

2004 IPAA NSW State Conference Keynote address

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Key Note Address – Harmonising Divergent Voices:

Sharing The Challenge Of Decision-Making

The question we started asking in Opposition is can government be done better? Can we get beyond the continuous round of conflict, of warring interests, of divergence views that in one way are the lifeblood – but in another the poison, of our pluralist society.

Can we get better outcomes by bringing more minds to bear on the solutions to problems – unleashing the creativity of the community? Can we give new life to the concept of democracy, government by the people, by weaving them more deeply into the decision making – and in that process build community?

Sometimes from inside the system, it feels like the level of cynicism towards Government and elected representatives is threatening to make democratic government dysfunctional.

Pollie-bashing

Of course, pollie-bashing is a sport as old as democracy itself.

- *The politician is an acrobat; he keeps his balance by saying the opposite of what he does. Morris Barres – French.*
- *A politician will do anything to keep his job – even become a patriot. William Randolph Hearst 1933, US*
- *Politicians are the same all over – the promise to build a bridge even when there is no river. Nikita Khrushchev. 1960*
- *Being in politics is like being a football coach – you have to be smart enough to understand the game and stupid enough to think it's important. Eugene McCarthy*
- *"It is hard to say why politicians are called servants, unless it is because a good one is hard to find." - Gerald F. Lieberman*
- *"Politics has no relation to morals." Niccolo Machiavelli, The Prince*

No forums for real public debate

But I sense that the decline of any forums for real public debate and engagement about the issues of the day may have made the current situation worse. If you are not confronted with the complexities of an issue, you don't have to extend beyond your own perceived self-interest or simplistic analysis – you don't have to engage with the other point of view, you don't have to understand the difficulty in balancing competing interests.

Problems with the media

The media is dealing with – and perhaps has, in part, created a public which is impatient – which wants its news to be pre-digested and distilled – McJournalism.

The electronic and the print media – which is now refashioning itself on the electronic media – wants clear black and whites – big headlines, little words - it wants dramatic divergence – it wants outrage - not considered partial disagreement – it wants punters going off their dial - not talking calmly about some concerns they might have.

The drive for ratings leads to a blurring between current affairs and entertainment – more headlines, more pictures, less words, less consideration and moderation

Impacts of Media

This Mc Journalism has a couple of impacts of non media behaviour:

- it provides learned behaviour – the model of the way people learn to behave – the perceived etiquette of public discourse;
- it also means that unless you are prepared to take an extreme position, your chances of getting the oxygen of publicity are limited.

Now my concern is not the personal discomfort we experience being called every name under the sun, being accused of every personality and moral failing ever known in human history.

It is that we are creating a climate where making good decisions becomes very difficult. It mitigates against good governance.

More broadly, it creates an impression in the public that Government is the enemy. It fosters alienation and a disconnect that can ultimately manifest in a Timothy McViegh/ LaRouche attacks on the community.

It also creates an environment which deters many capable decent people from presenting themselves for election. Government is not easy. We can't afford to make public life so unattractive for so many people of decency and ability.

Re-tooling democracy

It is my view the only way we can move beyond the cynicism is to retool democracy – to establish systems where we genuinely encourage community involvement in decision making – where we present government not as the arbitrator of two or more opposing camps – each of whom are provided with incentives by the process in hardening their position – but as the facilitator of bringing divergent voices together to hammer out a way forward.

Solving problems together

We need to reinforce that we are a democracy, the problems confronting Government are the problems of the community and we have to work together to solve them. We need to make democracy richer, providing opportunities for everyone to participate creatively and critically in community affairs, connecting individuals, building trust, respect and confidence in our democratic processes and in the future.

When to do community engagement

Of course, we don't necessarily have the luxury of the time and effort required to do this fully on every issue – and even when we do – it doesn't provide a universal remedy – but we have been working on this process – to provide opportunities for the divergent voices in the community to come together with government to work through some difficult issues.

How to engage the community

And we have developed some understanding of what is required for an effective engagement process. It requires government to

genuinely and empathetically listen to all those voices – it likewise requires the stakeholders to listen to others in the same way.

It requires government to be genuinely committed to embracing the outcomes of the process.

It requires government to be open with the process of engagement and with its sharing of information – broadly-based steering or reference groups are necessary from the very early stages to guarantee transparency.

It requires government to take concrete steps to ensure the engagement is reflective of the community – that the aspirations of special interest groups are calibrated against a broad cross section of the community.

Examples of Community Engagement

It may be useful to run through some examples of the issues we have tackled and the participation frameworks we developed to deal with the issue.

ROAD TRAIN SUMMIT

Why we needed it

Our first effort was addressing a very contentious issue at the time – the increasing size and number of road trains in built up areas.

The Road Transport industry had been very influential under the previous government in getting permits for longer and longer configurations on vehicles. Plans were even in place to allow 53 metre rigs into the outskirts of the city.

On coming to government, we honoured an election commitment.

We placed a moratorium on any expansion plans and took a much tougher stand on issuing permits. This, in turn, was greeted with outrage from the industry, and dire warnings of the end of the economy in our State as we knew it. Emotions were running high.

We needed to move forward.

Response from Bureaucrats and Industry

Neither the bureaucrats nor the industry peak bodies thought my idea of running a forum with all the stakeholders would work.

Quote, one industry member: “it will be volatile, explosive and with very little chance of any resolution”. These thoughts were reiterated in abusive telephone calls, angry letters and emails. The press releases by the industry groups in the lead up to first summit were vitriolic.

However, it was clear to me that this was an ideal place to start. If we were going to make inroads into community engagement and participatory decision making, then what better place to begin than one where there had been a lot of heat and not a lot of light.

The Process involved:

- **Representativeness**

Our first step was to get a truly representative group of participants in the room. We went about this in a new way. We sent a letter to a large random sample (provided by the WA

Electoral Commission) asking people to help resolve this issue.

Letters from me went to two groups - one to a random sample of the general population of the metropolitan area; the second to those who lived on or near major transport routes. About 12% of those invited agreed to participate in the Workshop.

We also invited as broad a stakeholder group as we could – truckies, transport companies, producers, local government environmentalists.

The final third in the room came from people responding to advertisements which we had placed in the major and local papers, community and industry newsletters, and in cafes used by truck drivers. We could only accommodate just over 100. However, far more than that responded, some of them demanding to be there. Since we wanted to ensure no one group dominated with overwhelming numbers, we selected participants to ensure an even spread of views.

- **Informed Deliberation**

Next we had to deal with the issue of ensuring people were well informed. There is never only one side to a story, so we determined the participants would be given a comprehensive understanding of the issues. To do this, we had papers prepared by each of the groups in the debate. This in itself was a difficult task. For example, one industry group claimed they needed far more time than anyone else to adequately put their case. A community group wrote a paper that was quite libellous.

When we finally resolved all the issues, the papers went out to participants to be read before the day of the forum. They were presented only briefly on the day so most of the time could be spent on the discussion.

- **Empathetic Listening**

People were allocated to tables in a bad wedding scenario, where each person is seated next to someone they would not normally speak to and would most likely disagree with. Then we spent the first half of the day doing empathetic listening, ensuring each

person around the table could express what it was like to be in the other's perspective. That took some real encouragement from the facilitator.

- **Building Consensus**

We developed at the first forum a common agenda, which we then took to three country centres – each time, building on the agreed suggestions of the last forum. Against the odds, we developed a large common agenda. At the conclusion of the forums, the same person from industry wrote, quote “Well done. It was an innovative new approach to achieving consensus and the results speak for themselves”. Each of the industry groups put out press releases – but this time with bouquets not brickbats. They were amazed that their traditional antagonists had listen to them and taken their needs into account.

- **Making the outcomes matter**

For people to be willing to put their free time and energy into deliberation, they had to know it would matter. At the beginning of the process, I told the participants that we were engaged in joint

decision-making - that if consensus could be reached between all the parties, I would act on their recommendations.

Outcomes

The consensus outcomes were far broader than any of the stakeholders anticipated. To respond to them, it was necessary to reorganise the Main Roads Department to deal with the new agenda. I needed to get the acceptance of interstate transport ministers and senior bureaucrats to bring in compulsory accreditation of all road trains. This was achieved. We developed new ways of dealing with the public on changes to freight road designations; and re-formulated government policies and priorities.

We continued the involvement of the community, industry, state and local government from the inception of the community engagement forums through to implementation of the forum outcomes and their evaluation. The whole process took over 2 years. We have now put into effect all the prioritised actions from the forums.

Learning from and Building upon this Experience

Several aspects of this format became the foundation stones of consultative forums to follow.

- We have continued with representative participation consisting of approximately 1/3 invited stakeholders, 1/3 advertisement respondents and 1/3 random sample;
- ‘Open book’ information to participants that includes all perspectives has continued to be critical;
- At the core of deliberation has been the focus on listening to others’ points of view and developing understanding - ‘dialogue’ rather than debate; and
- We have continued to involve community, industry, state and local government from the beginning of the consultation through to the implementation of the outcomes.

Clarifying who has responsibility

Predictably I was sledged in the media for taking this approach – for example, quote: “abrogating responsibility to make decisions, and “acting as a facilitator/mediator rather than a decision maker”.

Not surprisingly, they were not able to wheel out the hardy perennial - that the government was not listening to the people – the complaint appeared to be we were listening too hard.

Regardless of the consultation process we use, at the end of the day, it is my responsibility to make the final decisions. But I don't have all the answers and even if I did – I couldn't be sure I could get broad support for my 'answers'.

With community 'ownership' of the solution and the implementation, there is a far greater likelihood that change can be achieved.

FREIGHT NETWORK REVIEW

From Road Trains, we moved to the broader issues of providing for freight in the metropolitan area. Our Freight Network Review used a similar process, but included some new elements.

It started of course with a broad base Steering Group to oversee the process.

2 Day Forum

We began with a two day forum of about 120 people. That forum set broad principles and prioritised key issues for developing a sustainable freight network.

From that, Working Parties of community, industry, local and state government participants were formed to determine how these key issues could be resolved.

Televote Survey

One Working Party decided they needed to understand residents' perceived 'limits to growth' of the harbour of Fremantle, and to do so, carried out a Telesurvey – where the random sample is given comprehensive information about the issue from all perspectives, asked to discuss it with others, and is then surveyed.

Multi Criteria Analysis Workshops

Another Working Party wanted to resolve the difficult issue of finding the most sustainable east/west transport link through to the Port. To do this, we carried out a Multi Criteria Analysis Workshop. All 120 forum participants were invited back for another two days over a 3 month period to help recommend a future route. Eighty volunteered to participate.

The process used participants' ingenuity and values to determine potential routes, and measurement criteria. An Expert Team used data and measurement to assess each option against each criterion. Participants then ranked the criteria, and with the help of computer technology, a listing of options in priority order was produced.

Final Forum

The Freight Network consultative process ended a year later with a final consensus forum, attended by 110 of the 120 original participants. They were presented with the recommendations from each of the Freight Working Parties, and then worked in groups - accepting or rejecting recommendations, and establishing short, medium and long term priorities.

Outcomes

The end result was a **Six Point Plan** which is being driven jointly by the agencies in my portfolio. It includes commencing planning of a new port 15 years earlier than previously planned, new inland terminals and a shift from 3% to 30% of freight onto rail. This plan is more far-sighted and ambitious than I or my Departments would have devised. Targets and milestones have been set and implementation has begun. For example, we have already increased container freight on rail by 164% over the past year.

DIALOGUE WITH THE CITY

Building on past experience

Our recent initiative of Dialogue with the City used the building blocks of this past experience. This time, we attempted a process that was far more ambitious than anything we knew of in the southern hemisphere.

Dialogue with the City is an ongoing process to determine what to do about our urban sprawl, retaining the things about our city we love, while making sure it is more sustainable for future generations.

We understood that to make the paradigm shifts sustainability required – we needed to have broad community support. This process was designed to determine what sort of city the community wanted and how they believed we should cater for the $\frac{3}{4}$ million extra people over the next 25 years.

Usually public involvement in planning is limited to micro issues – looking at one piece of the jigsaw produces poor understanding. We wanted to get the community to engage in the big picture.

Process

The Dialogue process commenced about a year ago with:

- an attitudinal survey of 8,000 residents,
- a series of issues papers published on Web and reported in one page articles in the West Australian newspaper;
- an hour program on Channel 7 about the futures scenarios for the city,
- an interactive Web site,
- school's competitions to involve young people,
- listening sessions with youth, indigenous and non English speaking people, and
- radio spots with various experts.

Large Interactive Forum

The Dialogue process culminated on 13 September 2003 with a forum of 1,100 participants. At this event we still gave priority to informing, understanding and learning from one another in face-to-face deliberation at small tables.

Forum included

- **Networked Computers to produce common themes**

With the assistance of networked computers, we were able to develop common themes from the room, virtually in ‘real time’.

- **Regional Mapping Game**

To ensure participants understood the dilemmas of planners, they played a regional mapping game where they needed to:

- conserve the spaces important to them,
- place the extra $\frac{3}{4}$ million people who are likely to need housing in Perth by 2030,
- locate where the jobs will be, and
- determine the transport links.

Again, this information was input to the computers.

Outputs

At the close of the forum, participants left with a preliminary report of the key themes developed during the day. They received the final report including their own table's map a few weeks later. Since then, they have received two interim reports of progress thus far, asking for their comments.

Participant Feedback

The feedback from the interactive forum was extraordinarily positive. Most people found it a very positive experience. Over 1/3 said they changed or significantly broadened their views as a result of the day. Ninety eight percent said they would like to participate again in a similar event.

Continued Involvement in Implementation

Refining and focussing the wealth of information that emerged from the September process is well underway. More than 100 people have been involved over the past 5 months in developing the Planning Strategy.

Implementation Structure

A stakeholder Implementation team is orchestrating the process. Under the auspices of this team, Industry, Community and Local Government Liaison Teams have the task of taking recommendations developed to their constituents and feeding back their responses. Six Working Groups, again consisting of all stakeholders, have been translating the key themes into strategies and actions. I am expecting the final report to be delivered to me in July.

Outcomes

From early indications, the Planning Strategy will be a change of direction for planning in Perth, not only in how we develop as a city, but also in how we do the planning. The key will be to plan through participative decision-making at a local and regional level.

Changing how we plan

I have launched an initiative to encourage local government to run 'Mini Dialogues' with their local communities – drilling down from

the general vision to the local landscape. Grants will be available to Councils whose consultation technique meets key criteria:

- involving a truly representative group of residents,
- disseminating open and clear information,
- providing the opportunity for residents to have real dialogue,
- clarifying how the community input will be used.

The following year, those local governments that have carried out ‘Mini Dialogues’ can apply for grants to help with the infrastructure and services required to put the localised plans into effect. We are also working on a formal partnership with the local government peak body to ensure a bi-partisan approach to implementation

CITIZENS’ JURIES

Why we used Citizens’ Juries

Another mechanism we have used for more contained issues, is the Citizen Jury. We have used this technique where a local community is split – but where the issue is relatively uncomplicated – requiring only a single decision.

REID HIGHWAY CITIZENS' JURY

The first Jury we held was to determine the placement of an exit from a new highway. A simple issue you would think. However, it had resulted in a mini 'Bosnia' between two adjacent communities for over 5 years. When I became Minister, I thought I could resolve it by splitting the burden between the two communities. Over 100 people demonstrated at parliament, outraged by this suggestion. We held a Citizens' Jury.

Process

As with all our consultative initiatives, a Steering Group of stakeholders oversaw the consultation process from beginning to end. Using a random sample of 18 residents, half from one suburb, half from the other, we held the proceedings over a day.

Pre Deliberation Meeting

I met the jurors the week before when the task was outlined, background materials were presented and discussed, and jurors were able to request additional information. I indicated to the jurors that I would be willing to trial the option they chose for a

period of 3 months – providing that option did not cost the Government any more than \$100,000.

Jury Proceedings

On the day of the proceedings, expert witnesses presented their case to the jurors. Experts included state and local government planners, community lobby groups, representatives from the local school and other community groups. The jurors asked questions of the experts and then the experts left. The afternoon was spent with the jurors deliberating. Unlike a legal jury, the Citizen’s Jury was facilitated.

Outcome

The decision of the Jury was unanimous. Interestingly, they chose the option originally put forward by the planners. However, this time, they ‘owned’ it. As one juror said who had changed her mind as a result of the process “I had the right problem but not all the information, so I had the wrong solution”.

We trialed their recommendations, including the safety measures.

The trial was successful. Importantly, the process was perceived to be fair and the community dispute ended.

ALBANY CITIZENS' JURY

Why we ran it

Our second jury was in a regional town, Albany. Two Local Councils had amalgamated and requested a change in zoning so they could build a new town administrative centre some kilometres from the centre of the city. This local decision had split the community. Moreover, the WA Planning Commission did not agree with the plan.

Process

We held a Citizens Jury. This time there were 22 residents chosen randomly, half from the city, half from further out. We invited the local community to participate in the expert hearings. Over 100 attended and many submitted questions for the jury to ask of expert witnesses. The jurors determined which questions would be asked.

Outcome

This time, although I was given a consensus jury recommendation, it was not unanimous. However, the jurors had decided a decision had to be made, and agreed to a decision-making process they determined would be fair. Having come to a consensus about their decision-making approach, they were all willing to 'own' the final decision, even though for some, it had not been their preference

Government Response

As it happened, the decision was not in line with the determination of the WA Planning Commission. After careful thought, I decided I would accept the consensus Jury view and enable the Council to change the zoning on their proposed site. In this instance, however, it was obvious that the community was prioritising different aspects to the planners.

WHAT WE HAVE LEARNT

Difficulties of partnering with specific interest Lobby Groups

In this process we have made mistakes. We hoped we could partner with localised lobby groups to find compromise solutions to local issues. We have not found this possible. Lobby groups that have formed for very specific interests and have already determined what the end result should be, are not interested in finding out what the whole community might want, or in making any changes to their pre-determined ideas.

New Role for Specific Interest Lobby Groups

When specific interest lobby groups like these have evolved, we believe we need to encourage them to take a different role in the deliberations. They need to be heard, but as expert community members, rather than as participants in the search for common ground. Obviously, this will not be an easy transition for lobby groups to make.

Continuing to Engage the Broader Public after Consultations

We have learnt that if we want to implement new directions from participative engagement, we need to keep broadening the numbers of people involved immediately after the consultation.

We know that this is extremely difficult to do. However, we have learnt that if the broader public, and those likely to be effected by any new direction, are not given the same ‘open book’ information and opportunity to deliberate, it is easy for special interest groups to distort the findings of the consultation and put up road-blocks to implementation.

CONCLUSION

The best lesson of all is the way in which the vast majority of the participants rise to the challenge – the earnestness with which they get across the issues, their preparedness to genuinely consider the views of others – and their desire to reach common ground – gives me real hope that we can get better decisions, more trust, stronger communities and real democracy.