

STATES OF JERSEY



ESTABLISHMENT OF A CITIZEN'S PANEL: APPROVAL BY STATES ASSEMBLY (P.16/2006) – COMMENTS

**Presented to the States on 9th March 2006
by the Council of Ministers**

STATES GREFFE

COMMENTS

The Council of Ministers believes that all major policy proposals should be subject to proper public consultation. A system of publication of green and white papers has been adopted which will ensure that States Members and the public are not only aware of major proposals but are given sufficient opportunity to be consulted.

However, the Council believes that different methods of consultation are appropriate for different circumstances and issues.

The Council has commissioned research into different methods of public consultation and will be considering approaches such as citizens' juries, public fora and also the possibility of a citizens' panel. The attached Appendix explains this in more detail. The Council supports the idea that Scrutiny should be a constructive critic holding the Executive to account and working to improve policies and proposals. However, it cannot be a substitute for effective public consultation as part of the process of developing policies. Scrutiny may consult the public as part of their remit to hold the executive to account, but this will normally be after proposals have been formulated. The Council considers that the public have a right to be consulted whilst policy is being formulated, not after.

Deputy Baudains' report describes imperfections that would render consultation meaningless. He suggests that members of a panel could be hand-picked, that questions may be biased, or that returns would be selected to support a particular view. The Council agrees these would be fatal flaws in any consultation and would be completely unacceptable. The Council is committed to proper open consultation and will ensure that any methods adopted are properly implemented and meet good standards of openness and independence. Any of the possible approaches will be carried out under clear terms of reference agreed by the Council of Ministers and selection of people involved will be impartial. Any method adopted will also have regard to cost and efficient use of resources.

The Council of Ministers therefore recommends that the proposition be rejected.

Brief Description of possible new methods of consultation

Citizens' Panel:- is a large demographically representative group of citizens, recruited through random sampling. Members of the panel participate in surveys during the course of their membership and, where appropriate, in further in-depth research. Panel membership is for a number of years with a proportion of the membership being refreshed annually. Panel oversight and administration is normally carried out by an independent body.

Citizens' Jury:- is an independent forum of members of the public to examine and discuss an important issue of public policy. The process is designed to resemble a criminal trial jury, who very carefully examine an issue of public significance and deliver a "verdict". They will call for information and question experts and politicians as they see fit. A small number of people are involved.

Citizens' Forum:- the process and organisation is similar to a Citizens' Jury, but larger numbers of people are involved (say 40 or so) for a shorter period of time like a weekend. They are designed to offer an informed opinion reflecting a balanced mix of people from the community. Members are recruited by random sampling with independent oversight.