

Submission – The current capability of the Australian Public Service (APS)

We thank the Senate’s Standing Committees on Finance and Public Administration for this opportunity to contribute to the inquiry into the current capability of the Australian Public Service (APS).

We recommend that the APS improve its public engagement capacity by (a) adopting and (b) measuring adherence to OECD-standard deliberative engagement practice. 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.

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.

Australia has been a pioneering, global leader in the development of this practice. OECD research¹ documents more than 48 examples of deliberative engagement practice here in Australia matched only by Germany. This suggests a national capacity to learn from experience and institutionalise these processes. The Victorian Government recently included mandatory deliberative engagement practice for local councils in its [Local Government Act 2020](#) (s55, g). The Western Australian Government’s Local Government Act Review Panel also recommended in its [final report](#) the “mandate [of] deliberative community engagement in the preparation of both Community Strategies and Council Plans.” (s37, d, iv).

This growing trend of institutionalisation at the State level should be matched at the Federal level with the incorporation of deliberative engagement practice in standard APS public engagement.

[Evidence collected by the OECD²](#) 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:

1. **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.
2. **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.
3. **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 consider judgement of everyday people than one made solely by government.

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

² Ibid.

4. **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.
5. **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.

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

These seven principles underpin the growing wave of deliberative processes around the globe:

1. **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.
2. **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.
3. **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.
4. **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.
5. **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.
6. **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.

- 7. 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.

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 newDemocracy Foundation exists to solve this problem.

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.

We are happy to respond to questions and appreciate your time considering this paper.

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