

Civic lotteries as a method of Advisory Committee selection

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"[The selection process] determines whether the community at large perceives the Citizen Advisory Body as a legitimate voice for community interests or as a captive and docile tool of the parent agency" [*Citizen Advisory Boards: An Empirical Model for Choosing Goals and Methods*, Philip Kunsberg for US Dept of Energy, 1994, p 28 (https://digital.library.unt.edu/ark:/67531/metadc697755/m2/1/high_res_d/543603.pdf)]

Overview

Civic lotteries are emerging as a tool used at both a local, regional and national level around the world as a way to improve the input and recommendations different levels of government receive from the public.

In essence, a civic lottery is a method of randomized selection of citizens that replaces a traditional volunteer-based appointments process, panels of 'independent citizen experts' and 'blue ribbon commissions'.

On the surface, this selection appears counter-intuitive. Surely a committee made up not only of non-experts, but also of people who weren't even motivated enough to volunteer unprompted, cannot provide good advice to council?

The reasons why this perception is inaccurate, and a move to civic lotteries can bring numerous benefits to comprehensive and effective citizen engagement, are set out below.



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1. Who do Citizen Advisory Committees represent?

Citizen advisory committees represent citizens. Their purpose is to reflect and represent the citizen point of view to municipal government in general, and especially to elected representatives. The intent is for them to provide insight to staff and council representing an accurate reflection of the points of view to be found across the city.

This is valuable from the perspective of both monitoring public opinion, and above all for representing the lived experience of those with the greatest stake in every city decision - the people who live, work and play there.

A successful citizen advisory committee assists staff in formulating balanced recommendations to council by interacting with staff early in the decision-making process. It should also be capable of providing independent and informed modifications, suggestions and 'dissenting views' on staff recommendations. Thus informed, elected representatives can make decisions based jointly on expert staff advice and insight only citizens can provide.

2. Why 'experts' are the wrong choice for advisory committees

As stated above, an advisory committee's purpose is to ensure the citizen perspective is included in decision-making, and that insights only citizens can provide are not overlooked. The purpose of their existence is to provide something staff and council cannot obtain anywhere else.

It cannot be overemphasized: Citizen Advisory Committees are not expert or professional advisory panels, and should not be expected to be so.

However, in a traditional model, and certainly in Burlington, it is assumed that 'qualified' or 'experienced' people should sit on committees with backgrounds of relevance to the committee.



This desire for 'expertise' seriously undermines and confuses the role of an advisory committee as an independent reflection of city residents. It can also, as was reflected in anonymous staff feedback on Burlington's current committees, lead to people with strong agendas volunteering and being selected to sit on committees. When this happens, the committee is no longer representative of the city, and only representative of people with motivation to apply. The advice staff and council will receive will be inherently distorted towards a particular agenda.

Theoretical Example:

A committee is created to provide advice on the colour of fire hydrants in reaction to a local controversy. Volunteers are asked to apply. 20 volunteers come forward, of which 10 are chosen following interviews as 'most expert', with the exception of two chosen to reflect diversity and youth.

Three volunteers are from the 'Campaign for Orange Fire Hydrants' association, they are all aged 55+ and from a part of town where orange is popular. Three are retired executives from a fire hydrant manufacturer. Two are from the 'Association for Defence of Blue Fire Hydrants'. One is a person of colour living on a low income. One is a youth who was asked to volunteer because they were already on another advisory committee, and there was a need to include youth representation.

Of the ten volunteers, 8 already have strong existing agendas that may be out of step with the community at large. With their prior knowledge of the field, they will tend to overwhelm the youth and person of colour and consider their input lacking in relevance. Yet those two volunteers bring perspectives the 'experts' can never have.

Furthermore, a committee made up this way will tend to be polarized, divided, and provide advice to council which is in no way representative of anything but the members' own opinions.

Staff are paid to be expert

Expertise is the staff's responsibility. City staff, independent contractors and consultants are paid to be expert, and should provide all the necessary professional expertise required.

A citizen advisory committee, even if made up of retirees from or enthusiasts in a given field, will never be able to compete on technical knowledge, and should not be expected to do so.

Citizen's strength is their local knowledge and their ties to, and reflection of, the community at large. A completely non-expert citizen who represents an important demographic (for instance, a person on low-income, recent immigrant, senior or youth) is far more valuable as an advisor than someone with decades of experience.



Furthermore, 'expert' knowledge, when volunteered rather than invited, will tend to come from demographic areas that are already well represented - those who are older, ethnically European, predominantly male and with the financial security and time available to make volunteering easy. New immigrants, indigenous residents, people of colour, non-native English speakers, commuters, parents with young children and people on low incomes will all tend to be excluded from participation by being unable to qualify as sufficiently expert, or be discouraged from volunteering in the first place.

3. Other problems with current selection methods

At present, Burlington selects citizen advisory committees based on volunteering for vacancies. All volunteers are interviewed, and recommendations are made to council, which then approves or rejects the recommendations.

This process creates numerous points of difficulty:

- Who decides the criteria for selection? What constitutes a good committee member?
- Who, if anyone, ensures selections are demographically balanced and inclusive of the full breadth of the population? If volunteers come from certain sectors of society or certain interest groups and levels of expertise, the committees will reflect those groups, and not be representative of the community.
- There is a potential for staff to wittingly or unwittingly shape committees to reflect their own preferences.
- There is a potential for councillors to wittingly or unwittingly shape committees to reflect their own preferences.
- Distorting the selections in this way undermines the committees' ability to provide representative insight of use and value to the city.
- A culture of 'citizen insiders' can develop whereby a relatively small group of perhaps no more than 50 to 100 people city-wide dominate advisory panels, municipal engagement, volunteer groups and community-building enterprises. Members of this group are routinely asked to join new advisory committees, or to take their turn on existing ones. Such volunteers are undoubtedly hard-working, committed, passionate and indispensable members of the community, but that does not make their insight more valuable than other citizens, and can be argued to make it less so when they have in effect become part of 'city hall culture'. In truth, such citizen activists already have, and always will have, a strong voice in shaping their community. Citizen advisory committees, by contrast, should represent a wider and largely silent voice of the entire community.

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- Advisory committee membership is often sought out by people seeking to raise their local profile, add to their resume, or with a potential interest in municipal politics. While not disqualifying on its own, this tendency further skews the members away from being representative of the city.

4. The advantages of civic lotteries

Civic lotteries as a means to select 'citizen assemblies', 'advisory panels', 'reference panels', 'citizen task forces' or 'citizen juries' are an increasingly common tool used by all levels of government. Canadian jurisdictions have led the way in adopting civic lotteries as a method of creating citizen advisory bodies. They have proved successful as a means of selecting citizens to advise on issues of both short-term local significance, and to advise on issues as complex as permanent changes to a national constitution.

Examples:

- Toronto Planning Review Panel (permanent standing advisory panel on planning and development) (2015-present) (<https://www.toronto.ca/city-government/planning-development/outreach-engagement/toronto-planning-review-panel/>)
- The Citizens Assembly (Ireland, 2016-18) Tasked with making recommendations then put to referenda on legalizing abortion, preparing for an ageing population and on climate change (<https://www.citizensassembly.ie/en/>)
- Citizens Assemblies on Electoral Reform (BC, 2002; Ontario, 2007).
- Citizens' Reference Panel on Pharmacare in Canada (2006) (<https://www.crppc-gccamp.ca/>)
- Metrolinx Standing Reference Panel (2018) (permanent standing panel) (2018-present)
- City of Lethbridge Citizens' Assembly on Councillor Employment and Compensation (2016)
- St. Michael's Hospital Residents Health Services Panel (2016)
- Hamilton Citizens' Reference Panel on Cultural Policy and Planning (2011)

Burlington Context - Repeating the Mistakes of History?:

The failure of Citizen Advisory Committees to contribute effectively to city decision-making was identified in 1997 (Community-Based Government Committee), in 2005 (Inclusive Cities Canada study), and in 2010 (Mayor's Citizen Advisory Committee on Civic Engagement (*Shape Burlington: Creating and Engaged Community*, April 2010)). Similar problems were identified with citizen advisory committees in all three reports, with two of the three recommending major changes to the advisory committee process (Inclusive Cities did not make specific recommendations, but inquired why the 1997 CBGC Report had not been implemented).



None of the recommendations pertaining to citizen advisory committees made by CBGC or Shape Burlington were ever implemented. The problems identified today are in essence the same as they were twenty-two years ago. The only difference today is the degree of urgency for a change of approach.

5. Operating a Civic Lottery To Ensure Success

Civic lotteries operate by random selection of citizens. Typically, personal invitations to participate are mailed out to several thousand residents. While the majority of people will not respond, those that do will consist of citizens from outside the usual demographic of people who approach the city to volunteer.

Committees are then selected randomly from the respondents. There is no interview process, and no one person is perceived to be 'better qualified' than another. The only criteria for selection is that the final committee must have members to meet specific composition requirements and the full diversity of the city in terms of race, cultural and religious background and age and potentially income and geographic considerations.

Advantages

- Committees are guaranteed to be impartial and free from prior agendas.
- Properly run committees will be more open-minded, willing to collaborate, compromise and discuss ideas hand-in-hand with staff.
- Properly run lotteries will create committees reflective of the full diversity of the city, and invite citizens who would never consider volunteering into active participation.
- Proper selection can potentially revitalize the entire process of citizen engagement in Burlington by opening participation to any citizen.
- Random selection replaces a process that encourages adversarial debate and an 'inner circle' of activist citizens who either support or oppose municipal policies both from inside City Hall advisory committees and from external activist bodies. Activists retain their voice, but the vast majority of non-activist citizens are given their proper place in the decision-making process.
- Staff and councillors are relieved of the need to spend time interviewing candidates.
- Once a database of volunteers has been created, replacement members or members for new committees can be found quickly and at no cost.



Resources and Costs

- There is a financial cost associated with random invitations. We suggest this could be mitigated by using the Get Involved Burlington website alongside a process of mailed random invitations. This needs to be done in such a way as not to undermine the 'randomness' of the process or create a bias towards appointing people who would have been appointed under the old system.
- Since the most important feature is that the city reaches out to citizens who traditionally will not participate, the cost of mailed invitations is an essential component. This relatively small cost will more than be recovered if advisory committees reduce or eliminate processes that create decisions that are subsequently reversed.
- Staff time and resources are required, but arguably less than for the current system of interviews. Councillors are relieved of a current time commitment.
- Appropriate training, education and support is imperative. Without it, this system of appointment will fail, committee members will lose interest, and committees will fail to provide the advice required.

Potential Problems

- Without the required resources in terms of staff support, documentation, education on committee processes, terms of reference, background information on committee mandate, this method of selection is likely not to provide the quality of insight advice needed.
- Invitations to participate in a committee or process without a clearly defined purpose will not attract responses.
- The balance of demographic requirements needs to be loose enough to be operable, but regulated enough to create a representative committee.
- The new advisory committees need to have the enthusiastic support of council, the City Clerk's Office and the City Manager's Office. City Hall staff and the public at large need to be educated as to the benefits of the method of selection, and why the change is being made. A failure to welcome the role of advisory committees, a perception of them as 'rivals' to staff, and a failure to understand the reason for appointment by civic lottery will all risk the success of committees.

More details on operating a civic lottery, and the advantages of civic lotteries as a tool of citizen engagement and democratic revitalization can be found at <https://tinyurl.com/yyywlkfb>.