief for the CTP model – by defining the objectives for the scheme. The models are developed by experts working with stakeholders to this brief.</li> </ul>
Decisive and clear outcomes	<ul style="list-style-type: none"> <li>- The Jury will develop a priority ordering of how the models meet the criteria. The number one model in this list will be their preferred model.</li> </ul>
Establishment of a 'gateway'	<ul style="list-style-type: none"> <li>- A two part Jury separates the determination of the objectives from the assessment of the models against these objectives.</li> </ul>
To hear what constituents want from a CTP scheme and what improvement they want	<ul style="list-style-type: none"> <li>- 50 randomly selected members of the community (through random stratification taking care to ensure that a mixture of knowledge / experience with CTP, gender 50/50, age and location profile roughly in line with Canberran profile and mixed income profile (housing owners/ renters as proxy)</li> </ul>
To ensure improvements to the CTP scheme are based on balancing benefits and affordability.	<ul style="list-style-type: none"> <li>- Remit reflects focus</li> <li>- Process ensures enough time to deliberate on both aspects of benefits and affordability</li> </ul>
Raise the voices of the community vs other stakeholders	<ul style="list-style-type: none"> <li>- A citizens' jury by its very nature is designed to do this</li> <li>- Community sets the values frame for the discussion and is effectively the 'authorising' body for the ensuing work</li> <li>- Communications strategy promotes the process – to include online deliberation, social media and submissions to the Jury.</li> <li>- Research into views on objectives of scheme by broader community.</li> </ul>
To provide a meaningful role for all stakeholders including those with a strong financial stake in the outcome – but one that	<ul style="list-style-type: none"> <li>- Stakeholder Reference Group to develop the model options in response to the values frame, using a deliberative methodology.</li> <li>- SRG to provide guidance and advice to the scheme design experts and actuaries</li> </ul>



recognises the nature of their investment

To increase knowledge of CTP in the broader ACT community

Build deliberative skills / experience in government

- SRG to also support the Jury in a number of ways.
- 
- Communications strategy to promote discussion and debate.
- Opportunity for online discussion and debate by the broader community
  - o Media outlets observers of Jury processes.
- Government employee observers of Jury





## Timing, sequencing and preparation

The following table summarises the key actions for the deliberative process and associated deadlines to meet the governments' overall identified timeframe of receiving the jury's decision /report by April 2018.

Deadlines	Actions	Responsibility
8 August	Cabinet approves process	Government
Second last week of August	Stakeholders contacted re process (just before press via phone call initially) – book in first meeting time	Government
Last week of August	Announcement of process - Jury and Stakeholder Reference Group.  <i>(Submission process and online discussion forum opened on Your Say)</i>	Government
Last week of August	Correspondence sent to those organisations not selected for the SRG but with an interest to advise of Submission process.	Government
End of August	Actuary / modeller consultants appointed	Government
August / first week of September	Witness evidence giving process – detailed design development (for provision to SRG)	Facilitation consultant / Government
September / first week of October	Detailed facilitation methodology developed.	Facilitation / Recruitment Consultant
By 1 September at latest	Letters of invitation to join the SRG emailed to stakeholders	Government
By 1 September	Jury invitations designed, approved and printed.	Facilitation / Recruitment consultant in collaboration with government
7 September (at the latest)	Jury Invites mailed	Facilitation / Recruitment consultant
13 / 14 September (approx..)	First meeting of SRG – Key agenda items <ul style="list-style-type: none"> <li>• discuss process</li> <li>• terms of reference for SRG</li> <li>• witnesses</li> <li>• initial briefing to Jury</li> </ul>	Government organises / Facilitation consultant to prepare approach

17 September	RSVP due	Facilitation / Recruitment consultant
26 September	Jury selected	Facilitation / Recruitment consultant
2 October	Submissions due	Through government website/ email address
6 October	Collating and publishing submissions	Government
Approx. 2 October	Announce opportunity for Observers and invite the community to register interest.	Government (upon advice from facilitator re times)
14/15th of October	Jury Part 1 First weekend	Facilitation / Recruitment consultant– Gov to organise venues and catering
28/29th of October	Jury Part 1 - Second weekend	Facilitation / Recruitment consultant – Gov to organise venues and catering
First week of November	Stakeholder Reference Group meets to consider models in support of objectives.	Government organises / Facilitation consultant to prepare approach
December – February	Actuary and Modeller design models meeting periodically with the SRG.	
First week of March	SRG finalises models	
Late February	Announce opportunity for Observers and invite the community to register interest.	Government (upon advice from facilitator re times)
Mid - March	Jury Part 2- meets for one weekend.	Facilitation / Recruitment consultant– Gov to organise venues and catering

## General Facilitative approach

To support the work of the Jury, we suggest a detailed and structured facilitation approach using a facilitator skilled in deliberative practice. Our foundation is the International Association of Facilitators Core Competencies that guide our practice 'in the room' and we suggest this process is supported by a team that can:

### *Create and sustain a participatory environment.*

- Demonstrate effective participatory and interpersonal communication skills
- Apply a variety of participatory processes
- Demonstrate effective verbal communication skills
- Develop rapport with participants
- Practice active listening
- Demonstrate ability to observe and provide feedback to participants

### *Honour and recognise diversity, ensuring inclusiveness*

- Encourage positive regard for the experience and perception of all participants
- Create a climate of safety and trust
- Create opportunities for participants to benefit from the diversity of the group
- Cultivate cultural awareness and sensitivity

### *Manage group conflict*

- Help individuals identify and review underlying assumptions
- Recognise conflict and its role within group learning / maturity
- Provide a safe environment for conflict to surface
- Manage disruptive group behaviour
- Support the group through resolution of conflict

### *Evoke group creativity*

- Draw out participants of all learning/thinking styles
- Encourage creative thinking
- Accept all ideas
- Use approaches that best fit needs and abilities of the group
- Stimulate and tap group energy

### *Guide the Group to appropriate and useful outcomes*

- Guide the group with clear methods and processes
- Establish clear context for the session
- Actively listen, question and summarise to elicit the sense of the group
- Recognise tangents and redirect to the task
- Manage small and large group process

### *Facilitate group self-awareness about its task*

- Vary the pace of activities according to needs of group
- Identify information the group needs, and draw out data and insight from the group
- Help the group synthesise patterns, trends, root causes, frameworks for action
- Assist the group in reflection on its experience

### *Guide the group to consensus and desired outcomes*

- Use a variety of approaches to achieve group consensus
- Use a variety of approaches to meet group objectives
- Adapt processes to changing situations and needs of the group
- Assess and communicate group progress
- Foster task completion

## Specific Facilitative approach – for Jury Part 1 and 2

### Jury Part 1

We recommend that the facilitation of Jury Part 1 include:

- **Building critical analytical skills** – to support jurors to analyse and interpret information and evidence.
- **Starting from what matters to them** – the facilitation process should allow the Jury the opportunity to explore how this issue affects / impacts them, and their community, tapping into and uncovering the important values that the Jury want to see reflected in the models proposed.
- **Consideration of trade-offs and consequences** – the facilitation process should allow adequate time and supportive process to enable the Jury to consider the trade-offs they can live with, and those they cannot. This should also allow the Jury the opportunity to nuance the trade-offs – and provide some clear advice and direction about the importance / impact of all.

Consideration of trade-offs is key to deliberative practice. It can be achieved in various ways including through the development of a discussion / deliberation guide for the Jury to consider (<http://www.democracyco.com.au/wp-content/uploads/2016/10/South-Australias-Future-SIF-Discussion-Guide.pdf>), or through allowing sufficient time in the room for the trade-offs to be 'co-created' and worked through, or even through an online deliberation platform.

In discussion with you we know that some of these trade-offs are likely to be around:

- who is covered;
- timeliness of access to benefits;
- how to best support injured people return to health;

- certain and equitable outcomes for injured people;
- efficiency of the scheme (how much of the total payments are provided to support the injured person); and
- affordability of premiums.

When setting the objectives for the CTP scheme and in considering the above trade-offs, the jury must remain within the scope of the deliberative engagement process including that premiums cannot increase.

[cw1]It will be vital for this Jury to come up with clear and cohesive direction, from which models can be determined and community preferences easily understood. This will require detailed up-front work outlining the requirements, and we suggest the facilitator spend some time with the Government's preferred actuary and scheme design expert to ensure that the process delivers the outcomes they need. This will assist in the development of templates to focus the Jury's work.

## Jury Part 2

The rubber will hit the road with this Jury – with the group being asked to undertake a detailed analysis or audit of models provided by the actuary and scheme design expert.

This may seem a simple technical checking off, however this will require:

- An analysis of how well the Jury believes its intentions (values / what matters to them) is reflected in each model,
- Awareness of Jury members' unconscious bias / preferences, to ensure that they are putting the needs of the community before themselves,
- A reconnection and a strengthening of critical analysis skills learnt in the first Jury process to ensure their recommendations meet the test of accuracy, relevance, logic, breadth, depth and clarity,
- Undertaking a process to allow the Jury to analyse and prioritise each model against the objectives they have outlined in Jury one. We suggest that there may be the opportunity to use techniques such as:
  - Multi-criteria analysis (MCA) or grid analysis – which includes identifying and weighing up stakeholders' interests, building a decision framework, rating alternatives, weighting stakeholder interests and then scoring and deciding on the best model.
  - If there are 2 models to select between, a pairing comparison approach should be used – outlining criteria and comparing the two.
  - Throughout, to gain individual juror support (or not) we recommend the use of sociometry (either in person or through using tools an online deliberation tool) to ensure that individuals have the opportunity to contribute their positions / views to the views of the room.
- Ensuring that there is the opportunity for deep deliberations to occur and that all minority or different views are considered and understood in the alternatives agreed.

### **Option - Technical support for deliberations in the Jury Room**

Given the importance of transparency of the entire process – to build trust; we recommend using an online deliberation tool which will not only help the Jury to develop its thinking but also track the development of the Jury’s recommendations and will enable everyone outside the process to see how and why the Jury recommended the model it did.

We propose that the selected facilitators explore the use of different online tools.

We have two tools in mind;

- Think Together to Act Together
- Common Ground for Action

#### ***Think Together to Act Together***

Think Together to Act Together achieves the following outcomes:

- Facilitates meaningful content generation (not only an information collection tool)
- Facilitates not only ‘your say’ (the generation of ideas), but dialogue (in depth discussion), deliberation (reasoned discourse about perspectives and options), and decision-making (not simply based on voting)
- Encourages inclusive and respectful participation (considering minority views);
- Facilitates learning about each-others perspectives and viewpoints
- Encourages diversity of views and opinions
- Encourages creativity and collaboration
- Enables the synthesis of ideas
- Facilitates the search for common ground or consensus (avoiding reliance on a simple vote) in order to reach an agreed outcome.
- Based on the themes and priorities, it provides a Participant Report of the day’s deliberation.

Using networked computers, one per group of participants within the room (and potentially grouping participants outside the room as well), with facilitated discussion, this tool captures all ideas, the acceptability of each to the deliberators, the room’s themes (and separately, or together, the themes of online teams outside the room), and where needed, more complex individual and group prioritisation that facilitates a ‘multi criteria analysis’ among other decision-making methods.

A report of each day’s deliberations is handed out to participants at the close of each day’s deliberation. This enables greater productivity from the group by keeping the deliberation moving forward and provides a sense of achievement with a hard copy of the day’s work and recommendations. Additionally, since this Report is available to all involved in the process, it lessens the risk of any unwelcome ‘surprise’ recommendations for decision-makers overseeing the deliberations.



There is also now an on-line version based on email, that can be used to gather and synthesise more thoughtful proposals through online deliberation alone.

You can learn more at <https://www.youtube.com/watch?v=PiFGyD1axNU>

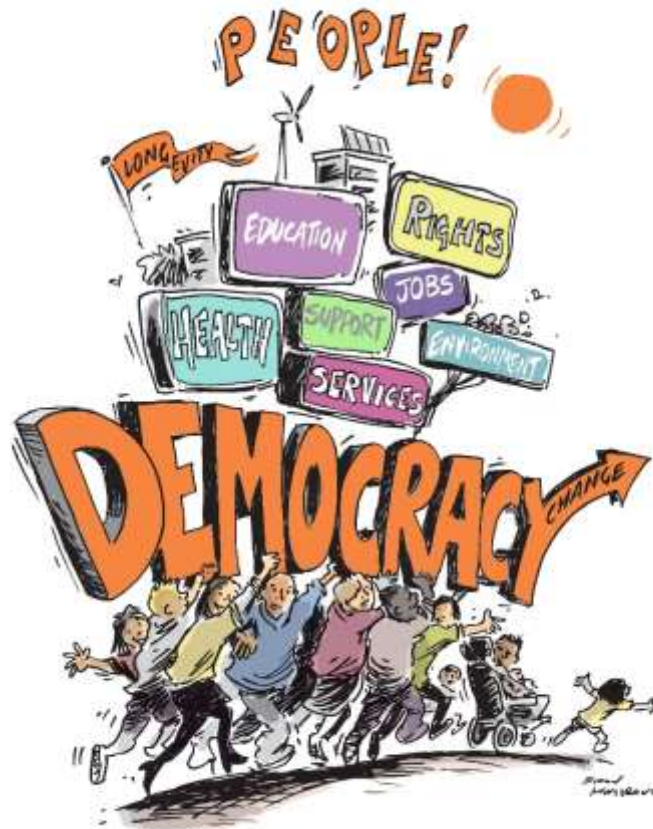
### ***Common Ground for Action***

This is a new tool which has been developed by the Kettering Foundation in the US and has been designed as a multi-player platform allowing participants to consider and weight trade-offs with a view to developing shared, common ground.

The tool:

- Introduces participants to the issue and allows them to share personal experiences
- Allows each participant to choose their personal top 5 ideas/options, creating a baseline position
- Encourages group evaluation of the baseline, considering all drawbacks, consequences
- Allows the opportunity to land a group position and capture reflections / ideas about those areas for which the Jury has common ground, and those areas where the Jury does not.

Note: democracyCo have access to this tool free of charge.



## Communications and broader community engagement

Whilst a wide range of issues or elements contribute to developing a successful deliberative strategy, one of the most important is bringing the broader community on the deliberative journey with you.

There are two ways of doing this

- 1) By seeking to involve the broader Canberran population in the process as much as possible – **broad community engagement**.
- 2) Through an **expansive communications strategy**.

Communications is also essential to transparency of the process. The more information available to the public about the process the better.

## Broader community engagement

Engagement with the community offers the opportunity to not only hear from the broader community but also to promote the Jury process.

It is vital that the jury understands the views and values of the broader ACT community. However, it will be important to ensure that the Jury receives this advice contextualised with the following information;

- the majority of Canberrans would not have had the opportunity to deliberate on the issues around CTP like those in the Jury room and
- Likely participants are self-selected and hence could have a conflict of interest.

Engagement with the broader community can be as big and as broad as the government has time, resources and budget to support. The options for engagement are endless!

However, for this process the timelines are tight (as the engagement would need to be prior to Jury Part 1 sitting and we also anticipate that the level of interest from the community (except for those who have a potential conflict of interest) will be low. However, we do feel that different options need to be provided to maximise participation.

Therefore, for this Jury we are proposing that broader community engagement focus on three elements;

- Submissions
- Online engagement – open forum for discussion as well as a survey
- Inviting the community into the Jury process.

### **Submissions**

We recommend that a simple submissions template be developed by the facilitator for this process and published on the Government's Your Say website.

Typically, members of the public don't engage well in submission format, however organisations (businesses, NGO's etc) are typically used to engaging in this way. The submission process will give all those organisations who don't have a position on the SRG the opportunity to give the Jury their views.

All submissions will need to be provided to the Jury and they will need to be given time to consider them.

The Jury may wish to call people who have made submissions as witnesses on day 3.

We propose that the government promote the opportunity to make submissions both through the media and directly to those organisations that it thinks will have a strong interest, but are not already represented through the SRG.

### **Online engagement**

We recommend that the community be given the option of providing their views online via two methods;

- 1) Survey
- 2) Open discussion

Different people like to engage in different ways – some people want to just download their views, others are happy to systematically work through a survey.

In many ways, the survey results will be more helpful as we will be able to get a sense (relative to others) of individuals' views. However, both options should be provided.

It would make sense to provide the survey on the Government's Your Say site alongside the option of online discussion. The survey questions should be the same ones as those being asked through the government's research of a statistically representative sample of the Canberra community, so that they can be compared to these results.

### **Observers - Community Attendance at Jury meetings**

Transparency of the Jury process is vital to engendering trust in it and trust in the Jurors. If the process is hidden from view, people will suspect that the government may be controlling the process.

As a consequence, all Jury processes we run enable the community to attend and observe.

Having said that transparency is vital – it is also vital that the Jury is comfortable and is not working in a gold fish bowl. There are times in the process when they need quiet and focused deliberations and it is not appropriate for the community or stakeholders to be present at these times.

Hence openness needs to be balanced with the Jury's needs / requirements for getting their job done.

We recommend that once the detailed agenda / facilitation plan for the Jury is developed that the facilitator identify as many opportunities for the community to attend as possible. The community can then be asked to register their interest. From this a small group can be randomly selected to attend.

These sessions will also be suitable for live broadcasting, should the budget exist for doing this. This will enable an unlimited number of interested people from watching the process.

Typically, the community is most interested in viewing the evidence giving parts of the process. In our experience, the deliberations of the Jury can be difficult to engage with as they often involve small group conversations. Not that interesting to watch from the outside when you can't join in or get too close!

We anticipate that for Jury Part 1; Day 1 and Day 2 will be largely open to observers as will the second half of Day 4. For Jury Part 2, it may only be the first couple of hours on Day 1 and the last hour of Day 2. This will need to be considered and incorporated into the facilitation design by the facilitation provider.

**Observers will need to adhere to a strict code of conduct and their direct interactions with the Jurors should not be allowed.**



## Communications approach

Communications around this initiative will need to be very sensitively managed to achieve the following objectives:

- Assist transparency of the process.
  - o Build confidence in the process and the Jury members.
- Explain the rationale for the process - why the government is holding the Jury / why the government thinks that there is a problem with CTP that needs to be discussed and considered.
- Raise awareness about the process.

However, communications need to be careful to not pre-empt the Jury's work and/ or to tell the Jury what the community thinks or feels.

The process of a citizens' jury has in part been recommended as Cabinet does not have a position on a preferred approach to CTP but wants to pursue a scheme which meets the needs and values of the Canberra community. However, individuals on the Cabinet do have views, as indeed many people in government and the broader community will have views. It will be important to ensure that the views of individuals are not perceived as being the view of the government, because this will raise questions about why the government is asking a Jury of citizens and could potentially undermine the success of the project. We recommend some key messages in support of this approach on page 34.

We propose the following initiatives to support communications about the Jury process;

- 1) Highlighting and promoting the opportunities for the broader community to engage
- 2) Inviting the media into the process
- 3) Showcasing the Jurors
- 4) Promotion of witnesses and facilitation of their appearance in the media
- 5) Encouragement and support SRG Members to promote their views and contribute to public debate (where needed and SRG wants support)

### Promotion of broader engagement

It will be important to highlight and promote opportunities for the broader community to engage with the process as this gives all those who have an interest an opportunity to have their say. In addition, this gives the government another opportunity to promote the Jury and talk about its aims and objectives. More information about the broader community engagement process can be found in the previous section.

### Inviting the media into the process

We cannot say it enough – transparency of this process is critical to building trust and respect in it!

You cannot be any more transparent than inviting the media to be part of the process.

We recommend seeking to involve radio and print media / journalists that have shown an interest in the government's focus on deliberative democratic process.



These journalists could be given open access to the Jury's work as long as certain protocols are met and providing the Jury are comfortable with their presence. In our experience, because journalists are incredibly busy they won't take up the offer to be there throughout the process but will seek to attend at critical times.

We would **not** recommend opening the SRG process to the media, mainly because of the impact that their presence may have on how the SRG members participate on the group. We would instead recommend inviting the media to talk to the SRG about their views on the issue and the process after the first SRG's first meeting but before its second meeting. There may be other opportunities for the SRG to meet with the media as well.

**NOTE – we would recommend that the models developed by the SRG in response to the Jury's objectives not be released to the media / public before they are presented to the Jury. This will show the Jury due respect.**

We would recommend that a briefing session be held for all media on deliberative processes, citizens' juries and of course the details of this process in particular.

### Visible Jurors

One of the reasons for hosting a citizens' jury is that the community are more likely to trust people like themselves than they are government. This is particularly the case now with governments across western democracies, including Australia, experiencing such low levels of trust.<sup>1</sup> However, achieving trust in the Jury and building a sense that the Jury really is just every day ordinary people just like other Canberrans involves opening up the Jury to the community.

Having said this, this approach also needs to be balanced with the needs of individuals to maintain their privacy and prevent individual jurors from being lobbied by interest groups.

As a consequence, the promotion of the jurors needs to be in line with the following principles:

- It is opt in – only those jurors who want to be part of the process to be involved.
- First names only / no specific home suburbs (generic references to location only).

Facilitators will need to ask the members of the Jury (before they attend their first sitting) whether they want to appear in media or not (even if it is just footage). All those who don't want to appear in footage or media surrounding the jury will need to be clearly identified.

In addition to media promotion of Jurors, we recommend using videos in social media of jurors talking about themselves, what interests them about the process (why they wanted to be involved) and their hopes for the process. These can be shared widely on various social media platforms by both government and stakeholders (if they are interested).

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<sup>1</sup> 2017 Edelman Survey has shown that trust in government dropped 8 points to 37% from 45% in 2016, <http://www.edelman.com.au/magazine/category/insights/>

## **Juror spokespeople**

The media will want to talk to Jurors from the beginning of the process. Again, it will be useful to Jurors to be promoted in the media, however care will need to be taken to ensure that the jurors involved in early media are broadly representative of the Jury profile and that the anonymity of the Jurors is protected. It is our experience that the media will seek out jurors to speak too with or without the government's agreement or involvement. It is best that this process be managed in some way by skilling up a number of jurors in management techniques in order to protect themselves as well as the process.

The facilitators and especially the person recruiting the Jury will be able to provide advice about the profile of jurors as well as information about those who are interested and articulate.

## **Promotion of witnesses**

Experts and stakeholders presenting to the Jury offer an opportunity to take the conversation in the room into the community – particularly if there are individual witnesses that have some 'star' quality!

Working with the media partners we would recommend looking for opportunities for witnesses to the Jury appearing in the media. This could involve editorial articles in newspapers or talk back radio interviews.

If the government is wanting to further elevate the debate in the public domain, a public forum could be held on the Saturday evening after the Jury, to enable a public debate about the issues. This would be open to the public to attend. It provides another media opportunity, but more importantly an opportunity for the broader community to hear and be informed about the issues.

## **Supporting the SRG**

In our experience, some of the best media and promotion of the Jury occurs because of work by stakeholders, as opposed to that of the government. During the Dog and Cat Citizens Jury the stakeholders from the SRG undertook their own media activities (often on issues which related to the Jury but not specifically about the Jury) which drew attention to the Jury's work. This was helpful for raising awareness of the Jury's work but more importantly raising the debate in the public domain about the issues the Jury was addressing.

As discussed earlier, we note that the stakeholders on the SRG have varying levels of profile in discussing the issues associated with CTP in the media. Some are very vocal and others are not vocal at all.

It will be important that all stakeholders have a voice in the public domain on this issue. This will be important for ensuring that the breadth of the debate that the Jury hears is also heard by the community more generally.

Achieving this may mean that government needs to encourage all SRG members to contribute to the public discussion and perhaps even support some in their endeavours. What this support looks like would need to be discussed with them and all stakeholders should be able to have access to the same support if they would like it.

## Key messages

The following key messages seek to explain the rationale for the process and provide core information about the approach:

*“Government considers a discussion on the current Compulsory Third Party scheme are necessary because we feel that the current scheme does not work well for all Canberrans.”*

*“The current scheme does not offer universal coverage to all road users, can take a long time to deliver care and support for people who need it; and has amongst the most expensive premiums in the country.”*

*“The Government considers the scheme could be improved – we want to make sure the ACT scheme meets the needs of all road users.”*

*“The CTP scheme is important and affects every Canberran who uses our roads.”*

*“It is complex with stakeholders likely to have very different views and that is why we have chosen to pilot a Citizens’ jury on this issue.”*

*“A jury of 50 people, representative of the Canberra community will come together to really understand the issues, the trade-offs and develop a scheme which reflects the needs and values of Canberrans.”*

We note that some members of Cabinet have previously been vocal in their views about preferences on various elements of CTP. We propose that the government is honest and upfront about this;

*“Yes, I have a view, other members of the Cabinet have other views, no doubt there are lots of different views in government. What is important here is what is important to Canberrans. As a Cabinet we want to pursue a model for CTP that best meets the needs of the Canberran community. That is what we are committed to do.” ... then refer to and focus on the Jury’s authority.*

This will be one of many questions on the process and the application of the process to CTP.

We would recommend a full analysis of the likely questions about the process be developed and associated appropriate answers to those questions. As developers of the strategy and hence the rationale for the strategy we would be happy to assist with this piece of work.

## Communications to support recruitment

You have requested advice about specific communications to support recruitment.

We don’t recommend any specific communications in support of recruitment, over and above the general announcement of the process through the media and social media when government launches the initiative.

The key to recruitment is the government's commitment to the process, or as we refer to it here; the authority.

It is this authority that shows those invited that this process is different from other government engagement processes. People will be motivated to attend and in effect volunteer their time because they can see that their work is going to make a difference.

## ATTACHMENT A

# Compulsory Third Party Insurance Stakeholder Reference Group (SRG) Draft Terms of Reference

The Stakeholder Reference Group is an important part of the Compulsory Third Party Insurance Jury's deliberations.

The time and effort from members and their organisations is greatly valued and appreciated.

### Purpose and roles

The Stakeholder Reference Group (SRG) will have the following four core responsibilities;

1. **Model development** – working with a scheme design expert and an actuary to develop models which meet the 'brief' as developed by Jury Part 1.
2. **Identifying witnesses** – support facilitators in determining witnesses to 'brief' the Jury.
3. **Appear as witnesses** – where appropriate / required members may appear as witnesses (either together or separately) to the Jury.
4. **Evidence** - Provide advice to the facilitators about important reports / documentation that could be of interest or importance to the Jury's deliberations.
5. **Providing advice** - facilitators may choose to seek the SRG's advice on how witnesses present to the Jury in the context of the overall agenda.
6. **Building understanding and awareness** of the Jury process in the wider community.

Members will provide their organisation's perspective on the Citizens' Jury witness and speaker identification process, and share information about past, current and emerging issues.

The facilitator [INSERT NAME] will convene and administer the SRG.

### Protocols

As with the Citizens' Jury itself, the SRG is a deliberative process involving individuals and groups who have a high level of interest and stake in the CTP scheme with a range of viewpoints and perspectives. To ensure that the SRG is productive and achieves its purpose as described above, the following protocols are provided to members:

- Minutes of the meeting will be taken by the government and published (once SRG has approved). Minutes of each meeting will also be available for SRG members to distribute to their members.
- The Citizens' Jury process benefits from wide promotion and public dialogue and any constructive commentary the SRG can provide through their own networks and platforms. Statements to the media must be made clearly in terms of a view representing their organisation rather than that of the SRG. Having said this, it is expected that members of the

SRG will not seek to undermine the process and will respect the confidentiality of their work and the work of the Jury. For example, it would be completely inappropriate for members of the SRG to talk publicly about the CTP models being presented to the Jury (in line with the objectives that they identified) before they have been presented to the Jury.

- It is expected that members of the SRG will act in accordance with the Confidentiality Agreement that they signed at the commencement of the process.
- Social media activity generated by the member organisations should clearly indicate it is the view of the organisation and not of the SRG.
- Cooperation and collegiality are expected by members and the facilitator will run each workshop in a collaborative workshop style, where it is expected that members will respect others' opinions, be open and honest, participate fully, willingly share experience and expertise and importantly 'share the air'.
- Where possible consensus techniques will be used as a proxy for voting. In the unlikely event the SRG cannot find resolution on matters, voting with a majority rule of half plus one will be applied providing that 70% plus members are present.

## Membership

INSERT MEMBERSHIP WHEN FINALISED

## Meeting Dates and Location

TO BE INSERTED



## ATTACHMENT B

### About the Team behind the strategy

democracyCo offer the most comprehensive service in deliberative democratic practice in Australia with a wealth of experience in;

- Developing high level, whole of government engagement strategies and policies for government.
- Developing and implementing frameworks for driving cultural and system change in government to ensure that the community are more involved in governments' decision-making processes.
- Designing and delivering training programs in community engagement, deliberative democratic practice, citizens juries and facilitation.
- Designing, planning, implementing and facilitating deliberative processes.
- Recruiting randomly selected groups of the community for involvement in deliberative processes.

**We are the only organisation in Australia that can, on its own, run an entire deliberative process from 'end to end'; incorporating design, recruitment, implementation, facilitation and training.**

**In addition, because of our work experience in politics and the public service as well as within the field of deliberative democratic practice we understand the needs of government like no other organisation.**

Co-CEO Emma Lawson instigated, designed and led a process of public sector reform in South Australia to improve the way the public service involves the community in decision making with a focus on deliberative and collaborative forms of engagement. The starting point for this work was (and remains) the government's engagement policy/ strategy and guide *"Better Together – Principles of Engagement"*. Emma led the team that developed Better Together and designed and ran a suite of initiatives to drive its implementation.

Emma pursued this work from within the public service and on the back of years of experience in politics as an advisor to the Premier and Treasurer.

Meanwhile Emily Jenke has specialised in designing, facilitating and running deliberative processes, including citizens' juries for the last 10 years. Emily is widely regarded as one of the best facilitators of deliberative processes nationally. Emily also designed and runs the "Better Together" training in South Australia and has now trained thousands of public servants through this program.

Together, as democracyCo we have facilitated and implemented numerous deliberative processes including the largest ever citizens' jury globally on nuclear waste storage.

For the development of this strategy we have drawn on the knowledge of two preeminent experts in the field worldwide.

**Janette Hartz Karp** from **Empowering Participation** and **Kyle Bozentko** from the **Jefferson Centre** in the United States have provided feedback and advice in helping us to develop this strategy.

The team members at Empowering Participation have decades of experience in academic research in deliberative democracy, democratic innovations and collaborative governance.

The Jefferson Centre is a nonpartisan not for profit that engages Americans directly to solve shared challenges and craft better policy. Their mission is to strengthen democracy by advancing informed, citizen-developed solutions to challenging public issues. Whilst the Jefferson Centre is the home of citizens juries' they are continuously designing, testing, and exploring new methods of high quality, inclusive engagement.

**As a collective, what we know, is that deliberative processes must be designed bespoke; to meet the objectives of our client, their budget constraints and the needs of their communities.**