

# What Role for Citizens in Developing and Implementing Public Policy?

## Part 1

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### Abstract

Part 1 of the paper presented at the Facing the Future Conference discussed the current state of the Australian Governments' engagement with citizens in Australia? The specific focus of Part 1 of this paper is on the processes Australian governments use at national level to facilitate greater citizen participation. It will also discuss the why, when and how of citizen participation, using the OECD's three stage model of information provision, two way consultation and engagement in policy development and implementation.

Part 2 of the paper, to be published in the next issue of the Canberra Bulletin of Public Administration. The focus there will be on innovative ways of engaging citizens. Particular attention will be given to elaborating a typology of appropriate methods for different stages of the policy process, taking into account the degree of complexity of the policy issue.

### Introduction

*What is needed is to create 100 different ways in which our citizens can be engaged, get involved, can feel a sense of ownership and commitment to decision making, to collective action. The catch for the politicians is that they can't just pretend – they have to really cede some power or people will be further alienated.<sup>2</sup>*

The OECD has suggested a three-stage model of gauging the nature and extent of citizen relations in policy making.<sup>3</sup> The first stage is the provision by governments of information for citizens. This is viewed as a one-way relationship covering both 'passive' access to information on request and the 'active' measures used by government to disseminate information.

Stage two refers to the two-way relationship of consultation in which citizens are invited by government to provide feedback on specific issues. This exchange, however, is based

on government's prior definition of the issue and government providing background information.

The third stage of the OECD's model is the active participation of citizens in policy-making based on a partnership relationship. This means that governments acknowledge the role of citizens in proposing policy options and shaping the policy dialogue. However, it is also accepted that the final decision on policy or policy formulation rests with government.

In Australia, as in other OECD countries, relations between citizens and governments as policy makers are mostly limited to overly formal exchanges. Governments make available or actively deliver information to citizens who at best receive it as a one sided exchange. Less frequently, governments invite citizens to offer their views as part of a 'consultation' exercise. In relation to national issues, this is usually done through a formal inquiry in which government sets the agenda and provides the background information and citizens are invited to make formal submissions.

However, the third type of citizen participation is little practised in Australia and elsewhere. This refers to an exchange with governments where citizens as citizens actively engage in the policy process. This means governments accept that citizens have a role in shaping how policy issues are presented in terms of the type and range of background information offered and how policy options are developed.<sup>4</sup>

The focus of this paper is on how citizens who are not in organised groups can participate in public policy development and implementation – or put more colloquially - how to put more public into policy analysis.<sup>5</sup> It is acknowledged that there are a range of organised forms that represent citizens' views. These vary from political parties to peak umbrella bodies, local associations, ad hoc groupings on a particular issue and social movements. Citizens may actively support any of these groupings in their engagement in policy processes.<sup>6</sup> However, the focus of this paper is on the opportunities for citizens to have direct input into government rather than through intermediaries.

While organised interests have a clear role in terms of their capacity to mobilise resources to present a position, their focused advocacy has definite limits in terms of canvassing a range of suitable policy options. I will argue that the direct involvement of citizens in developing policy options is also needed because citizens as citizens are often better placed to reconcile a range of perspectives on a given issue.

Citizens as individuals, if given the chance to view in depth a particular policy issue, can bring at least three perspectives to bear on the issue at the same time.<sup>7</sup> First, ordinary citizens are likely to view an issue from the perspective of a taxpayer who must pay for the cost of public policy decision. Second, as consumers or users of government services, they have expectations about the quality of service they want. Third, they are members of a community, local and national. By bringing three perspectives to bear on an issue, citizens as citizens are often better placed than politicians or public servants to identify

policy priorities, reconcile conflicting values and work out what choices are more consistent with their community's values.<sup>8</sup>

Citizens are also now more capable than ever to engage in policy making. As has been noted in relation to Canadian citizenry, they are better educated, more diverse, and less deferential than any previous generation.<sup>9</sup> Citizens world wide are seeking more direct ways to get involved in public life and decision-making, particularly on issues in which they have a particular interest.

*Citizens are arguing for a new notion of governance that requires political leadership to engage with citizenry in ways that allow for ongoing input into decision-making and policy formation.<sup>10</sup>*

The concept of a 'democratic deficit' has been proposed to highlight the declining levels of citizen trust in political institutions.<sup>11</sup> The concept refers to the perception that the institutional 'form' of the political apparatus has largely overtaken the 'substance' of democracy: elections are held but meaningful exchanges are minimal between citizens and the elected.<sup>12</sup> Political parties have ceased to act as effective vehicles for citizen participation due to their own lack of internal democracy and lack of capacity to identify issues of community concern.

Polling public opinion regularly does not constitute a meaningful exchange unless there is a chance for citizens to 'have engaged an issue, considered it from all sides, understood the choices it leads to, and accepted the full consequences of the choices they make' a process called 'coming to public judgement'.<sup>13</sup>

The democratic deficit can also stem from the mixed signals Ministers and public servants send out about the desirability of governments engaging with citizens. At a basic level, resistance to the idea of citizen engagement can come from government Ministers and officials who object to sharing power and having their roles redefined.<sup>14</sup> At a more pragmatic level, officials may oppose citizen participation because it is seen as time consuming, expensive, complicated, and emotionally draining.<sup>15</sup> These latter objections are real and are addressed below.

I believe that opportunities are largely missing in Australia for citizens to engage in the policy making process at the level of national policy issues. I make some broad generalisations about the current state of affairs in relation to citizen consultation and engagement that may need to be corrected or modified. There may well be some consultative exercises I have not referred to that should have been. However, useful feedback has been received and incorporated in response to an earlier draft of the paper posted on the Australian Public Policy Research Network web site ([www.apprn.org](http://www.apprn.org)) and circulated at the Facing the Future conference.

The remaining of this paper uses the OECD's three stage model of citizen engagement to assess the state of play at a national level in Australia. The focus initially is on the

information and consultation stages of citizen participation as necessary conditions for third stage of citizen engagement to be effective.

## **Stage 1: Citizen Access to Information**

Citizens seek information from Government that is objective, complete, relevant, easy to find and easy to understand.<sup>16</sup> The right of citizens to information in Australia is enshrined in freedom of information legislation. However, at a federal level, there are no performance standards which rate the information provided in terms of the above criteria of objectivity, relevance, easy to find and easy to understand.<sup>17</sup>

However, there are often limitations placed on citizens' easy access to information. Information provided through federal government department web sites is rarely in a language other than English. Despite the fact that English is not the most common language spoken at home for 20 per cent of the Australian population in 2001, only one federal department has a service charter in more than one language on its web site.<sup>18</sup>

Government web sites often serve only as vehicles for one-way communication. A June 2002 report of the NSW Audit Office on the user friendliness of NSW Government department websites noted:

*For the sites evaluated, there was little use of the web to foster two-way communication between the public and agencies on issues of concern or as part of the policy process.<sup>19</sup>*

A good example of information provision that is active rather than passive is the new portal Window on Women ([www.windowonwomen.gov.au](http://www.windowonwomen.gov.au)) of the federal government's Office of the Status of Women. The web site provides access to data from selected Australian Bureau of Statistics (ABS) sources to allow the enquirer to compile the data in the specific way they want. The new Window on Women portal's provision of access to relevant data is a model that could be applied to other major areas of citizen interest in public policy such as education, health and the environment.

Access to Government information in Australia in practice is more limited than is the case for US citizens in relation to their government. A culture of secrecy still pervades some sectors of Australian public sector administration.<sup>20</sup> It is common for commissioned reports, for example, to be shelved by the staff of Ministers or by public servants seeking to protect the Minister or their own departments.<sup>21</sup>

This is in contrast to the US Government which has a general commitment to publishing commissioned reports with the onus on government to demonstrate whether disclosure would be harmful to the quality of government decision-making.<sup>22</sup> This difference in access to Government information between Australia and the US could stem from the constitutionally guaranteed citizen right to 'freedom of speech' in the United States and the absence of a citizen bill of rights in Australia.

## **Stage 2: Citizens are now consulted but not in a consistent manner**

The focus of the OECD's second stage of citizen engagement is on citizen consultation in relation to policy making. This is distinct from seeking feedback from the users of government services, otherwise known as customer consultation.<sup>23</sup> Consultation, in the sense of having discussions or conferring with someone before undertaking a course of action, has long been part of the policy making process in Australia. However, traditionally consultation has been narrowly focused on those organised interests identified as key stakeholders such as peak bodies representing business, professions, those on welfare and the organised workforce as well as community groups.

Direct consultation with citizens is now also accepted by many governments in Australia as 'correct' practice in initiating a new policy direction, although, at a federal level at least, there is no systematic approach to doing this. No central guidelines exist for the Australian Public Service on how and when to consult with citizens.<sup>24</sup> The Governments of UK and Canada, on the other hand, offer a number of guides to their public servants.<sup>25</sup>

The Australian Public Service Commission recommends but does not require that public service departments develop service charters for policy functions and offers the following advice:

*Developing policy that takes into account the needs of Ministers, the community and resourcing issues will sometimes be a fine balancing act. A Service Charter will help ensure that there is reasonable input from relevant members of the public into the policy process and should reassure the community that consultation with it is regarded seriously.<sup>26</sup>*

The issue of citizen consultation in relation to policy development gets highly variable treatment in the departmental service charters. The service charters of the Departments of Prime Minister and Cabinet, Health and Aging, Defence, Employment and Workplace Relations, Environment and Heritage, and Finance and Administration do not refer to any undertaking to consult when developing policy. The service charter of the Department of Agriculture, Fisheries and Forestry Australia does offer a commitment to consult but does not elaborate on how this will be done:

*We aim to provide a high level of service by: ... being objective and unbiased in our decisions and dealings with you. We will: seek to engage you on policy proposals that affect you and give you reasonable time to respond to policy proposals.*

The Department of Family and Community Services offers a similar commitment but there is also no indication of the processes that might be followed:

*We aim to consult widely to make sure that the views of our partners, clients and stakeholders are properly considered in developing or reviewing policies*

*or services. We will also provide as much time as possible for comment on any proposals that affect our business with you.*

The charter of the Department of Education, Science and Training (DEST) states baldly what it does rather than offer an undertaking:

*Our Department is pro-active in consulting with its clients, service providers and stakeholders. These consultations enable use to: get views on: how we deliver our programmes and services; how we can improve the quality of our programme and service delivery; how we rate against our service commitments and [to] provide well-informed balanced advice to Government'.<sup>27</sup>*

The most comprehensive commitment to consult in relation to policy development and implementation is found in the service charter of the department which deals with well organised and powerful clients (see Box 1). The charter of the Department of Industry, Tourism and Resources commits its officers to six aspects of a consultation process in relation to policy development and implementation.

**Box 1: The Department of Industry, Tourism and Resources Client Service Charter [Extract]**

When developing policy advice, we will:

- consult widely;
- provide reasonable timeframes for you to respond to policy proposals;
- explain the process; and
- ensure that our contribution to policies is balanced and relevant to the Government's broader economic and social objectives.

When policy decisions have been made, we will:

- provide information to customers about decisions that affect them; and
- consult customers during the implementation of decisions.

<http://www.industry.gov.au>

The absence of evidence of a coordinated approach to citizen consultation at national level is also demonstrated by the lack of a single portal or web site at federal government level listing all current consultations by individual government departments or agencies. The UK Government, in contrast, does list all current consultation documents by departments in one location through its Citizen Space web site.<sup>28</sup> The Government of Canada has a new pilot web site entitled 'Consulting Canadians' which is seeking to list all consultations in progress.<sup>29</sup> The WA Premier and Cabinet Department's Citizen and Civics Unit has a consultation catalogue on its Citizenscape web site.<sup>30</sup>

For most federal departments, consultation with the public is not highlighted on their web sites as a key part of how they go about their business. Only one federal department, Communications, Information Technology and the Arts, has consultation listed on the

main menu of its web site. The front page of web site of the Department of Agriculture, Fisheries and Forestry Australia highlights links to subject and specialist areas but does not include consultation.

At State Government and local government levels, there is much more evidence of a willingness on the part of governments to consult with citizens. Explicit references to a commitment to consult can be found on the web sites of the departments of Premier and Cabinet in Western Australia, Queensland, Victoria and Tasmania and on the web site of the South Australian Premier.

The ACT Government has a consultation protocol to guide 'all consultation conducted by and on behalf of the ACT Government'.<sup>31</sup> The Victorian Department of Infrastructure, for example, has developed a community consultation resource guide for local government.<sup>32</sup> The Victorian Local Government Association's dedicated website on consultation and engagement lists the consultation policy of a number of local governments in Australia.

The Minister for Planning and Infrastructure in WA, Alannah MacTiernan has conducted a number of innovative consultations including citizen juries.<sup>33</sup> The ACT Government commissioned a deliberative exercise with a randomly selected group of citizens on the feasibility of a Bill of Rights for the ACT as part of a wider consultation process.<sup>34</sup> Other deliberative exercises to do with constitutional reform and economic growth have been undertaken in South Australia.<sup>35</sup>

The workshops in this conference on innovative practices in engaging citizens have highlighted innovative exercises in NSW, Victoria, Queensland and ACT.

### ***How to make consultation work better***

Consultation with citizens is likely to be more effective if there is a national legal, policy and institutional framework to promote and encourage governments at all levels to consult. This might involve putting in place a legal right to be consulted, as in Canada, Finland and Japan where governments are required to consult with citizens to assess the impact of new regulations.<sup>36</sup> However, this might narrow the focus of consultation to exploring impacts only.

A legal requirement for governments to consult those affected by new legislation, however, is likely to mean little if this is not backed by government policy which takes the consultation process seriously. The consultation needs to not only inform citizens in advance of decisions taken but also to spell out clearly their objectives in seeking citizen input and how it will be used. In other words, governments need to show that consultation is not being carried out to comply with a formal requirement but is a key input into genuinely shaping policy.<sup>37</sup>

Policy makers need to make clear how the results of the consultation will be used so that it justifies the effort a citizen makes to put their views forward. It is important that citizens also be informed about the stage of the policy process at which their views are

being sought. The stage of the policy process should also shape how the consultation is conducted. General canvassing of citizen views is not appropriate if there is an already preferred policy option. Seeking comment on a preferred option may be too late in the policy process when citizen input could have been sought earlier in the process based on information about different options. Unless there is a clear feedback loop from the policy makers about their reasons for adopting a particular option and how the points raised by the consultation process were addressed, citizens are likely to become frustrated and cynical about the value placed on their input.

### **Stage 3: Citizen Engagement in Policy Development**

If it is widely accepted by governments in Australia that they should consult citizens, this view often rests on a narrow view of what consultation involves as the above discussion of service charters shows. A broader, more comprehensive concept of citizen engagement in the process of policy development and implementation is needed. What does citizen engagement in policy development refer to? The OECD suggests that:

*Active participation recognises the capacity of citizens to discuss and generate policy options independently. It requires governments to share in agenda-setting and to ensure that policy proposals generated jointly will be taken into account in reaching a final decision.<sup>38</sup>*

I now want to discuss the case for the active citizen involvement in policy development under three aspects: why, how and when?

#### ***Why is citizen involvement in policy making needed?***

There are a range of arguments to support a role for citizens in policy development and implementation. These arguments can be based on first principles or based on more pragmatic reasons such as contemporary weaknesses in the body politic and the need to tap local knowledge to develop effective policy.

Greater numbers of the citizenry in Australia have higher levels of education, and indeed professional expertise in research, analysis and indeed in policy making. Many with the requisite professional expertise and experience seek to exercise their role as citizens on issues they are concerned about. This involvement might vary from seeking to improve the delivery of services to young people at risk to helping to shape policy on environmental management.<sup>39</sup>

One pragmatic justification for the value-added contribution citizens can make is in providing local knowledge about what is likely to work and what is not. Another pragmatic justification is to gain citizen commitment to accept the outcome of the policy development process. One policy area where local knowledge and commitment is likely to have greatest impact is in relation to environmental policy in particular regions.

For example, in relation to salinity, or other water related issues such as catchment management, prior consultation is only part of what is needed. The consultation process also needs to include the opportunity for the careful working through of complex information to deliver viable options and to gain agreement of the community to support one of the options. If there is little or no opportunity for ‘purposeful participation’ in the decision-making process, the result can be a lack of ownership by the local community of the final outcomes.<sup>40</sup>

If consultation is viewed as a limited exercise, it is likely to offer little benefit in achieving a better policy outcome. A stand alone, one-off exercise encourages the one sided imparting of information, often in a highly technical way to reinforce the status of the policy maker as expert.

A more sophisticated process of citizen participation can use interaction with local communities to problem solve issues. This further stage of citizen engagement requires a reciprocal process where the local community learns from experts about the results of their modelling of the different options and the experts learn from the local residents about local factors they may not have considered.<sup>41</sup> How to manage this interaction is, of course, a key issue.

### ***The democratic imperative and the need to send a consistent message***

A more sophisticated argument in favour of citizen participation is in relation to the democratic imperative. Most citizens see their role in a representative democracy as more than infrequently casting a ballot. To overcome a common perception among citizens of a democratic deficit, governments have to demonstrate that they are open to citizen input and are responsive to their concerns. While most citizens do not seek regular involvement in the policy development process, it is important that scope for doing is widely advertised if they so wish.

Governments as policy makers have a difficult task of demonstrating the quality of what they do, as with other organisations offering intangible and complex services. In these situations, people look for subtle indicators of quality. One way to provide these indicators is evidence management – ‘an organised, explicit approach to presenting customers with coherent, honest evidence of your abilities’.<sup>42</sup> This involves sending a simple and consistent signal that citizens’ views in relation to matters they have a direct interest in are important and managing the evidence day in and day out to support that message.

However, mixed signals come from government ministers and officials. One mixed signal is that too much direct citizen engagement in the form of referenda or direct voting on initiatives is not healthy for representative democracy. The argument is that our system of government assumes that citizens elect individuals to represent them in parliament and it is largely up to the elected to determine the specifics of how that representation is manifested.<sup>43</sup> In support of this view is the claim that voting on citizens’

initiatives in the USA are now often criticised by activist citizens who say special interest groups and politically ambitious millionaires have hijacked the process.<sup>44</sup>

Other mixed signals from governments stem from fears about opening up a 'can of worms' - people might get 'het up' on an issue and block government's ability to act. Some citizens might want more public expenditure on their own areas of interest, less on other people's and at the same time to pay less tax.<sup>45</sup> What Governments might want to do may not be what the people want. This is particularly when citizens are supporting sectional interests (eg forest industry), responding to pressure from overseas (eg Iraq war), or when they are taking unpopular short-term decisions for expected long term gains (eg micro-economic reform).<sup>46</sup>

However, hints of ambiguity or hostility from government about the value of seeking citizen input will be seen by many citizens as evidence of unwillingness to share power. Where sectional interests are involved, the challenge for policymakers seeking citizen input is to use the appropriate method at the appropriate stage in the policy development process. This is discussed further below.

### ***Is it worth the effort?***

Another reason mixed signals about the value of citizen participation are sent is that it is often seen by officials as time consuming, expensive, complicated, and emotionally draining.<sup>47</sup>

A pragmatic test of whether the extra effort by policy makers is justified is one based on the principles of risk management.<sup>48</sup> What are the likely worst-case consequences if the preferred policy option is implemented without consulting those affected? What is the probability that the worst-case consequences could eventuate? Is it likely that consultation or a more thorough consultation process will make a difference in altering this risk profile? In other words, if consultation is not undertaken, is the policy maker willing to accept responsibility for the outcome?

### ***Why seek citizen engagement?***

Five purposes for involving citizens in public policy decision-making have been suggested.<sup>49</sup> Policy makers might seek citizen participation as part of an initial discovery process to do with a search for definitions, or to identify the underlying principles to be used to choose an option. Citizen participation can play an education role, by providing an opportunity to explain an issue in more details and to propose alternative options.

A third reason for seeking citizen involvement is to measure in a representative way the range of public opinion about a set of options. Policy makers might also be keen to seek citizen participation is to persuade the public to accept the recommended option. Finally citizen engagement may be undertaken to comply with a requirement to consult but with the intention of legitimising a decision already taken.

It has been suggested that consultation might or should take place at the following points.<sup>50</sup>

1. For Government to hear what issues people want to raise at their own initiative. The consultation could be initiated by advocacy and interest groups, local communities or individuals.
2. Government wants to find out more about the problems and why the issue has arisen, how many people are affected and what the competing views/interests are.
3. Government defines the problem and consults for ideas about how to address it.
4. Government refines these responses to the problem into options, with pros and cons, constraints etc spelled out and seeks public's views on which option is preferred.
5. Government decides on the basis of the above step and implements in consultation/co-operation with affected parties.
6. Government evaluates outcomes of the action including consultation with representative samples of all groups affected.

## Conclusion

The second part of the paper will outline a model for considering when and how to engage citizens in policymaking. This will be done against the background of a discussion of innovative approaches to citizen engagement in policy making in the UK and Canada.

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<sup>1</sup> I would like to thank Sabrina Dei Giudici for her research work on references to consultation on the web sites of federal and state government departments. I would also like to thank Meredith Edwards for her close reading of the paper and her helpful comments, Julia Perry, Russell Ayres and Tim Reddel for pointing to several issues that needed more clarification. Needless to say, I take full responsibility for the errors that may remain.

<sup>2</sup> Mathew Taylor, 2003, Chifley Lecture as reported by Michelle Grattan, *The Sunday Age*, April 6, p 15. Mathew Taylor is Director of the Institute for Public Policy Research in London.

<sup>3</sup> OECD, 2001, *Citizens as Partners: information, consultation and public participation in policy-making*. Organisation for Economic Cooperation & Development, Paris.

<sup>4</sup> OECD, 2001, *Engaging Citizens in Policy-making: Information, Consultation and Public Participation*. PUMA Policy Brief No 10.

<sup>5</sup> This is paraphrasing the title of an article I make extensive reference to later in the paper: Walters, L; Aydelotte, J; & Miller, J; 2000, 'Putting more public in policy analysis', *Public Administration Review*, Vol

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60, Issue 4, pp349-359. available for downloading from  
<http://www.vlgaconsultation.org.au/publications/recent.shtml>

<sup>6</sup> I am grateful to Tim Reddel highlighting the need for me to clarify this point..

<sup>7</sup> Maxwell, J; 2003, 'What Citizens Want From Democracy', *Canadian Policy Research Networks*,  
<http://www.cprm.org/cprm.html>

<sup>8</sup> Ibid, p 2.

<sup>9</sup> Ibid, p 2.

<sup>10</sup> Naidoo, K; 2003, 'Civil Society, Governance and Globalisation', World Bank Presidential Fellows  
Lecture, Secretary General & CEO CIVICUS: World Alliance for Citizen Participation, p 7.  
[www.worldbank.org](http://www.worldbank.org)

<sup>11</sup> Pharr, S; & Putnam, R; 2000, *Disaffected Democracies: what's troubling the trilateral countries?*  
Princeton University Press, Princeton. David Burchell & Andrew Leigh, 2002, *The Prince's New Clothes:  
Why do Australians dislike their politicians?* UNSW Press, Sydney.

<sup>12</sup> Naidoo, K; 2003, p7.

<sup>13</sup> Using the words of the American social researcher Daniel Yankelovich, cited by Murray Goot, 2003,  
'Public opinion and the democratic deficit' Weekend Review, Australian Financial Review, February 21.

<sup>14</sup> Walters, L; Aydelotte, J; & Miller, J; 2000, p 349-350.

<sup>15</sup> Walters, L; Aydelotte, J; & Miller, J; 2000, p 350.

<sup>16</sup> Caddy, J; 2001, 'Why citizens are central to good governance', *OECD Observer*, 31 October p 59.

<sup>17</sup> According to a report by David Banisar in relation to Australia's federal Freedom of Information  
legislation: 'Budget cuts have severely restricted the capacity of the Attorney General's Department and the  
Ombudsman to support the Act and there is now little central direction, guidance or monitoring'. Banisar,  
D, 2002, Freedom of Information and Access to Government Records around the World. Privacy  
International July, <http://www.freedominfo.org/survey.htm> See also Freedom of Information Annual  
Report 2001-2002 <http://www.ag.gov.au/foi>

<sup>18</sup> Department of Immigration and Multicultural and Indigenous Affairs as at 21/11/02

<sup>19</sup> NSW Auditor General, 2002, *E-government User-friendliness of Websites*.

<http://www.audit.nsw.gov.au/perfaud-rep/Websites-June2002/egov-websites.pdf>

<sup>20</sup> The Australian Senate's Legal and Constitutional Legislation Committee noted in its Inquiry into the  
Freedom of Information Amendment (Open Government) Bill 2000 that: 'The Committee is concerned,  
however, about evidence that suggests that some agencies have a poor attitude to FOI. The existence of a  
culture in any government agency that is indifferent to or trivialises FOI in any way is unacceptable (para  
3.140). See also Administrative Review Council's report, *The Contracting Out of Government Services*  
(Report No 42) 1998, Chapter Five.

<sup>21</sup> Curtain, R; 2000, 'Towards Greater Transparency in Policy-making', *Canberra Bulletin of Public  
Administration*, No 96, June.

<sup>22</sup> This is the test applied to government funded reports in the USA see A. Roberts "Access to government  
Information: an overview of Issue", *Transparency International Working Paper*, Carter Center, Atlanta,  
May 1999

<sup>23</sup> I am grateful to Russell Ayres for emphasising the importance of this distinction.

<sup>24</sup> The Australian Audit Office has produced a guide entitled 'Some Better Practice Principles for  
Developing Policy Advice', Nov 2001. The guide's 'consultation and coordination' section offers this  
advice: 'Provide individuals or organisations consulted with a statement of purpose that includes (where  
known) a brief and simple statement of purpose, a summary of policy proposals, a proposed  
implementation date where known, contact details for input, a point of contact for questions, and  
information on the timeframe for the consultation process & the policy decision process' (p4)

<sup>25</sup> UK Audit Commission, 2002, *Connecting with Users and Citizens*. London <http://www.audit-commission.gov.uk/>; UK Cabinet Office, 2002, *Viewfinder: A Policy Maker's Guide To Public  
Involvement*. [www.policyhub.gov.uk](http://www.policyhub.gov.uk); Treasury Board of Canada Secretariat, n.d, *ASD Policy –  
Consultation* [http://www.tbs-sct.gc.ca/asd-dmps/guides/q6\\_e.asp](http://www.tbs-sct.gc.ca/asd-dmps/guides/q6_e.asp), *Consulting & Engaging Canadians:  
Evaluation Guidelines* The Evaluation Guidelines is one of three companion documents to the Policy  
Statement and *Guidelines on Consulting and Engaging Canadians*. The other documents are *Guidelines  
for Online Consultation and Engagement* and *Participant Funding Guidelines*. [http://www.tbs-sct.gc.ca/eval/tools\\_outils/cec\\_cpc\\_e.asp](http://www.tbs-sct.gc.ca/eval/tools_outils/cec_cpc_e.asp)

<sup>26</sup> <http://www.apsc.gov.au/charters/developingacharter.htm>

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<sup>27</sup> <http://www.dest.gov.au/charter/charter.htm#consultation>

<sup>28</sup> CitizenSpace website ('Take part in policy-making and find information on democracy') lists 160 consultation documents from all departments currently open for comment. The web site also hosts online forums for citizens to post their feedback – with five currently in progress (April 2003).

<http://www.ukonline.gov.uk/CitizenSpace/CSHome/1,1037,~801b22~fs~en,00.html>

<sup>29</sup> Consulting Canadians website 'The Government of Canada is committed to finding new and innovative ways to consult with and engage Canadians. Consulting Canadians provides you with a "single-window" access to a listing of consultations from selected government departments and agencies'.

<http://www.consultingcanadians.gc.ca/cpcPubHome.jsp?lang=en>

<sup>30</sup> - <http://www.citizenscape.wa.gov.au/index.cfm?fuseaction=consult.curcats>

<sup>31</sup> ACT Government 'Community consultation: have your say'

<http://www.consultation.act.gov.au/public/topiclist.asp>

<sup>32</sup> Community Consultation Resources Guide (pdf, 155kb, 17 pages) <http://www.doi.vic.gov.au> and the Victorian Local Government Association's dedicated website on consultation and engagement

<http://www.vlgaconsultation.org.au/>

<sup>33</sup> Seventeen jurors have been selected for the Albany Administration Centre Citizens' Jury... more than 90 people had said they would be prepared to serve on the day-long jury. ...the jurors had been chosen through a computerised random selection process...potential witnesses, who had been identified by the steering group, had also been approached to confirm their participation. "Expert witnesses will present on a number of topics set by the steering group and take part in a genuine two-way dialogue with the jury and other witnesses," Ms MacTiernan said. "These presentations will advance the understanding of the citizens' jury on issues concerning the location of the Albany Administration Centre." At the 'hearing', jurors will listen to and question the 'expert witnesses', discuss the issues, and try to reach a consensus on the best option. Jurors will receive assistance in the process from an independent facilitator.

<sup>34</sup> <http://www.act.gov.au/rights>

<sup>35</sup> <http://www.ida.org.au/>

<sup>36</sup> Caddy, J; 2001, 'Why citizens are central to good governance', *OECD Observer*, 31 October p 59.

<sup>37</sup> Caddy, J; Ibid.

<sup>38</sup> OECD, 2001, p 3.

<sup>39</sup> Curtin, R; 2002, 'The role of area-based partnerships in achieving outcomes in policy: coordination: Local Learning and Employment Networks in Victoria', *Canberra Bulletin of Public Administration* No 105, December, pp 50-55.

<sup>40</sup> Van der Lee, JJ, n.d., 'Participative water resource allocation and decision-making in Australia', Centre for Water Policy Research, University of New England, Armidale, NSW.

<sup>41</sup> Wolfenden, J; n.d, 'Policy Analysis for Ecologically Sustainable Development', Centre for Water Policy Research, University of New England <http://www-personal.une.edu.au/~jwolfend/jawsphd.htm>

<sup>42</sup> Berry, L and Benapudi, N; 2003, 'Clueing in customers', *Harvard Business Review* 81, Issue 2.

<sup>43</sup> I am grateful to Russell Ayres for alerting me to this point.

<sup>44</sup> Cray, D, 2002, 'Created to Boost Grass-roots Democracy, Citizen Initiative Process is Now Widely Criticized', Associated Press.

<sup>45</sup> I am grateful to Julia Perry for alerting me to this argument.

<sup>46</sup> Ibid.

<sup>47</sup> Walters, L; Aydelotte, J; & Miller, J; 2000, p 350.

<sup>48</sup> I am indebted to Meredith Edward for suggesting this point.

<sup>49</sup> Walters, L; Aydelotte, J; & Miller, J; 2000, p 352.

<sup>50</sup> The following points have been suggested by Julia Perry.