

## The new Democracy Foundation – written evidence (FGU0008)

### House of Lords Constitution Committee Inquiry into the Future governance of the UK

1. We thank The House of Lords Constitution Committee and Baroness Taylor of Bolton for this opportunity to contribute to the inquiry into the future governance of the United Kingdom (UK).
2. While we note the Committee has posed six specific questions, one theme unites them all and one public sentiment underpins the reason for this inquiry: citizens have become disconnected from politics, they see what happens in parliament as remote from their daily lives.
3. To address this, **we recommend complementing this Inquiry with a meaningful and substantive role for citizens using the principles outlined by the OECD following their analysis of over 900 'Citizens' Assembly' style demonstration projects.**
4. The principles in that work are summarised below for ease of reference. If these resonate for the Committee, then two ways to implement this are outlined at the conclusion of the paper: trial a new format of 'mixed' parliamentary committee (Brussels Model) to run this inquiry, recommend a more substantive national deliberative process be conducted and/or take a small first step (drawing on philanthropic support) to gauge its potential value at a larger scale.
5. These deliberative processes build public trust in decision-making by *more substantively* involving everyday people in engagement that tackles difficult trade-offs in a way that addresses polarisation and misinformation.
6. Across the globe, public authorities are increasingly using representative deliberative processes to involve citizens more directly in solving some of the most pressing policy challenges. These processes give ideal amounts of time and information to a group of randomly selected everyday people and facilitate their deliberation on an issue that leads to finding common ground on a set of recommendations.
7. The UK has already made use of this method. OECD research<sup>1</sup> documents more than 12 examples of deliberative engagement practice in the UK. This suggests a national capacity to learn from international experience and institutionalise these processes.
8. Countries like Belgium and Ireland have played pioneering roles in the development of these processes. The Francophone Parliament in Brussels, Belgium has recently legislated an institutional role for mixed, MP and citizen, parliamentary committees whose consideration of issues reports back to the parliament<sup>2</sup>. This approach is now being considered by the national parliament.
9. On May 22, 2015, Ireland became the first country in the world to introduce marriage equality through a national referendum to change the country's constitution. The vote was a world first in one other sense: never before has a country changed its constitution as a result of deliberation involving a random

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<sup>1</sup> OECD (2020), *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*, OECD Publishing, Paris, <https://doi.org/10.1787/339306da-en>.

<sup>2</sup> See, [Democratie Brussels](#).

selection of ordinary citizens and MPs. The government's decision to call the referendum came because of a recommendation from the Irish Constitutional Convention, which had been asked to consider a range of possible constitutional reform questions.

10. Ireland subsequently established a citizens' assembly of 99 citizens to address other issues raised by the constitutional convention including abortion, aging population and climate change. The 99 citizen members of the assembly were selected to be electorally representative and included people who were in favour of the change, some who were against and some who were undecided. The findings were published in a report at the end of 2017 and debated in parliament in 2018. Though the findings weren't initially popular with the public, the result of last year's referendum – 66.6% wanted to repeal the 8th amendment – was very close to the assembly's 64% in favour of having no restrictions on termination in early pregnancy.
11. Evidence collected by the OECD<sup>3</sup> and existing research in the field of deliberative democracy points to five key reasons why representative deliberative processes can help lead to better public decisions and enhance trust:
  - a. **Better policy outcomes because deliberation results in considered public judgements rather than off-the-cuff public opinions.** Most public participation exercises are *not* designed to be representative or collaborative. Consequently, they can be adversarial – a chance to air grievances rather than find solutions or common ground. Deliberative processes create the spaces for learning, deliberation and the development of informed recommendations, which are of greater use to policy and decision makers.
  - b. **Greater legitimacy to make hard choices.** These processes help policy makers to better understand public priorities, and the values and reasons behind them, and to identify where consensus is and is not feasible. Evidence suggests that they are particularly useful in situations where there is a need to overcome political deadlock or make difficult trade-off decisions.
  - c. **Enhance public trust in government and democratic institutions by giving citizens an effective role in public decision making.** People are more likely to trust a decision that has been influenced by the considered judgement of everyday people than one made solely by government.
  - d. **Make governance more inclusive by opening the door to a much more diverse group of people.** Deliberative processes, with their use of democratic lotteries and stratified sampling, bring in people who typically would not contribute to community engagement including people who are disengaged from politics, but also young people, women, or other minorities into public policy and decision making.
  - e. **Help counteract polarisation and disinformation.** Empirical research has shown that echo chambers that focus on culture, identity reaffirmation, and polarisation do not survive in deliberative conditions, even in groups of like-minded people.
12. It is difficult for large groups of people to find agreement on complex decisions. The OECD recommends a set of *principles* that make group decision-making easier. These principles improve the deliberative quality of group work by creating the environment for the consideration of the broadest range of sources

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<sup>3</sup> Ibid.

while giving participants time, an equal share of voice and authority.

13. These **seven principles** underpin the growing wave of deliberative processes around the globe:
  - a. **A clear remit:** A clear, plain-language challenge or question should be asked of the group. It should be a neutrally phrased question that explains the task, shares the problem and provides a strong platform for discussion about priorities and trade-offs. The question will determine the scope of the process, setting the boundaries for what the group is considering.
  - b. **Diverse information:** Participants should have access to a wide range of transparently sourced, relevant, and accessible evidence and expertise, and have the ability to request additional information. Citizens should spend extensive time asking questions and identifying sources **they** trust for the information they need.
  - c. **Democratic lottery:** A stratified random sample of the community should be recruited through a democratic lottery. Simple demographic filters (age, gender, education, location) can be used to help stratify this sample to reflect the entire population. Most engagement by government does not enable a representative cross-section of the community to be heard, instead incentives to participate are often geared to those with the most acute interest. The combination of random selection and a meaningful opportunity to influence a decision attracts people from all walks of life.
  - d. **Adequate time:** These processes develop participants' thinking on a complex issue by giving them multiple opportunities to question experts, learn from one another and find agreement on trusted sources of information. As deliberation requires adequate time for participants to learn, weigh evidence, and develop collective recommendations, the more time they are provided, the more thorough their consideration of the issue.
  - e. **Influence:** It is important to be clear what impact the work of everyday citizens will have. The convening authority should publicly commit to responding to or acting on recommendations in a timely manner. A meaningful opportunity to influence a decision must be demonstrated to participants before they commit their time.
  - f. **Dialogue and deliberation, not debate:** Group deliberation entails finding common ground; this requires careful and active listening, weighing and considering multiple perspectives, every participant having an opportunity to speak, a mix of formats, and *skilled facilitation*. The task for the group is to find common ground on answers to the question, this emphasises the avoidance of simple majorities and challenges them with finding where they can agree.
  - g. **A free response:** A group should not be asked merely to (critically) review a government or parliamentary reform proposal. Instead, group members should be given a 'blank page' to provide their own set of recommendations with a rationale and supporting evidence that emerges from their shared learning.
14. People complain about the state of our democracy; that public decisions are not fundamentally fair. However, there is comparatively little real-world testing of solutions and mechanisms that help build public confidence. The new Democracy

Foundation exists to solve this problem.

15. Having operated over 25 demonstration projects and with a two-year contract with the UN Democracy Fund to deliver demonstration projects in this field, we are well placed to design, operate and oversee any trials the Committees wish to pursue.
16. We are happy to respond to questions and/or appear before the Committee. We appreciate your time considering this paper.

### **Appendix 1 – Answers to Inquiry Questions**

17. **Our advice in this submission is process-based. We believe that by providing everyday people with the right conditions to find agreement we can tackle complex public policy questions.**
18. **At the core of this is the belief that there is no 'right' answer to questions of public policy, at any point in time there is simply one that the wider community views as fair. The best way to determine that is to give everyday people a significant, genuine democratic opportunity to find informed common ground on exactly that point.**

#### ***Question 1: Is the current balance of powers within the UK optimal or does power need to be shared differently?***

19. It is difficult to assess the nature of public support for anything across the UK. Particularly when there is a vast difference between someone's 15-minute view and their 40-hour view. Our political institutions have developed an over-responsiveness to public opinion and sidelined a role for public judgement. The Committee has a chance to correct this.
20. To properly assess public support for current and different constitutional arrangements, the UK should create the right environment for the public to consider these issues, given their complexity and the wide range of perspectives on the issue. This would be best achieved through the use of deliberative engagement practice.

#### ***Question 2: What are the current challenges for multi-level governance in the UK and how can these be addressed?***

21. The primary challenge multi-level governance faces in the UK is one of trust. Everyday people throughout the UK no longer see themselves represented in parliament or in their own local governments. This is a historical and structural problem with the way we include people in politics and the nature of voting.
22. The UK can learn from other countries experimenting the way they 'do democracy'. The previously mentioned examples in Australia, Ireland and Belgium point to an approach that includes everyday people in political decision-making but in such a way that they're given a meaningful opportunity to influence a decision and that their peers can see their direct involvement. This approach rebuilds trust and can be used at all levels of UK governance, from local planning and budgeting decisions through to national tax policy and infrastructure spending.

23. The UK could join Belgium and lead the world in inter-parliamentary scrutiny by developing mixed deliberative parliamentary committees that allow MPs and citizens to work together to provide parliament with recommendations on issues or challenges raised by either the parliament or the wider public. This innovation in parliamentary process accounts for the lack of public visibility into how parliament works, rebuilding trust and understanding in the wider community.

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