

Climate Change Citizens' Assembly process: observers' interim report

Environment, Housing and
Infrastructure Scrutiny Panel

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Jersey's Climate Conversation

States of Jersey
States Assembly



États de Jersey
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Chair's Foreword



Citizens' Panels are a new tool that can assist in policy formation in Jersey. However, it is apparent that it is, as the Minister has suggested, an innovative form of democracy.

States members are well used to absorbing large volumes of information in limited timeframes in order to inform their decisions. So, I have the utmost respect for those on the Citizens' Panel that immersed themselves in the subject and came up with clear and concise recommendations on the key issues.

The Panel was pleased to have the opportunity to observe several of the meetings and understand the input from presenters and facilitators. The latter had the ability to draw out opinion from participants in a balanced way which in turn contributed towards the conclusions.

I would expect the conclusions of the Assembly to be somewhat skewed to the aspirations of the Government in reaching a Carbon Neutral roadmap, but it will be for States Members to decide how much weight to give to the findings when making their decisions.

I would take this opportunity to thank those who have voluntarily participated in this time absorbing but important piece of work.

A handwritten signature in blue ink that reads "Jackson". The signature is written in a cursive style.

Connétable Mike Jackson
Chair,
Environment, Housing and Infrastructure Scrutiny Panel

Executive Summary

On 2nd May 2019 the States Assembly declared a climate emergency. On adopting [P.27/2019 – Climate Change Emergency: Actions to be Taken by the Government of Jersey](#)¹, the States Assembly agreed the immediate actions that the Government would need to take in order to deal with the climate emergency. To that end, on the 31st December 2019, the Minister for the Environment lodged proposition [P.127/2019](#)² – Carbon Neutral Strategy 2019 which was adopted by the States Assembly. The Carbon Neutral Strategy called for the establishment of a Citizens’ Assembly in accordance with the Citizens’ Assembly Mandate which agreed the Citizens’ Assembly’s purpose, constitution and the protocols under which it should run.

In accordance with the Environment, Housing and Infrastructure Panel’s (hereafter ‘the Panel’) Amendment to P.127/2021 which was adopted by the States Assembly, the Panel was provided with the opportunity to observe and scrutinise the meetings of the Citizens’ Assembly, the Advisory Panel meetings, as well as the selection and reporting process in order for the Panel to report its findings and observations to States Members regarding the transparency and independence of the process.

The Panel notes that a sortition process was utilised to establish a Citizens’ Assembly of 45 members, although the mandate called for the constitution of a Citizens’ Assembly of at least 49 members. The Panel is uncertain as to why the membership was reduced. Therefore, the Panel has recommended that the Minister for the Environment should outline in his Ministerial Response, the rationale for why the Citizens’ Assembly membership was reduced from the mandated 49 members to 45 members.

In respect of the two-stage random selection process undertaken by the Sortition Foundation to establish the Citizens’ Assembly, the Panel found that the individuals who registered their interest as potential candidates from the 9000 selected households were ultimately self-selecting at the first stage in the selection process. The Panel observed that in order to match the final composition of the Citizens’ Assembly to the microcosm of the population of Jersey, as part of the sortition process, targets were set. The Panel found that divergence from the set targets used was apparent but, in the main, relatively small and would be expected where exact matches to the set targets could not be achieved. The Panel notes that small amounts of skewing from the set targets within the final Citizens’ Assembly were introduced as a result of respondents dropping out during the confirmation phase of the selection process.

The Panel found that members of the Citizens’ Assembly were randomly selected to be broadly representative of Jersey society. However, although the sortition process aimed to closely match the final Citizens’ Assembly’s climate change concern levels³ to that of Jersey’s population, slight skewing from the set target resulted in slightly more weight being afforded to the upper concern level for climate change and slightly less to the lower end of the concern spectrum in the final constitution of Citizens’ Assembly participants. The Panel found that although the stratified selection process intended to select individuals to balance the views regarding the degree of concern for climate change, it was difficult to ascertain as to whether a balance of views was accurately represented in the final constitution of the Citizens’

¹ [P.27/2019 – Climate Change Emergency – Actions to be taken by the Government of Jersey](#)

² [P.127/2019 – Carbon Neutral Strategy 2019](#)

³ As part of the sortition process, prospective participants were asked to indicate their degree of concern for climate change by answering an attitudinal question which asked them to select one of the following levels of concern: very concerned, fairly concerned, not very concerned, not at all, other and don’t know.

Assembly. Moreover, the Panel found that no measures or safeguards would be able to guarantee the actual levels of concern for climate change that were put forward by individual participants during the selection process and it would involve an element of trust. It is the Panel's view that the demanding nature of the Citizens' Assembly process would likely result in individuals with significant concern levels for climate change putting themselves forward to take part in the process instead of those with more intermediate views. In addition, that remunerating participants of the Citizens' Assembly would impact the constitution of the Citizens' Assembly as the remuneration offer may encourage individuals who would otherwise not participate in political processes to register their interest in the process.

The Panel found that although the sortition process aimed to establish a Citizens' Assembly to match Jersey's society, the outcome of the Citizens' Assembly process was not solely dependent on the composition of the Citizens' Assembly as the deliberation process undertaken by the members of the Citizens' Assembly had significant bearing on the outcome of the Citizens' Assembly process.

The Panel observed the majority of the meetings held by the Expert Advisory Panel, who were purposed to assist with the work of the Citizens' Assembly by preparing information and advice in accordance with the Mandate of the Citizens' Assembly. The Panel observed that the Chair-Convenor to the Citizens' Assembly was also present as an observer during the meetings. Through evidence received regarding the establishment of the Expert Advisory Panel and its Chair, the Panel notes that the Chair of the Expert Advisory Panel was unanimously voted in by its members. However, the Panel has recommended, for the purpose of transparency, that information relating to the selection process of the Expert Advisory Panel and the appointment process of the Panel's Chair should be published on the Jersey's Climate Conversation website before the end of August 2021.

Based on its observation of the meetings held, the Panel considers that the Expert Advisory Panel performed its role with an appropriate degree of independence and with no undue influence from the Government. It comprised an adequate and well-balanced selection of members that demonstrated combined local and international knowledge. Furthermore, the Chair of the Expert Advisory Panel independently led the meetings of the Expert Advisory Panel and the members demonstrated free autonomy and communicated their concerns easily and openly during the meetings. The Panel observed that the Expert Advisory Panel performed its role in accordance with its Terms of Reference. Regarding the independence and transparency of the meetings, the Panel notes that Minutes for the meetings held were independently recorded by Officers from the States Greffe and the information was recorded in the manner in which it was agreed. The Panel notes that at the time of the presentation of the Panel's report, the recorded meeting Minutes from only four of the six meetings held by the Expert Advisory Panel had been published. Therefore, the Panel has recommended, for the purpose of transparency, that the unpublished Minutes from the meetings of the Expert Advisory Panel should be published on the Jersey's Climate Conversation website by the end of August 2021.

The Panel found that concern had been raised as to whether it was appropriate for the Expert Advisory Panel to provide presentations to the Citizens' Assembly in a speaker's capacity as part of the Citizens' Assembly deliberation process given their advisory role. Consequently, the Panel has recommended that as part of the Government of Jersey's evaluation of the Citizens' Assembly process, consideration should be given to whether it is appropriate for members of Expert Advisory Panels to present in a speaker's capacity to Citizens' Assemblies and the potential impacts thereof. Moreover, this should be reported on when the Government of Jersey publishes its findings on the evaluation process.

The Panel observed nearly half of the Citizens' Assembly sessions and notes that the community interaction with the Climate Conversation process has also informed the Citizens' Assembly Process. The Panel found that the information harvested through the public engagement process, together with the recommendations presented by the Citizens' Assembly will be used to inform the policy development process for the Carbon Neutral Roadmap.

Regarding the recruitment process used to appoint the Chair-Convenor to the Citizens' Assembly, the Panel found it was fair and independent from undue Government influence. The process was publicly advertised on local and social media, thereby, providing transparency of the role and the recruitment process to the public and stakeholders. Moreover, The Chair of the Citizens' Assembly was appointed subject to the consent of the Citizens' Assembly after having the opportunity to review the appointment and raise any concerns in accordance with the Panel's amendment to P.127/2019. During its observation, the Panel found that the role of the Chair-Convenor was independent and impartial in the Citizens' Assembly process. She observed the Citizens' Assembly sessions in order to support and enable the process by reflecting the Assembly's discussions to the public. She remained neutral regarding the recommendations made by the Citizens' Assembly. The Panel notes that the Chair-Convenor utilised a publicly available blog on Jersey's Climate Conversation website to reflect on the sessions being undertaken by the Citizens' Assembly. The blogs included published content for blocks 1-3 of the Citizens' Assembly sessions. The Panel found, however, that content for the block 4 sessions has not been published. Therefore, the Panel has recommended for the purpose of transparency and completeness, that the Chair-Convenor's blog on Jersey's Climate Conversation Website should be updated by the end of August 2021 to include a final entry for her reflection on the block 4 sessions.

On observing the Citizens' Assembly sessions, the Panel notes that the Lead Facilitators performed their role of planning and delivering the Citizens' Assembly sessions with an appropriate level of independence. They also ensured that the recommendations of the Citizens' Assembly were accurately reflected within the Citizens' Assembly's report.

The Panel found that the Citizens' Assembly sessions were conducted with the appropriate level of independence, transparency and openness and without undue influence from the Government. In addition, the reporting process of the Citizens' Assembly's recommendations was conducted with the appropriate level of independence, transparency and openness and without any undue influence from the Government.

The Panel observed that the Citizens' Assembly was a demanding process and was not without its challenges. The Panel found that the ability to effectively provide valid, transparent and open information with the right level of input from the Expert Advisory Panel and the content designers, in the limited time available, was considered a potential challenge regarding the Citizens' Assembly process. Accordingly, the Panel has recommended that the 8 week timeframe to which the Citizens' Assembly sessions were run should be evaluated to determine whether it would be appropriate to extend the length of time afforded to the Citizens' Assembly process in future; to alleviate the challenges posed by the facilitation of large volumes of complex information. In addition, this should be reported on when the Government of Jersey publishes its findings on the evaluation process.

The Panel found that the Explore phase which involved the public engagement aspect of the Citizens' Assembly process through the Climate Conversation was not only a new process for Jersey but was not known to have been used as part of Citizens' Assembly processes in other jurisdictions as a way to inform policy. The Panel has recommended, in consideration that the Explore phase of the process was new to Jersey and other

jurisdictions, an evaluation of its impacts on the Citizens' Assembly process and policy development should be undertaken to determine its successes or failures as part of the independence of the process and that this should be reported on when the Government of Jersey publishes its findings on the evaluation process. Moreover, considering that the Citizens' Assembly process was a new process for Jersey, the Panel has recommended that an evaluation of the process should be undertaken to reflect on the successes and failures of the process to make any required improvements to future Citizens' Assembly processes. The Panel recommends that this evaluation process should be concluded, and the findings published before the end of 2021.

Key Findings

Key Finding 1: The Mandate for the Citizens' Assembly called for the constitution of a Citizens' Assembly of at least 49 members, however, the Citizens' Assembly constituted 45 members. The Panel is uncertain as to why the membership was reduced.

Key Finding 2: The individuals who registered their interest as potential candidates from the 9000 selected households were ultimately self-selecting at the first stage in the selection process of the Citizens' Assembly.

Key Finding 3: Small amounts of skewing from the set targets within the final Citizens' Assembly were introduced as a result of respondents dropping out during the confirmation phase of the selection process.

Key Finding 4: The outcome of the Citizens' Assembly process was not solely dependent on the composition of the Citizens' Assembly as the deliberation process undertaken by the members of the Citizens' Assembly had significant bearing on the outcome of the process.

Key Finding 5: The members of the Citizens' Assembly were randomly selected to be broadly representative of Jersey society in accordance with the Mandate for the Citizens' Assembly.

Key Finding 6: To match the final composition of the Citizens' Assembly to the microcosm of the population of Jersey, as part of the sortition process, targets were set. Divergence from the set targets used were apparent but, in the main, relatively small and would be expected where exact matches to the set targets could not be achieved.

Key Finding 7: Although the sortition process aimed to closely match the final Citizens' Assembly's climate change concern levels to that of Jersey's population, slight skewing from the set target resulted in slightly more weight being afforded to the upper concern level for climate change and slightly less to the lower end of the concern spectrum in the final participant constitution of the Citizen's Assembly.

Key Finding 8: Although the stratified selection process intended to select individuals to balance the views regarding the degree of concern for climate change, it is difficult to ascertain as to whether a balance of views was accurately represented in the final constitution of the Citizens' Assembly.

Key Finding 9: No measures or safeguards would be able to guarantee the actual levels of concern for climate change that were put forward by individual participants during the selection process and it would involve an element of trust.

Key Finding 10: Considering the demanding nature of the Citizens' Assembly process, it is likely that individuals with significant concern levels for climate change would put themselves forward to take part in the process instead of those with more intermediate views.

Key Finding 11: Remunerating participants of the Citizens' Assembly would impact the constitution of the Citizens' Assembly as the remuneration offer may encourage

individuals who would otherwise not participate in political processes to register their interest in the process.

Key Finding 12: An Expert Advisory Panel was established to assist with the work of the Citizens' Assembly in terms of preparing information and advice in accordance with the Mandate of the Citizens' Assembly.

Key Finding 13: The Chair of the Expert Advisory Panel was unanimously voted in by the Members of the Expert Advisory Panel.

Key Finding 14: The Chair-Convenor for the Citizens' Assembly was present as an observer during the Expert Advisory Panel meetings.

Key Finding 15: The Minutes for the meetings that had been held by the Expert Advisory Panel were independently recorded by Officers from the States Greffe and the information was recorded in the manner in which it was agreed.

Key Finding 16: At the time of the presentation of the Panel's report, the recorded meeting Minutes from only four of the six meetings that had been held by the Expert Advisory Panel had been published.

Key Finding 17: The Expert Advisory Panel performed its role in accordance with its Terms of Reference.

Key Finding 18: Considering the Advisory role of the Expert Advisory Panel, concern was raised regarding as to whether it was appropriate for the Advisory Panel to provide presentations to the Citizens' Assembly in a speaker's capacity as part of the Citizens' Assembly deliberation process.

Key Finding 19: The Expert Advisory Panel performed its role with an appropriate degree of independence and with no undue influence from the Government. It comprised an adequate and well-balanced selection of members that demonstrated combined local and international knowledge. Furthermore, the Chair of the Expert Advisory Panel independently led the meetings of the Expert Advisory Panel and the members demonstrated free autonomy and communicated their concerns easily and openly during the meetings.

Key Finding 20: The community interaction with the Climate Conversation process has also informed the Citizens' Assembly Process. The information harvested through the public engagement process, together with the recommendations presented by the Citizens' Assembly will be used to inform the policy development process for the Carbon Neutral Roadmap.

Key Finding 21: The recruitment process used to appoint the role of Chair-Convenor to the Citizens' Assembly was fair and independent from undue Government Influence. The process was publicly advertised on local and social media, thereby, providing transparency of the role and the recruitment process to the public and stakeholders.

Key Finding 22: The Chair of the Citizens' Assembly was appointed subject to the consent of the Citizens' Assembly after having the opportunity to review the appointment and raise any concerns.

Key Finding 23: The role of the Chair - Convenor was independent and impartial in the Citizens' Assembly process. She observed the Citizens' Assembly sessions in order to support and enable the process by reflecting the Assembly's discussions to the public. She remained neutral regarding the recommendations made by the Citizens' Assembly.

Key Finding 24: The Chair-Convenor utilised a blog on Jersey's Climate Conversation website to reflect on the sessions being undertaken by the Citizens' Assembly for the public to view. Her blog includes published content for blocks 1-3 of the Citizens' Assembly sessions, however, content for the block 4 sessions has not been published.

Key Finding 25: The Lead Facilitators performed their role of planning and delivering the Citizens' Assembly sessions with an appropriate level of independence, as well as their role of ensuring that the recommendations of the Citizens' Assembly was accurately reflected within the Citizens' Assembly's report.

Key Finding 26: The ability to effectively provide valid, transparent and open information with the right level of input from the Expert Advisory Panel and the content designers in the limited time available was considered a potential challenge regarding the Citizens' Assembly process.

Key Finding 27: The Explore phase which involved the public engagement aspect of the Citizens' Assembly process was not only a new process for Jersey but was not known to have been used as part of Citizens' Assembly processes in other jurisdictions as a way to inform policy by Citizens' Assemblies.

Key Finding 28: The Citizens' Assembly sessions were conducted with the appropriate level of independence, transparency and openness and without undue influence from the Government.

Key Finding 29: The reporting process of the Citizens' Assembly's recommendations was conducted with the appropriate level of independence, transparency and openness and without any undue influence from the Government.

Recommendations

Recommendation 1: The Minister for the Environment should outline in his Ministerial Response, the rationale for why the Citizens' Assembly membership was reduced from the mandated 49 members to 45 members.

Recommendation 2: For the purpose of transparency, information relating to the selection process of the Expert Advisory Panel and the appointment process of the Panel's Chair should be published on the Jersey's Climate Conversation website before the end of August 2021.

Recommendation 3: For the purpose of transparency, the unpublished Minutes from the meetings of the Expert Advisory Panel must be published on the Jersey's Climate Conversation website by the end of August 2021.

Recommendation 4: As part of the Government of Jersey's evaluation of the Citizens' Assembly process, consideration should be given to whether it is appropriate for members of Expert Advisory Panels to present in a speaker's capacity to Citizens' Assemblies and the potential impacts thereof. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

Recommendation 5: For the purpose of transparency, the Chair-Convenor's blog on Jersey's Climate Conversation Website should be updated by the end of August 2021 to include an entry for her reflection on the block 4 sessions.

Recommendation 6: The 8 week timeframe to which the Citizens' Assembly sessions were run should be evaluated to determine whether it would be appropriate to extend the length of time afforded to the Citizens' Assembly process in future, to alleviate the challenges posed by the facilitation of large volumes of complex information. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

Recommendation 7: In consideration that the Explore phase of the process was new to Jersey and other jurisdictions, an evaluation of its impacts on the Citizens' Assembly process and policy development should be undertaken to determine its successes or failures as part of the independence of the process. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

Recommendation 8: Considering that the Citizens' Assembly process was a new process for Jersey, an evaluation of the process should be undertaken to reflect on the successes and failures of the process to make any required improvements to future Citizens' Assembly processes. This evaluation process should be concluded, and the findings published before the end of 2021.

1 Background and rationale for observing the process

The Climate Emergency

On 2nd May 2019 the States Assembly declared a climate emergency and agreed it was likely to have profound effects in Jersey. On adopting [P.27/2019](#) – Climate Change Emergency: Actions to be Taken by the Government of Jersey⁴, the States Assembly agreed the immediate actions that the Government would need to take in order to deal with the climate emergency including:

- Jersey should aim to be carbon-neutral by 2030, and the Council of Ministers was accordingly requested to draw up a plan to achieve this, for presentation to the States by the end of 2019;
- the Minister for the Environment was requested to carry out, as part of the process for drawing up the forthcoming Government Plan for 2020, an examination and assessment of more ambitious policies to accelerate carbon reduction, to include an assessment of the use of fiscal levels to change behaviour and raise awareness; and
- the Chief Minister was requested to ensure that consideration of action to tackle climate change in Jersey was included as a standing item on the agenda of the Council of Ministers.

The Carbon Neutral Strategy

To that end, on the 31st December 2019, the Minister for the Environment lodged proposition [P.127/2019](#)⁵ – Carbon Neutral Strategy 2019 which was based on principles that had been discussed and agreed by Ministers since the declaration of the Climate Change Emergency.

The Carbon Neutral Strategy called for a Citizens' Assembly to be established. The mandate (set out in Appendix 3 of the Carbon Neutral Strategy)⁶ outlined the Citizens' Assembly's purpose, constitution and the protocols under which it should run.

P.127/2019 was adopted by the States Assembly and agreed the establishment of a Citizens' Assembly of at least 49 members, randomly selected to be broadly representative of Jersey society and to give Islanders a voice regarding how and when Jersey should become carbon neutral. It was intended for the Citizens' Assembly to assist with the deliberation process and to bring forward recommendations to be presented to the States Assembly, as well as the Government, to help inform the development of a long-term climate action plan for Jersey. As part of the process, the proposition called for the establishment of an Expert Advisory Group to assist the work of the Citizen's Assembly in terms of preparing information and advice.

Noting that this would be the first time that a large-scale Citizens' Assembly had been established in Jersey, it was the view of the Panel that although support would be provided by independent, trained facilitators and an Officer of the States Greffe as outlined in the

⁴ [P.27/2019 – Climate Change Emergency – Actions to be taken by the Government of Jersey](#)

⁵ [P.127/2019 – Carbon Neutral Strategy 2019](#)

⁶ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens' assembly – Pg. 93](#)

mandate⁷, there was nonetheless an absence of further guidance on the proposed establishment, governance and procedures regarding the Citizens' Assembly.

The Panel's Amendment

Subsequently, on the 7th February 2020, the Panel lodged an [Amendment](#) to P.127/2019. The Panel outlined in its Amendment that the principle of a Citizens' Assembly was to gather together a group of people, who demographically (i.e. age, ethnicity, gender, socio-economic group, place of residence, etc.) represented the wider population. The Panel noted that values of equality and fairness should be at the core of the Citizens' Assembly and that the two parts of the Panel's Amendment would seek to ensure that.

Part one of the Panel's Amendment called for the Chair of the Citizens' Assembly to be appointed by the Government but subject to the consent of the Citizens' Assembly, rather than being solely appointed by the Government, as outlined in the proposition. This would seek to address any concerns regarding possible undue Government influence on the Citizens' Assembly.

Moreover, part two of the Panel's Amendment called for Scrutiny's observation of the Citizens' Assembly process and specified that:

"(ix) The Environment, Housing and Infrastructure Scrutiny Panel shall have the right to observe meetings of the citizens' assembly, as well as the selection and reporting process, and will report its observations and findings to the States Assembly."

It was the Panel's view that permitting observation from the Panel, as outlined in its Amendment, would enable the Panel to fulfil its role of holding the Government to account and would enable the Panel to provide assurance to the wider States Assembly and members of the public that the Citizens' Assembly process was being conducted with transparency and openness.

How the Panel conducted its observation of the process

The Panel's Amendment⁸ which was adopted by the States Assembly, provided the right for the Panel to observe meetings of the Citizens' Assembly, as well the selection and reporting process, in order that the Panel may report to the States Assembly with its observations and findings.

Accordingly, Panel members observed seven of the fifteen Citizen's Assembly sessions and four of the six Advisory Panel Meetings that were undertaken between February and May 2021.

The Panel was also provided with the right to examine the selection process used for enrolling the members of the Citizens' Assembly at the outset. It was the Panel's view that the composition of the Citizens' Assembly was a fundamental factor of the process as it would impact the source data and reflect in the recommendations provided in the Citizens' Assembly's final report. Therefore, the Panel's involvement included reviewing the procedures of the organisation that conducted the selection process and assessing the controls and measures used in practice to assemble a representative and random demographic. To further understand the process that was undertaken to establish its membership, the Panel met with

⁷ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens' assembly – Pg. 93](#)

⁸ [Amendment – Environment, Housing and Infrastructure Panel](#)

the Sortition Foundation which was contracted by the Government of Jersey to establish the 45 member Citizens' Assembly on climate change.

Review methodology

In order to inform the Panel's review, the Panel received a briefing from the Sortition Foundation who was contracted to establish the Citizens' Assembly on 8th February 2021.

In the Panel's observational role, the Panel attended several Citizens' Assembly sessions and Expert Advisory Panel meetings between February and May 2021.

The Panel posed questions regarding the Climate Change, Citizens' Assembly process to the Minister for the Environment during public quarterly hearings with the Minister for the Environment on 8th December 2020, 9th March 2021 and 1st June 2021.

Report structure

Chapter 2: Will address the Panel's observation of the selection process that was used to establish the Citizens' Assembly and will explore the procedures used by the Sortition Foundation, including the controls and measures to randomly select the members of the Citizens' Assembly to be broadly representative of Jersey society.

Chapter 3: Will address the Panel's observation of the Expert Advisory Panel process and will explore the independence and transparency of the process and to evaluate any undue Government influence on the process.

Chapter 4: Will address the Panel's observation of the Citizens' Assembly process and will explore the independence and transparency of the sessions held and to evaluate any undue Government influence on the process.

Chapter 5: Will consider the reporting process of the Citizens' Assembly in the reporting of their recommendations and will evaluate any undue Government influence on the process.

2 Observation of the selection process

Briefing held with the Sortition Foundation

The Sortition Foundation⁹ was contracted by the Government of Jersey to recruit the 45 member Citizens' Assembly. The Sortition Foundation describes itself as a not-for-profit company dedicated to promoting fair, transparent, inclusive and effective deliberative assemblies and intends for citizens' assemblies and policy juries to have the highest level of legitimacy with representative, randomly sampled groups of participants.

The mandate for the Citizens' Assembly had called for an assembly that would be constituted of at least 49 members, randomly selected to be broadly representative of Jersey society. However, the Panel notes that the Citizens' Assembly constituted 45 members. Noting that the sortition process had involved the selection process for a 45 member assembly from the

⁹ [Sortition Foundation – Selection and Stratification Services](#)

outset, it is the Panel's understanding that the decision had been taken for a 45 member assembly prior to the commencement of the process and therefore the reduction in member numbers was not as a result of the sortition process but a predetermined decision. The Panel is uncertain as to why the Citizens' Assembly constituted 45 members rather than the called for membership of at least 49.

Key Finding 1: The Mandate for the Citizens' Assembly called for the constitution of a Citizens' Assembly of at least 49 members, however, the Citizens' Assembly constituted 45 members. The Panel is uncertain as to why the membership was reduced.

Recommendation 1: The Minister for the Environment should outline in his Ministerial Response, the rationale for why the Citizens' Assembly membership was reduced from the mandated 49 members to 45 members.

On the 8th February 2021, the Panel met with a representative of the Sortition Foundation to further understand the sortition process that was being undertaken to select the members of the Citizens' Assembly. At the time of the briefing¹⁰ the selection process had commenced but had not yet been completed as the deadline for individuals to register their interest was the 15th February 2021. Regarding Jersey's response rate, at the time of the briefing, it was noted that Jersey had received a good response, however, a week had still remained for individuals to register their interest in the process.

During the briefing it was explained that in order to select the members to establish the Citizens' Assembly that a two-step random selection process was being followed which had mirrored the process that was typically used to recruit for a group of 50 members. It was noted that in order to accommodate a group of 45 members which would establish the Climate Change Citizens' Assembly, the process had been slightly adjusted.

Step One: Random selection of households

The first step in the selection process had involved the random selection of households and, through utilising a factor of 200 for the selection process, the number of Jersey households to approach had equated to 9000. The Panel was informed that typically, a 50-person assembly would equate to 10000 households.

Subsequently, it was explained that the 9000 households that had been approached to take part in the process had been selected by Statistics Jersey to represent the households in Jersey. Each of the 9000 households was sent an invitation¹¹ and a letter¹² requesting them to register their interest in the Citizens' Assembly process. It was explained that the communications had included the criteria and details regarding how the households could respond.

The criteria for who would be entitled to register their interest in the process was outlined in the letter received by the 9000 households. Registration was open to any individual that was 16 years of age or above and living in the household that had received an invitation. The individual was required to either have been resident in Jersey for the prior 2 years or the prior 6 months in addition to other periods of time which would equate to a period of 5 years in total.

¹⁰ [Briefing – Sortition Foundation – EHI Panel minutes – 2021/02/08](#)

¹¹ [Invitation sent to the 9000 households](#)

¹² [Letter sent to the 9000 households](#)

It was noted within the Citizens' Assembly's report¹³ that only one person from each household would be able to register their interest and that Members of the States Assembly, Senior Managers of the Government of Jersey and Non-Ministerial Departments would not be allowed to apply. However, that members of their family could.

The Panel notes that although the 9000 households who received the invitations requesting their participation in the process were put forward by Statistics Jersey to represent the households of Jersey, ultimately, the individuals who registered their interest from those households were self-selecting as candidates to take part in the process.

Key Finding 2: The individuals who registered their interest as potential candidates from the 9000 selected households were ultimately self-selecting at the first stage in the selection process of the Citizens' Assembly.

For ease, the selected households were provided with two response options outlined within the letters received, including registering using:

- a free telephone option
- an online form for which the URL link was provided.

To ensure consistency, the Panel was informed that the same process would be followed for both response options and that for those respondents who had opted to use the telephone option to register their interest, a representative from the Sortition Foundation was tasked to fill out the form on the individuals behalf. It was explained that the form was identical to the online version that individuals had been provided a link to. Therefore, both options would result in the same form being filled out.

The Panel was informed that the form had collected data including information relating to age, gender, geographic position (which would be represented via the respondent's postal code) as well as information regarding an attitudinal question with regard to the respondent's view on climate change. It was noted that the socio-economic factor of the selection process was defined by considering the housing aspect as well as the response to the attitudinal question that had been asked of the respondents.

Noting that at the time of the briefing all responses had not yet been received, it was explained that the typical response rate to invitations such as those that had been sent out to Jersey residents would be between two and four percent. Moreover, that the responses would usually encompass those individuals who generally would not engage in political processes.

During the public hearing with the Minister for the Environment on 9th March the Panel was informed that just over 450 responses had been received to the 9000 invitations and that the responses received had satisfactorily accounted for all the categories that had been set. It was noted, as a result, that there had been no requirement to identify further potential individuals to represent certain demographics. It was confirmed that the selection process had received a positive response rate and had been very successful.¹⁴

¹³ [Citizens' Assembly Report – R.95/2021](#)

¹⁴ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9 March 2021](#)

Step two: Stratified random selection to match Jersey's population

The Panel was informed that the second step of the process, after the registration period had closed, would involve the stratified random selection of those individuals that had registered their interest. Stratified random selection was utilised with the intention to match the selection of individuals that had registered with the target population of Jersey. It was explained that the stratified selection process would intend to correct the skew in the selection that had formed within the first random selection process through the utilisation of a computer selection algorithm.

As outlined in the Citizens' Assembly's report¹⁵, age, country of birth, gender, geography, socio-economic (tenure) and climate change attitude were used to stratify those that had registered. The attitudinal question regarding the attitude toward climate change was to ensure that a balance could be achieved regarding the participants' views on climate change, in order to include the voices of those that would think differently to the majority of respondents who, it was assumed, would likely be more concerned about climate change.¹⁶

Targets and skewing

During the briefing, the Panel was informed that skewing was possible when individuals responded to the invitations. Therefore, when the Sortition Foundation would undertake the selection of individuals from those that had registered their interest, it would attempt to match the selection with the Government Census or target statistics that had been set, in order for the selection of individuals to represent a microcosm of the population of Jersey. It was noted that the process would involve selecting individuals in respect of the targets that had been set and not on the response rates that had been received.

Regarding areas of potential skewing in the selection process, it was explained that generally the process could present skewing in the over 60 years age category, as well as in the younger age groups. Noting at the time of the briefing that a week had remained for individuals to register their interest in the process, it was explained that potential skewing relative to Jersey at that point had been observed as follows:

- more women had registered their interest
- more urban (St Helier) households had registered their interest
- more individuals in the age group of 45 -64 years of age had registered their interest.

At the time, the Panel was informed that with regard to the individuals who had registered their interest, the variety of birth places represented by the individuals had been balanced. However, the responses that had been received to the attitudinal question regarding the respondent's attitude towards climate change had demonstrated significant skewing as very few individuals who had registered their interest were outside of the 'concerned' for climate change group. It was emphasised to the Panel that a balance would need to be achieved between individuals who were concerned about climate change and those who were not, to ensure that the Citizens' Assembly included the voices of those that thought differently to the majority who were likely to be from the more concerned spectrum.

¹⁵ [Citizens' Assembly Report – R.95/2021](#)

¹⁶ [Research – Sortition Foundation](#)

The Panel sought to understand whether the selection process had matched a sub-section of categories and questioned this during the briefing. It was noted that the selection process could not guarantee the matching of each sub-section and that it only ensured that the selected 45 people was a microcosm of the population of Jersey. The Panel sought to further understand whether the selection process would connect any categories. It was noted that the algorithm would not cross connect between categories and would only optimise fairness across the categories.

Forming the 45 member Citizens' Assembly

The Panel was informed that once the 45 members had been selected via the two-step process, that the Sortition Foundation would call the successful candidates to inform them that they had been selected as a member of the Citizens' Assembly Panel to which the individual could accept or reject the opportunity. The Panel was advised that typically a few candidates would choose to drop out at that stage and that finding exact matching for those candidates at that point in the process was usually challenging. Consequently, when exact matches were not possible, a slight divergence to the target could be expected.

Through further correspondence, the Sortition Foundation highlighted that during the confirmation phase a few respondents had dropped out, including respondents that had registered their concern level as 'not very concerned' through their response to the attitudinal question. It was noted that it was near impossible to find exact matches for people who dropped out as many thousands of possible potential profiles of people across the target categories existed. Therefore, when making replacements a judgment was made in relation to the categories that would be more important. It was noted that this would ultimately introduce small amounts of skewing within the final Citizens' Assembly.¹⁷

Key Finding 3: Small amounts of skewing from the set targets within the final Citizens' Assembly were introduced as a result of respondents dropping out during the confirmation phase of the selection process.

Establishing a Citizens' Assembly with balanced views

Noting that respondents would demonstrate varied degrees of concern regarding climate change, during the briefing the Panel questioned how the selection process would ensure that the composition of the Citizens' Assembly would be one of balanced views regarding the weight attributed to the level of concern for climate change demonstrated by each participant, and how that was safeguarded in the selection process. The Panel was informed that it was an imperfect measure. It was explained that in the registration process it was important to ensure that the process was as simple as possible and that the questions asked of respondents were simple and few. The Panel was told that to assist with that process the Sortition Foundation had used an Ipsos/MORI¹⁸ survey and that it had asked one attitudinal question regarding climate change.

At the time of the briefing the Panel raised concern that the potential existed for individuals with extreme views on either side of the climate change spectrum (individuals who were overly sceptical or those that were overly concerned) rather than those with more balanced views being selected and noted that might affect the process and its outcomes. The Panel questioned how the process would ensure that individuals from all areas of the 'concern for

¹⁷ [Research – Sortition Foundation](#)

¹⁸ [Ipsos MORI](#)

climate change' spectrum would be selected. The Panel was informed that aspect would be addressed during the stratified selection process to identify individuals that were pragmatic, sceptical and extremely concerned so that the balance could be achieved. It was emphasised by the Panel that achieving the correct balance of views within the final Citizens' Assembly membership would be paramount to the effectiveness of the process.

During a public hearing with the Minister for the Environment on 9th March 2021, the Panel questioned whether the Citizens' Assembly represented a microcosm of the population of Jersey in a balance of views.¹⁹ It was noted that the success of the process depended upon enough people putting themselves forward in order to be randomly selected from and ensuring that the pool of respondents were representative of the different parts of the community. It was noted that the response rates had been satisfactory, and that the respondents had filled all of the required categories and that the 45 selected members had represented a microcosm of Jersey.

Head of Sustainability and Foresight:

...it is an incredibly scientific process but what it does rely on is enough people putting themselves forward to be randomly selected from and ensuring that that group of people who are available for random selection are representative of the different parts of the community that the questions and the stratification was based on. What I am really happy to report is that we had just over 450 responses to the 9,000 invitations that went out and they filled each of the buckets of categories very satisfactorily. So what that meant was, there was no need ... we were not looking for people of a certain demographic representation to be randomly selected. The point was we had a great selection process - and when I say "we", what I mean is the independent advisers had a great selection - and so therefore the 45 do represent the Island, as we hoped that they would. So I can confirm that that has been a great success and both us and the assisted dying processes have had the highest positive response rate that the Sortition Foundation have ever dealt with, so that is really exciting. I think that tells us that the people of Jersey want to give their time and energy to participating in democracy, so we are really, really pleased about that.

Impact of the deliberation process on the Citizens' Assembly process

It is the Panel's understanding that the membership of the Citizens' Assembly was only one part of the process and that the deliberation process undertaken by the participants during the Citizens' Assembly sessions would also carry significant weight regarding the outcomes achieved. During the briefing, the Panel was informed that although the selection process would encourage the establishment of a Citizens' Assembly that matched the microcosm of Jersey, when 45 individuals had worked through the deliberation process they would ultimately come to the same opinion. It was explained that this would be likely even if a couple of the members were to be replaced. Therefore, it was emphasised that the deliberation process would play an important role in the process and the outcome.

Key Finding 4: The outcome of the Citizens' Assembly process was not solely dependent on the composition of the Citizens' Assembly as the deliberation process

¹⁹ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9 March 2021](#)

undertaken by the members of the Citizens' Assembly had significant bearing on the outcome of the process.

Meeting times for the Citizens' Assembly sessions

Noting that the allocated meeting times for the Citizens' Assembly sessions to be undertaken were on weekends and on evenings during the week, the Panel raised concern that the times might seem inflexible for some individuals and impact upon those wishing to take part in the process. The Panel expressed concern that the meeting times could impact the turnout for participation and questioned what could be done to encourage participation and prevent the exclusion of individuals from the process if that was the case. It was noted that consideration had been given to the timings and that the timings would not be ideal for everyone. However, as a result of the numerous bank holidays during that period, those times had been decided upon. Further confirmation was provided to the Panel that, where commitment would be too demanding for individuals, individuals would have the opportunity to get involved through other dialogue and event options.

The Panel notes that the final response rate was satisfactory, however, it is ambiguous as to whether the response rate could have been further improved or the diversity of respondents improved by considering alternative times for the sessions to take place.

Final figures for the Citizen's Assembly membership

In appendix 1 of the Citizens' Assembly's report²⁰, the final data regarding the sortition process for the Citizens' Assembly participants demonstrated the data attributed during the process to select the Citizens' Assembly participants in order to match the microcosm of Jersey.

Considering the data provided, it is evident that the sortition process endeavoured to match the target—Census data to reach the final membership of the Citizens' Assembly. The data demonstrated that the targets that had been set for gender, age, geography, tenure, birthplace and climate concern level were closely matched, in the main. However, some divergence from the targets were apparent as follows:

Gender:

Category- Gender	Target - Census	Final Participants	Divergence
Male	50%	49%	1%
Female	50%	51%	1%

Age:

Category- Age	Target - Census	Final Participants	Divergence
16-29	20%	22%	2%
30-44	26%	27%	1%
45-64	34%	31%	3%
65-99	20%	20%	0%

Geography:

Category- Geography	Target - Census	Final Participants	Divergence
Rural	43%	44%	1%

²⁰ [Citizens' Assembly Report – R.95/2021](#)

Urban	35%	36%	1%
Semi Urban	22%	20%	2%

Tenure:

Category- Tenure	Target - Census	Final Participants	Divergence
Owner Occupier	58%	60%	2%
Social Rent	12%	9%	3%
Qualified Private Rent	17%	18%	1%
Other	13%	13%	0%

Birthplace:

Category- Birthplace	Target - Census	Final Participants	Divergence
Jersey	50%	44%	6%
British Isles	31%	36%	5%
Portugal/Madeira	7%	4%	3%
Elsewhere	12%	16%	4%

Climate Concern Level:

Climate Concern	Target - Census	Final Participants	Divergence
Very Concerned/ Fairly Concerned	85%	87%	2%
Not Very Concerned/ Not at All/Other/ Don't Know	15%	13%	2%

Evidence suggests that the random stratified selection process which followed the random registration process of participants was closely matched with the target that had been established to match the microcosm of Jersey. The Panel notes that the evidence observed suggests that the process had involved the selection of individuals in respect of the targets that had been set and not on the response rates that had been received as had been evidenced during the briefing. Therefore, it is the Panel's understanding that the 45 members were randomly selected to be broadly representative of Jersey society as outlined in the mandate for the Citizens' Assembly²¹.

Key Finding 5: The members of the Citizens' Assembly were randomly selected to be broadly representative of Jersey society in accordance with the Mandate for the Citizens' Assembly.

The Panel notes that some divergence from the set targets was apparent, however, it understands from evidence received during the briefing that divergence from the set targets would be expected where exact matches were not possible. The Panel notes that the divergence percentages were generally small in respect of the 45 member Citizens' Assembly constitution.

Key Finding 6: To match the final composition of the Citizens' Assembly to the microcosm of the population of Jersey, as part of the sortition process, targets were set. Divergence from the set targets used were apparent but, in the main, relatively

²¹ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens' assembly – Pg. 93](#)

small and would be expected where exact matches to the set targets could not be achieved.

Noting that the target that had been set for the level of concern for climate change was heavily weighted to an upper concern level, it is the Panel's understanding that the target data demonstrates that 85% of Jersey's population would be 'very concerned' and 'fairly concerned' about climate change and 15% would be 'not very concerned', 'not at all concerned', 'not knowing' or 'other'. Considering the divergence of 2% from the respective targets for this category, the Panel notes that slightly more weight had been afforded to the upper concern level and slightly less to the lower end of the concern spectrum in the final participant constitution of the Citizen's Assembly.

Key Finding 7: Although the sortition process aimed to closely match the final Citizens' Assembly's climate change concern levels to that of Jersey's population, slight skewing from the set target resulted in slightly more weight being afforded to the upper concern level for climate change and slightly less to the lower end of the concern spectrum in the final participant constitution of the Citizen's Assembly.

The Panel pursued an understanding of the concern levels that had been reflected in the final Citizens' Assembly figures and through further correspondence received from the Sortition Foundation, the Panel was informed that in every climate assembly severe skewing towards registrations from those who were more concerned for climate change had been observed. It was explained that the attitudinal question about a participant's attitude towards climate change was introduced to ensure that the assembly would not only comprise of individuals who cared deeply about the issue but included voices of those who thought differently. Moreover, assuming that Jersey residents had the same attitude to climate change as those from the IPSOS/Mori survey that the targets were derived from, that 15% of the people would not be in either of the "concerned" groups. In addition, with the "concerned" group (85%) they would not all be from the "very concerned" group. It was highlighted that, since the last three responses to the survey (not at all/other/don't know) were all very small, they had been grouped to make a selection feasible that would still achieve the principal aim of the attitudinal question. It was noted that the same process had been followed for the UK Climate Assembly, Scotland's Climate Assembly and the many local climate assemblies.²²

The Sortition Foundation noted that although only 9 registrations had been received outside of the "concerned" groups, that the selection algorithm had chosen 7 of those 9 individuals which was higher than the target number of 6.8. The Sortition Foundation considered the confirmed numbers to be a success given the skewing in the overall responses. The Sortition Foundation noted that the target for the "not concerned" groups was 6.8 and that 6 from the "not concerned" groups had been confirmed in the final Citizens' Assembly figures.²³

The evidence suggests that 85% of Jersey's population are very concerned and fairly concerned about climate change and that the selection process had endeavoured to match that target as closely as possible. Furthermore, from the evidence observed during the briefing with the Sortition Foundation, it was the Panel's understanding that the selection process could not guarantee that equal weight regarding the degree of concern for climate change of individuals would be achieved in the first part of the selection process. However, the stratified selection would aim to achieve a balance of views including individuals who were pragmatic, sceptical and extremely concerned.

²² [Research – Sortition Foundation](#)

²³ [Research – Sortition Foundation](#)

Moreover, regarding the participants' level of concern for climate change, it is the Panel's understanding that no measures or safeguards would be able to guarantee the views that were put forward by respondents during the selection process and that it would involve an element of trust.

The Panel is of the view that participants who would offer their time for such a demanding and lengthy process would be more inclined to have significant levels of concerns regarding climate change and, if that were the case, the Panel raises concern over the balance of views and, ultimately, the impact that would have on the recommendations and final outcomes of the process.

Key Finding 8: Although the stratified selection process intended to select individuals to balance the views regarding the degree of concern for climate change, it is difficult to ascertain as to whether a balance of views was accurately represented in the final constitution of the Citizens' Assembly.

Key Finding 9: No measures or safeguards would be able to guarantee the actual levels of concern for climate change that were put forward by individual participants during the selection process and it would involve an element of trust.

Key Finding 10: Considering the demanding nature of the Citizens' Assembly process, it is likely that individuals with significant concern levels for climate change would put themselves forward to take part in the process instead of those with more intermediate views.

The Panel notes that the participants of the Citizens' Assembly were remunerated for their time, and questions the potential influence, both positive and negative, the remuneration has had on the selection process. The Panel believes that the remuneration offer may have encouraged individuals, who would otherwise generally not put themselves forward to participate in such political processes, to register their interest and therefore that would allow improved opportunity for fair representation of the population of Jersey.

Key Finding 11: Remunerating participants of the Citizens' Assembly would impact the constitution of the Citizens' Assembly as the remuneration offer may encourage individuals who would otherwise not participate in political processes to register their interest in the process.

3 Observation of the Expert Advisory Panel process

On the adoption of the Panel's [Amendment](#) to P.127/2019, the Panel was also afforded the right to observe the meetings held by the Expert Advisory Panel in order to report on its findings.

The role of the Expert Advisory Panel

The role of the Expert Advisory Panel is outlined in its Terms of Reference. It is explained that the Expert Advisory Panel would receive evidence in draft form from the Government of Jersey and would offer advice in line with its Terms of Reference. It further outlines that members of

the Expert Advisory Panel may also be asked to contribute to planning sessions of the Citizens' Assembly and may be invited to address the Citizens' Assembly as Speakers.²⁴

Noting the importance of maintaining the independence of the Citizens' Assembly and its ability to receive high quality evidence, the Expert Advisory Panel's Terms of Reference were as follows:²⁵

The role of the Expert Advisory Panel was to help ensure and assure the maintaining of the independence of the Citizens' Assembly and its ability to receive high quality evidence, and in particular to:

- provide overarching advice on what the key issues are for the Citizens' Assembly to consider and the approach taken to present and explore these issues
- review and consider the quality and credibility of the evidence that is prepared for submission to the Citizens' Assembly
- ensure both the approach taken to prepare evidence for the Citizens' Assembly, and the evidence provided, is objective, accurate and robust.
- review and comment on the longlists and finalised shortlists for the roles of those who present for the Assembly,
- assist with ensuring the widest possible positive engagement with the Citizens' Assembly through involvement in communications as required

Regarding its operations, the Terms of Reference outlined that the Expert Advisory Panel would operate in an open and transparent manner and that the names of Members and notes of meetings would be published on the Citizens' Assembly website.²⁶

It was understood that the Expert Advisory Panel would be able to comment on the documents and would be able to provide advice and commentary between meetings to assist in the development of evidence.

Key Finding 12: An Expert Advisory Panel was established to assist with the work of the Citizens' Assembly in terms of preparing information and advice in accordance with the Mandate of the Citizens' Assembly.

Establishment of the Expert Advisory Panel and appointment of the Chair

The Expert Advisory Panel was jointly appointed by the Sustainability and Foresight Team in the Government of Jersey, the Office of the States Greffe and the Facilitators - New Citizenship Project and Involve.²⁷ The Expert Advisory Panel comprised a group of six experts, Chaired by Professor Liz Bentley, Chief Executive of the Royal Meteorological Society, who collectively offered knowledge and foresight to advise on matters relating to the design of the Citizens' Assembly, as well as the content and evidence that was presented to the participants. The members of the Expert Advisory Panel were chosen to provide collective expertise at local and international levels.

Other members of the Expert Advisory Panel included:

²⁴ [Expert Advisory Panel – Terms of Reference.](#)

²⁵ [Expert Advisory Panel – Terms of Reference.](#)

²⁶ [Jersey's Climate Conversation Website – Expert Advisory Panel](#)

²⁷ [Expert Advisory Panel – Terms of Reference.](#)

- Fod Barnes, ex-Financial Conduct Authority (UK), ex-Oxera (leading their provision of economic advice to the Government of Jersey)
- Jim Hopley, Chair, Jersey Energy Forum
- Rachel Harker, Head of Technology, Digital Jersey
- Rebekah Diski, Lead of Just Transition Projects, New Economics Foundation
- Toby Park, Principal Advisor, Energy, Environment and Sustainability, Behavioural Insights Team

The Panel notes that the biographies of the Expert Advisory Panel Members were published on the [Climate Conversation website](#).

The Panel notes that Chair of the Expert Advisory Panel was unanimously voted in during the first meeting of the Expert Advisory Panel meetings.²⁸

Key Finding 13: The Chair of the Expert Advisory Panel was unanimously voted in by the Members of the Expert Advisory Panel.

Recommendation 2: For the purpose of transparency, information relating to the selection process of the Expert Advisory Panel and the appointment process of the Panel’s Chair should be published on the Jersey’s Climate Conversation website before the end of August 2021.

The Panel’s role in Scrutiny of the process

The Panel observed four of the six virtual meetings held by the Expert Advisory Panel, which commenced on 11th February 2021 prior to the commencement of the Citizens’ Assembly sessions in March. The Panel notes that the Chair-Convenor of the Citizens’ Assembly was also present as an observer at the meetings held.

In the Chair-Convenor’s foreword to the Citizen’s Assembly’s report, she confirms that the independent Expert Advisory Panel oversaw the process to ensure that participants were provided with fair and balanced evidence.²⁹

Key Finding 14: The Chair-Convenor for the Citizens’ Assembly was present as an observer during the Expert Advisory Panel meetings.

It was agreed that the minutes of the Expert Advisory Panel meetings would be independently recorded by an Officer of the States Greffe to record the high-level deliberations, outcomes and actions. It was agreed that the Expert Advisory Panel’s decisions would be recorded, without attributing opinions to individual Members, unless that member had specifically requested that their position, or dissent to a particular decision, should be noted in the Minutes. It was intended for the recorded Minutes to be published on the Jersey’s Climate Conversation website.³⁰ The Panel notes that, as at the time of writing, only the Minutes from four of the meetings had been published.

Key Finding 15: The Minutes for the meetings that had been held by the Expert Advisory Panel were independently recorded by Officers from the States Greffe and the information was recorded in the manner in which it was agreed.

²⁸ [Minutes – Expert Advisory Panel Meeting – 11th February 2021](#)

²⁹ [Citizens’ Assembly Report – R.95/2021](#)

³⁰ [Minutes – Expert Advisory Panel Meeting – 11th February 2021](#)

Key Finding 16: At the time of the presentation of the Panel’s report, the recorded meeting Minutes from only four of the six meetings that had been held by the Expert Advisory Panel had been published.

Recommendation 3: For the purpose of transparency, the unpublished Minutes from the meetings of the Expert Advisory Panel must be published on the Jersey’s Climate Conversation website by the end of August 2021.

The Panel notes that the Expert Advisory Panel discussed and agreed the design and content for each block of Citizens’ Assembly sessions prior to them being undertaken and also reviewed the content that would be presented to the Citizens’ Assembly for factual accuracy. The Panel observed that the Expert Advisory Panel had reflected upon the blocks of sessions that had been undertaken previously during its meetings in order to make any improvements to the content as well as the design for the successive blocks of sessions where that was required.

Within the foreword to the Citizen’s Assembly’s report, the Chair of the Expert Advisory Panel confirmed that the Expert Advisory Panel was actively involved in reviewing the design and content, including the quality and credibility of the evidence that was presented at Citizens’ Assembly sessions and additional resources available to the participants and noted that the Panel also provided commentary between meetings to assist in the development of evidence.³¹

Key Finding 17: The Expert Advisory Panel performed its role in accordance with its Terms of Reference.

As noted in its Terms of Reference, Members of the Expert Advisory Panel would be invited to address the Citizens’ Assembly as speakers.

On the 18th of May 2021, during the Panel’s meeting, the Panel noted that concern had been raised regarding whether it was appropriate for the Expert Advisory Panel to provide presentations to the Citizens’ Assembly as part of the Citizens’ Assembly deliberation process, considering their advisory role.³²

Key Finding 18: Considering the Advisory role of the Expert Advisory Panel, concern was raised regarding as to whether it was appropriate for the Advisory Panel to provide presentations to the Citizens’ Assembly in a speaker’s capacity as part of the Citizens’ Assembly deliberation process.

Recommendation 4: As part of the Government of Jersey’s evaluation of the Citizens’ Assembly process, consideration should be given to whether it is appropriate for members of Expert Advisory Panels to present in a speaker’s capacity to Citizens’ Assemblies and the potential impacts thereof. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

The independence and transparency of the process

From the Panel’s observations of the meetings of the Expert Advisory Panel and the evaluation of further evidence received, it is the Panel’s view that the Expert Advisory Panel has had an

³¹ [Citizens’ Assembly Report – R.95/2021](#)

³² [Minutes – EHI Panel meeting minutes – 18th May 2021](#)

important role in ensuring that the Citizens' Assembly was provided with independent, high-quality, objective evidence throughout the Citizens' Assembly process.

The Panel sought to further evaluate the independence and transparency of the Expert Advisory Panel process during the public hearing with the Minister for the Environment on the 9th March 2021³³:

The Connétable of Grouville:

...how do you make sure that the advisory panel and the citizens' panel are completely independent and do not get overly influenced by officers of the department?

Head of Sustainability and Foresight:

So policy-making is obviously a profession and an independent process in itself so policy officers work with facts and data and provide those to Ministers and into the process. You are absolutely right, though, the importance is the independence of the process of the citizens' assembly which of course is being run by the Greffe, not by policy officers, and they are led by an independent chair who has been elected through a recruitment process. The facilitation and the design of the whole process has of course been independently commissioned and has been carried out by an independent experienced coalition. The advisory panel is similarly independent so I think you have probably sat in on some of the meetings and you have seen the independence of the panel led by Professor Liz Bentley with 5 other independent people who sit on the panel. They are strong challenges of the content and the design of the process to ensure that it is not being led in a certain direction. Of course I think it is important to remember that the Citizens' Assembly is couched within the requirements of the proposition as well, so there are some very clear edges to it, which I think is really helpful. So I think the balance is getting the content, making sure it is independent and that the process allows citizens to reach any recommendations that they wish through the medium of valid scientific independent information that is provided to them in an accessible way.

The Connétable of Grouville:

Thank you. The question was not a criticism but there is a perception from the outside that these panels are set up and then they are advised to the nth degree by the department and the officers and therefore the outcome is pre-described, if you like. I think it is important and, as you say, I did attend the first meeting of the advisory panel, and it seemed to me that they were indeed very independent. I just hope that the whole process is like that and I hope I will be able to report back that that is what I found. But certainly so far I do not have a criticism but I know members of the general public are concerned about this type of panel and how they work. Thank you

The Panel reflected on the Citizens' Assembly Process at its regular Panel meetings. The Panel met on 16th February 2021 and the following was recorded in the Minutes for that meeting:³⁴

The Connétable of Grouville:

Constable Le Maistre informed the Panel that during his observation he was

³³ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

³⁴ [Minutes – EHI Panel meeting minutes – 16th February 2021](#)

content that the Panel had been independent in its role. He highlighted that the Advisory Panel was not afraid to challenge the Government of Jersey where appropriate to do so. The Panel's free autonomy was demonstrated by discussing the process that would be followed should the Panel disagree with the Government of Jersey or the process regarding the Climate Change project.

Subsequently, at the Panel's meeting on the 27th April 2021, the Panel reflected on the Citizens' Assembly process to date and agreed, regarding the four meetings that had been observed by the Panel, that the Expert Advisory Panel had presented themselves in an independent manner during their meetings.³⁵

On the 18th of May 2021, as rapporteur for the Panel at the Advisory Panel meetings, Constable Le Maistre expressed his view that the Advisory Panel had encompassed an adequate and well-balanced selection of members and that the Panel had navigated their role with an appropriate degree of independence.³⁶

Following the Panel's observation of the majority of the meetings held by the Expert Advisory Panel between February and May 2021, the Panel is satisfied that the Expert Advisory Panel performed their role with an appropriate degree of independence and with no undue influence from the Government.

The Panel observed that the Chair of the Expert Advisory Panel independently led the meetings held and that the members had demonstrated free autonomy and had communicated their concerns easily and openly.

Key Finding 19: The Expert Advisory Panel performed its role with an appropriate degree of independence and with no undue influence from the Government. It comprised an adequate and well-balanced selection of members that demonstrated combined local and international knowledge. Furthermore, the Chair of the Expert Advisory Panel independently led the meetings of the Expert Advisory Panel and the members demonstrated free autonomy and communicated their concerns easily and openly during the meetings.

4 Observation of the Citizens' Assembly process

The mandate

As established in the introduction of this report, the Carbon Neutral Strategy called for a Citizens' Assembly to be formed. The full mandate (set out in Appendix 3)³⁷ outlined the Citizens' Assembly's purpose, constitution and the protocols under which it should run.

The Citizens' Assembly met virtually on 15 occasions between March and May 2021. In respect of the Mandate for a Carbon Neutral Citizens' Assembly,³⁸ the purpose of the Citizens' Assembly intended to be an exercise in deliberative democracy, to consider the question "How

³⁵ [Minutes – EHI Panel meeting minutes – 27th April 2021](#)

³⁶ [Minutes – EHI Panel meeting minutes – 18th May 2021](#)

³⁷ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens' assembly – Pg. 93](#)

³⁸ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens' assembly – Pg. 93](#)

should we work together to become carbon neutral?”, to make such recommendations as it sees fit and to report to the States Assembly and Government of Jersey.

The role of the Citizens’ Assembly in the people powered approach

It was the Panel’s understanding that the Citizens’ Assembly formed part of the ‘Deliberate’ process which was one part of the wider workplan for the ‘People Powered Approach’ as outlined in the Carbon Neutral Strategy. This approach was actioned through the Climate Conversation and included phases for ‘Explore’, ‘Deliberate’, ‘Decide’ and ‘Agree’. The Explore phase facilitated community engagement through online discussion platforms. The Deliberate phase was an independent process that was facilitated by Lead Facilitators, the Expert Advisory Panel and observed by the Environment, Housing and Infrastructure Scrutiny Panel. The Citizens’ Assembly formed part of the Deliberate phase. The Decide phase would deliver on the insights and recommendations presented by the Citizens’ Assembly to develop a long-term climate action plan. At that point it would be the Government’s responsibility to undertake the actions to deliver on the policies that would be required. Subsequently, those policies would undergo public consultation, scrutiny and debate as part of the Agree phase.

How the ‘Explore’ phase fed into the Citizens’ Assembly process

It is the Panel’s understanding that the Explore (input) phase, the public conversation on climate change (named the Climate Conversation), was undertaken during the six-week period prior to the commencement of the Citizens’ Assembly sessions and provided an opportunity for the public to engage with the process through providing their views on topical areas regarding the climate emergency and climate change. This was achieved through the Climate Conversation [website](#).

The Minister for the Environment clarified this aspect during the public hearing with the Panel on 8th March 2021³⁹. It was explained that six weeks of intense activity had been undertaken to engage members of the public in the process and that structured discussion through the dialogue platform had been focused on the Climate Conversation website. During the hearing, the positive level of public engagement was emphasised.

Noting that the Citizens’ Assembly process had concluded at the time of the public hearing with the Minister for the Environment on 1st June 2021, the Panel asked whether the public engagement aspect of the Climate Conversation process had been successful and what benefit it had brought to the process.⁴⁰

The Panel was informed that the themes, levels of ambition and discussion points that had resulted during the Explore phase from the community interaction and communication through the online deliberation platform were presented to the Citizens’ Assembly. It was noted, as a result, that the Citizens’ Assembly was able to hear the views of members of the public who had engaged with the process and that had provided a rich and diverse set of views regarding

³⁹ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

⁴⁰ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

the climate emergency. It was also noted that the Explore phase had enabled further voices to be heard and to be incorporated into the wider process.⁴¹

It was noted that while the Citizens' Assembly had come up with very clear and straightforward recommendations, as a result of the public engagement during the Explore phase those views would also be incorporated and would feed into the wider evaluation process and Carbon Neutral Roadmap for the States Assembly to consider.⁴²

Therefore, it was the Panel's understanding that the outputs from both the public engagement process and the deliberation process of the Citizens' Assembly would be used to inform the policy development process for the Carbon Neutral Roadmap for the States Assembly to consider.⁴³

Key Finding 20: The community interaction with the Climate Conversation process has also informed the Citizens' Assembly Process. The information harvested through the public engagement process, together with the recommendations presented by the Citizens' Assembly will be used to inform the policy development process for the Carbon Neutral Roadmap.

The role of the Citizens' Assembly

As outlined on Jersey's Climate Conversation [website](#), Citizens' assemblies give members of the public the time and opportunity to learn about and discuss a topic and answer specific questions posed. Participants are given a wide range of information presented to them as evidence from academics, researchers, people with direct experience of the issue, other stakeholders, and campaigners.

The Citizens' Assembly report⁴⁴ explains that the Citizens Assembly was asked to consider the implications and trade-offs of a range of scenarios for achieving carbon neutrality and when and how a full transition to zero (or almost zero) emissions in key sectors might be achieved. The Citizens' Assembly was explicitly given the freedom to consider alternative deadlines for carbon neutrality. It was tasked with reporting to the States Assembly and to the Government, making recommendations on when and how Jersey should become carbon neutral.

To undertake their role, the Citizens' Assembly was provided with access to expert speakers and background information on climate change and Jersey's sources and amounts of greenhouse gas emissions. All of the information provided to the Citizens' Assembly was factually checked by the independent Expert Advisory Panel.

Subsequently, as a group the Citizens' Assembly developed ideas and considered the costs and implications to assist them in making their recommendations. The process for reaching their recommendations and the voting process is detailed in Appendix 4 of the Citizens' Assembly report.⁴⁵

On 1st June 2021 the Citizens' Assembly's recommendations were presented⁴⁶ to the States Assembly and Government of Jersey and were made publicly available.

⁴¹ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

⁴² [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

⁴³ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

⁴⁴ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey's Citizens' Assembly on Climate Change](#)

⁴⁵ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey's Citizens' Assembly on Climate Change](#)

⁴⁶ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey's Citizens' Assembly on Climate Change](#)

The appointment and role of the Chair–Convenor of the Citizens’ Assembly

The mandate⁴⁷ called for a chairperson to be appointed by the Government. Part one of the Panel’s [Amendment](#) called for the Chair of the Citizens’ Assembly to be appointed subject to the consent of the Citizens’ Assembly rather than being solely appointed by the Government. This would seek to address any concerns regarding possible undue Government influence on the Citizens’ Assembly.

The Panel sought to further understand the process that was undertaken to ensure the transparency and independence of the appointment of the Chair-Convenor. It is the Panel’s understanding that the Chair-Convenor to the Citizens’ Assembly was appointed to the role by the Officer of the States Greffe with the support of the Jersey Appointments Commission (JAC) and in accordance with the JAC guidelines⁴⁸. The Panel understands that the appointments Panel which included Simon Nash (Chair), Rev Jonathan Scott (independent), Dr Mark Egan and Dr Louise Magris led the open recruitment process⁴⁹ which was advertised⁵⁰ in the local media and shared widely on social media.

The Panel was informed by the Sustainability and Foresight Team in the Government of Jersey that eight applications had been received and that applications were shortlisted to three against the following criteria:

- Experience of chairing meetings
- Remain impartial and objective
- Adhering to best practice corporate governance
- Excellent listening skills
- Communicate clearly and credibly
- Manage a diverse range of stakeholders

Regarding the interview process, the Panel was informed that the three shortlisted candidates were interviewed by the appointments Panel and were asked questions to demonstrate their competency and experience in the following areas:

- Chairing Meetings, and guiding or participating in formal processes
- Manage a diverse range of stakeholders
- A good listener
- Talk publicly about the experience of the Citizens’ Assembly
- Remain impartial and objective
- Interested in public policy and not currently politically active

The Panel notes that the preferred candidate was selected by the appointments Panel and thereafter received approval by the Chair of the JAC.

Subsequently, the Chair-Convenor elect was invited to attend the first session of the Citizens’ Assembly on 13th March 2021 to be introduced to the assembly and was given the opportunity to explain their role in proceedings and the relevant experience or skills that they would bring to the role.

⁴⁷ [P.127/2019 – Appendix 3 – Mandate for a carbon neutral citizens’ assembly – Pg. 93](#)

⁴⁸ [Jersey Appointment Commissions Guidelines](#)

⁴⁹ [Recruitment – Chair-Convenor role for the Citizens’ Assembly – Job description](#)

⁵⁰ [Advert for the recruitment of the Chair-Convenor role for the Citizens’ Assembly](#)

As outlined in the Panel's Amendment, it was the Panel's view that the Chair of the Citizens' Assembly would play an important role in the leadership of the work undertaken by the Citizen's Assembly through setting the tone of the event in an opening address, ensuring that the views of the members of the Citizens' Panel were accurately reflected, and liaising with the various stakeholders to represent the Members of the Citizens' Assembly. Therefore, it was the Panel's view that it would imperative that members of the Citizen's Assembly were content with the individual appointed to the role of Chairperson.

The Panel notes that the Citizens' Assembly voted to confirm the appointment of the Chair-Convenor elect, Emelita Robbins, to the role of Chair-Convenor and that the result of this vote was detailed in the published Minutes of block 1 of the Citizens' Assembly on Climate Change⁵¹. As represented in the Minutes, the Panel notes that a ballot had confirmed by a majority of 33 votes to 1 the appointment of Emelita Robbins to the role.

Key Finding 21: The recruitment process used to appoint the role of Chair-Convenor to the Citizens' Assembly was fair and independent from undue Government Influence. The process was publicly advertised on local and social media, thereby, providing transparency of the role and the recruitment process to the public and stakeholders.

Key Finding 22: The Chair of the Citizens' Assembly was appointed subject to the consent of the Citizens' Assembly after having the opportunity to review the appointment and raise any concerns.

It is the Panel's view that the Chair-Convenor role was independent and impartial in the Citizens' Assembly process. The Chair-Convenor observed the Citizens' Assembly sessions as well as the Advisory Panel meetings. The Chair-Convenor was ultimately tasked with supporting and enabling the Citizens' Assembly process through reflecting the Assembly's discussions. She did not have any voting rights, however, was tasked with listening and responding to the views of participants and with representing their views to the media and the public. The Panel notes that the Chair-Convenor was required to reserve her opinions throughout the process and remained neutral regarding the recommendations being made by the Citizens' Assembly.⁵²

Key Finding 23: The role of the Chair - Convenor was independent and impartial in the Citizens' Assembly process. She observed the Citizens' Assembly sessions in order to support and enable the process by reflecting the Assembly's discussions to the public. She remained neutral regarding the recommendations made by the Citizens' Assembly.

The Chair-Convenor contributed to a blog on the Climate Conversation website where she reflected on the Citizens' Assembly Sessions as they progressed.⁵³ The Panel notes that her blog reflects on the sessions for blocks 1 – 3, however, at the time of writing of the Panel's report, that no entry had been published to reflect on the block 4 sessions.

Key Finding 24: The Chair-Convenor utilised a blog on Jersey's Climate Conversation website to reflect on the sessions being undertaken by the Citizens' Assembly for the public to view. Her blog includes published content for blocks 1-3 of the Citizens' Assembly sessions, however, content for the block 4 sessions has not been published.

⁵¹ [Minutes – Block one of the Citizens' Assembly Sessions](#)

⁵² [Recruitment – Chair-Convenor role for the Citizens' Assembly – Job description](#)

⁵³ [Chair -Convenor's Blog](#)

Recommendation 5: For the purpose of transparency, the Chair-Convenor’s blog on Jersey’s Climate Conversation Website should be updated by the end of August 2021 to include an entry for her reflection on the block 4 sessions.

The role of the Lead Facilitators

In the Chair-Convenor’s foreword to the Citizens’ Assembly Report⁵⁴, the Chair-Convenor explained that the Citizens’ Assembly had worked closely with Lead Facilitators [Involve](#) (public participation charity) and the [New Citizens Project](#) (a consultancy that drives citizens involvement in decision making). Therefore, it is the Panel’s understanding that Involve and New Citizens’ Project had undertaken the facilitatory role in the Citizens’ Assembly process which supported the agreement within the Carbon Neutral Strategy that the Citizens’ Assembly would be supported by independent trained facilitators, who would help the assembly deliberate key issues in a way that promoted critical thinking and consensus. In addition, it was agreed that logistical and other support would be provided by the Office of the States Greffe. The Panel notes that support, in that manner, was provided. The Panel notes that ultimately the role of the Lead Facilitator was to plan and deliver the Citizens Assembly.

During a public hearing with the Minister for the Environment on 8th December 2020⁵⁵, The Panel sought to understand how the facilitation of the Citizens’ Assembly sessions would be addressed. The Panel was informed that independent advisers would be running the facilitation process and they would train local facilitators so that a combination of on-Island trained facilitators would be overseen by the independent facilitators. It was explained that the facilitators were experienced in participatory democracy and would be running the specific sessions and ensuring that the feedback and recommendations of the Citizens’ Assembly was fed into the overall Citizens’ Assembly report on climate change. The importance of the facilitators being able to deliver the process in a transparent and consistent way was highlighted at that time and the intention to ensure that aspect was confirmed.

It was noted during the public hearing with the Minister for the Environment on 1st June 2021 that local graduates had also been enrolled as an additional resource to the process to help support the Citizens’ Assembly process by assisting with information preparation and the running of the activations ahead of the Climate Conversation process.⁵⁶

On observing several of the Citizens Assembly sessions and Expert Advisory Panel meetings, it is the Panel’s view that the Lead Facilitators planned and led the Citizens’ Assembly sessions in an independent manner and with no undue influence from the Government. On observing the majority of the Advisory Panel meetings, the Panel is satisfied that the Lead facilitators took on board the advice of the Expert Advisory Panel to make the necessary adaptations when required regarding the Citizens’ Assembly sessions. The Panel observed that the Lead Facilitators had performed an essential independent role in ensuring that the agreed Citizens’ Assembly’s recommendations were presented within the Citizens’ Assembly’s report.

Key Finding 25: The Lead Facilitators performed their role of planning and delivering the Citizens’ Assembly sessions with an appropriate level of independence, as well as their role of ensuring that the recommendations of the Citizens’ Assembly was accurately reflected within the Citizens’ Assembly’s report.

⁵⁴ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey’s Citizens’ Assembly on Climate Change](#)

⁵⁵ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 8th December 2020](#)

⁵⁶ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

Challenges regarding the Citizens' Assembly process

Considering that the Citizens' Assembly process was a new way of working for Jersey, the Panel sought to explore the potential challenges of the process and pursued further information during the public hearing with the Minister for the Environment on 9th March 2021⁵⁷.

The Connétable of St. Brelade:

...do you see any potential challenges regarding the process and could you outline what they might be and how they might be resolved? This is completely new to us.

Head of Sustainability and Foresight:

...So, first of all, it is new to us but the process that we are running, so using an explore phase of citizens' assembly process and then policy development, is new to everybody. So this is something that Jersey is doing that is a little bit different to the sorts of 28 assemblies that have been done elsewhere. So, ensuring that we stick to time and still work with valid, transparent and open information with the right level of input from our expert panel and content designers is always a challenge, and that is going to be the challenge for us. There is a lot to get through and I think probably the main challenge for the assembly is for them to be able to take on board the amount of information that we put before them or we, the process, puts before them. There is an awful lot to take on board to understand and it will be a really tough job for them, if I am really honest. You know, there is a lot to sit and listen to. It will be online, it will be interactive with great facilitation and lots of breaks and lots of opportunities to think creatively but it is a big process and it is a big ask. I have every confidence that the good citizens who join us will do their absolute best and come out with some great recommendations but the challenge is around the volume of information and the recommendations.

Key Finding 26: The ability to effectively provide valid, transparent and open information with the right level of input from the Expert Advisory Panel and the content designers in the limited time available was considered a potential challenge regarding the Citizens' Assembly process.

Recommendation 6: The 8 week timeframe to which the Citizens' Assembly sessions were run should be evaluated to determine whether it would be appropriate to extend the length of time afforded to the Citizens' Assembly process in future, to alleviate the challenges posed by the facilitation of large volumes of complex information. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

The Panel recalls during a hearing with the Minister for the Environment on 9th March 2021⁵⁸ that a further challenge highlighted was regarding the Explore phase of the Citizens' Assembly process. It was explained that the Explore phase of the process which involved the public engagement aspect of the process and using that aspect to facilitate policy development was not only new to Jersey but had also not been used elsewhere and therefore a benchmark regarding that part of the process was not yet available.

Key Finding 27: The Explore phase which involved the public engagement aspect of the Citizens' Assembly process was not only a new process for Jersey but was not

⁵⁷ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

⁵⁸ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

known to have been used as part of Citizens' Assembly processes in other jurisdictions as a way to inform policy by Citizens' Assemblies.

Recommendation 7: In consideration that the Explore phase of the process was new to Jersey and other jurisdictions, an evaluation of its impacts on the Citizens' Assembly process and policy development should be undertaken to determine its successes or failures as part of the independence of the process. This should be reported on when the Government of Jersey publishes its findings on the evaluation process.

During the public hearing with the Minister for the Environment on 1st June 2021 and considering that the Citizens' Assembly process had concluded, the Panel sought to understand the challenges or successes of the process.⁵⁹

The Connétable of St. Brelade:

...now that the citizens' assembly process has concluded, could you briefly summarise, Minister, any challenges or successes regarding the citizens' assembly process and whether in the future the process may be approached differently?

The Minister for the Environment:

I think the first thing to say is that is very much the approach that the States took to addressing this vital subject for our Island, in fact for the planet, was entirely new and innovative. An innovative approach to democracy. I think that recognised the scale of change that we all thought in the States would be required and means this does require a whole citizens' commitment to doing. I personally have always seen this as being not a top down set of decisions but a system where, if you like, which is bottom fed and top led. What we now have, and I think it is absolutely brilliant, is the citizens' assembly have given a huge amount of time and effort and commitment to this. This was not a soft thing, it required a lot of attention and they had to do a lot ... they were asked to absorb a lot of complex information and they stuck with it. They have given us now a set of recommendations, which are definitely going to challenge us.

The Minister for the Environment emphasised that although he believed that the process was the right decision for the States Assembly, the process had been demanding. The Minister highlighted that it would be beneficial to evaluate and reflect on the process in relation to what had worked well and noted that task should be undertaken in order learn from the process.⁶⁰

Recommendation 8: Considering that the Citizens' Assembly process was a new process for Jersey, an evaluation of the process should be undertaken to reflect on the successes and failures of the process to make any required improvements to future Citizens' Assembly processes. This evaluation process should be concluded, and the findings published before the end of 2021.

The Minister noted that, although the process was costly, it had resulted in clear and concise views. The Minister emphasised that the resultant challenge would be in relation to how the views developed during the process could be worked into the Carbon Neutral Roadmap for agreement by the States Assembly.⁶¹

Minister for the Environment:

⁵⁹ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

⁶⁰ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

⁶¹ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

We ended up getting a very clear set of recommendations. We did not get pages of waffle, we got very clear, focused recommendations on the key issues that we know matter to Jersey.

The Panel’s role in scrutinising the process

Resultant of the adoption of the Panel’s [Amendment](#) to P.127/2019, the Panel was afforded the right to observe the sessions held by the Citizens’ Assembly in order to report on its findings. It was agreed by the States Assembly that there should be additional measures in place to assure the public that:

- There would not be undue Government influence on the Citizens' Assembly; and
- There would be transparency in the process.

The Panel’s role in the process was purely one of observation, therefore the Panel members did not participate in any of the meetings or discussions. However, the Panel's presence in sessions was to seek to provide assurance to the public that the process was being conducted with transparency.

Prior to the commencement of the Citizens’ Assembly sessions, the Panel was provided with a set of observer guidelines ⁶² which outlined who could attend the sessions apart from the participants and what would, and would not, be acceptable behaviour from observers in attendance throughout the sessions and the Citizens’ Assembly process.

The sessions were divided into four blocks with each block focusing on a particular area and each session was approximately 2-2.5 hours in length. Members of the Panel observed several of the sessions across the four blocks. The Panel notes that the independent Minutes of the Citizens’ Assembly sessions were published on the Climate Conversation website for each block of sessions where further detail could be found regarding each session, including its attendance. ⁶³

The Citizens’ Assembly member attendance across the four blocks was noted in the published Minutes as follows:

Block One		Block Two		Block Three		Block Four	
Session	Attendance	Session	Attendance	Session	Attendance	Session	Attendance
One	44	Five	43	Nine	43	Thirteen	42
Two	43	Six	43	Ten	42	Fourteen	44
Three	44	Seven	44	Eleven	43	Fifteen	43
Four	45	Eight	44	Twelve	41		

The Panel notes that full member attendance was only recorded during session four with member attendance fluctuating between 41 and 44 members (a reduction of between 1 to 4 members) for the remainder of the sessions.

Further information regarding the speaker videos, biographies and factsheets regarding each block of sessions were made available on the Jersey’s Climate Conversation [website](#) and the sessions were outlined as follows:

⁶² [Observer Guidelines – Citizens’ Assembly Sessions](#)

⁶³ [Minutes – Citizens’ Assembly Sessions – Blocks 1- 4](#)

Block 1	Sessions 1 – 4
13 – 17 March	An introduction to the climate change issues facing Jersey and scope 3 emissions
Block 2	Sessions 5 - 8
27 – 31 March	The contribution of transport to Jersey's emissions
Block 3	Sessions 9 - 12
17 – 21 April	The impact of heating, cooling, cooking, what we buy, where we travel and local businesses on the Island's emissions
Block 4	Sessions 13 - 15
8 –13 May	Agree recommendations, including preferred policy changes

As a result of the Covid-19 pandemic all the sessions were conducted virtually via Zoom. Prior to the commencement of each block of sessions, members of the Panel wishing to attend the sessions were required to inform the facilitators of their intention to attend any particular sessions as access to the sessions was only allowed on a restricted basis.

Each session followed a similar structure whereby the Citizens' Assembly received pre-recorded presentations from expert speakers on the topics and thereafter had the opportunity to question the speakers on areas that the Citizens' Assembly participants had developed after discussion in their smaller break-out groups. The Citizens' Assembly participants were divided into seven small break-out groups (each with a facilitator and between 6-7 assembly members) to undertake the break-out discussions during the sessions. Where time had run out or speakers were unable to answer the participants questions, the facilitators would note the questions down and written answers were provided to the Citizens' Assembly.

Break- out rooms were used for discussion, tasks as well as for drafting of the recommendations which was guided by the facilitators. Once recommendations had been drafted within the break-out rooms the draft recommendations were shared with the other groups and each group had the opportunity to review and feedback on the draft recommendations of the other groups. The drafting of the initial recommendations commenced in Block 2 from session 7 and the drafting and refining of the recommendations continued in the sessions that followed.

The Citizens' Assembly undertook the voting process⁶⁴ of the recommendations during session 15 of Block 4 after receiving an explanation regarding the voting process. The Citizens' assembly also received the voting results during that session.

⁶⁴ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey's Citizens' Assembly on Climate Change](#)

The Panel notes that opportunities were provided for the Citizens' Assembly to participate in open forum conversations with the Chair-Convenor without the facilitators present and to communicate via email with the Chair-Convenor. It was noted that this had intended to enable participants to raise any issues with the Chair-Convenor directly and to provide comment regarding the process and its progress.⁶⁵ Participants had indicated that these sessions for discussion with the Chair-Convenor had been useful.

The Panel notes that all the questions that were developed by the Citizens' Assembly were noted within the Minutes for each session which were published on the Climate Conversation website.

Although it was the Panel's understanding that it would not be able to observe the break-out room discussions, the Panel notes that it was not excluded from those discussions as observers.

During session 15, participants of the Citizens' Assembly were given the opportunity to highlight the areas that they believed should have been deliberated but were not due to time constraints. The Lead Facilitators also invited the Citizens' Assembly to share their thoughts; on the process from the break-out room discussions. The thoughts shared by the groups are recorded in the Minutes for the Block 4 sessions, several of which relate to the process⁶⁶:

Group 1:

- There are achievable measures and we can achieve big results with small changes. Everyone has a role to play.
- It is easy to feel overwhelmed by the size of the topic, but change is needed at all levels and we can all make a difference.
- People need to be open minded and receptive to the process of reducing our carbon footprint.
- We need to look at the big picture, it's not just about Jersey but the whole world.
- We need to do what we can to save this beautiful world.
- In the words of Nike 'Just Do It'.

Group 2:

- The appetite for real and progressive change was pleasantly surprising.
- Blue sky thinking is necessary.
- We'd love to see the continuation of a Citizens' Committee that will hold Government to account and ensure things are getting done.

Group 3:

- Love hearing other people's ideas.
- Interesting to see how the States respond to our recommendations.

Group 4:

- Good democratic way of involving the people.
- At times it felt as if we didn't have our hands on the tiller.
- We liked the technical aspect, we thought it was about the right level. However, we thought that some of the information was a bit out of date.

⁶⁵ [Minutes – Citizens' Assembly – Block two](#)

⁶⁶ [Minutes – Citizens' Assembly – Block four](#)

- We felt that it was important to do your own research and not believe everything that you're told. As individuals it is important to be more conscious in your day to day activities.

Group 5:

- Impressed at how well the whole Assembly came together.
- We learnt a lot from each other.
- We want to make our society more aware of the possibilities and ensure that people aren't complacent.

Group 6:

- The groups worked well together and there has been consensus among the different groups even though there were different ideas initially.
- We believe that this shouldn't be the end of the Citizens' Assembly as it's been such a success.

Group 7:

- We appreciate being given a voice and being part of something bigger.
- The things we will take away with us are to share what we have learnt with our friends and family.
- We hope that the Government take our recommendations seriously and we will see tangible outputs.
- We hope that more citizens will get involved in future Citizens' Assemblies.

Considering the above recorded views of the Citizens' Assembly, the Panel understands that, in the main, the process was perceived in a positive light and was welcomed by participants. It was the view of the Citizens' Assembly that the groups had worked well together, and a consensus was reachable between them. They noted that they had learned from each other and were impressed with how well the Assembly had come together.

On considering the thoughts of the Citizens' Assembly it is evident that the participants were challenged by the task at hand and had felt overwhelmed at times by the breadth of the topic being deliberated. It was also their view that at times it had felt as if they did not have control of the situation – with group 4 noting that “at times it felt as if we didn't have our hands on the tiller”.

Regarding the information that was presented to them, it was their view that, although the information was at a technical level that was appropriate for the Assembly, they had felt that some of the information that had been presented to them was not up to date.

The Panel was satisfied to observe that the Assembly had chosen to not take the information presented to them at face value and had endeavoured to undertake their own research as this would have improved the independence of the process.

It is evident that the Citizens' Assembly welcomed the process and believed that it was an effective way to involve people in democracy. It was their view that the process had given citizens' a voice in significant matters. It is evident that the Citizens' Assembly believes that the process was a success and would welcome the continuation of Citizens' Assemblies going forward.

The independence and transparency of the process

The Panel sought to further investigate the independence of the Citizens' Assembly process and during a public hearing with the Minister for the Environment on 9th March 2021, the Minister for the Environment and the Assistant Minister for the Environment expressed their views regarding the independence of the process.⁶⁷

Minister for the Environment:

I have stressed absolutely, this is an apolitical process, the politics comes much later. This is absolute independence and I have gone out of my way to make sure I am not stirring it in any way, which I would not do anyway, and I know all my colleagues do the same and I have got absolute faith from the off the process is a really good one. So, independence is all here otherwise there is no point in doing this.

Assistant Minister for the Environment:

We hope to be surprised by the panel, we hope that they will come up with things that we did not expect and if we were leading that in any way, it would not happen. We hope that they will come up with solutions that we have not thought about, we hope that they will come up with a determination that maybe we do not have in the Assembly. Again, if we were leading them, this would not happen

The Panel reflected on the Citizens' Assembly sessions that it had attended to date during its Panel meeting on 30th March 2021 and the Panel was pleased to observe that Citizens' Assembly members had raised their points of view at liberty.⁶⁸

On observing several of the Citizens' Assembly sessions and the further available evidence, although not without its challenges which could be expected from such a demanding and innovative process for Jersey, it is nevertheless the Panel's view that the Citizens' Assembly sessions were conducted with the appropriate level of independence, transparency and openness and without undue Government influence.

Key Finding 28: The Citizens' Assembly sessions were conducted with the appropriate level of independence, transparency and openness and without undue influence from the Government.

5 Observation of the reporting process

The Panel notes that the recommendations presented by the Citizens' Assembly were developed by the Citizens' Assembly themselves and that the process had been facilitated by the Lead Facilitators.

The Panel has not observed any evidence to suggest that the Chair–Convenor, the Expert Advisory Panel or the Government of Jersey has influenced the Citizen's Assembly's recommendations in any way.

⁶⁷ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 9th March 2021](#)

⁶⁸ [Minutes – EHI Panel meeting minutes – 30th March 2021](#)

It is the Panel's understanding that an Officer of the States Greffe had produced the draft Citizens' Assembly's Report⁶⁹ on behalf of the Citizens' Assembly to reflect their deliberations and recommendations.

As part of the process, States Members were invited to attend a private Members' briefing on the report of the Citizens' Assembly on Friday 28th May 2021. Participants of the Citizens' Assembly presented their recommendations to States Members who thereafter were provided with an opportunity to pose questions to the Citizens' Assembly.

Subsequently, the Citizen's Assembly's report was presented to the States Assembly and published on the 1st June 2021.

The independence and transparency of the process

Noting that the report of the Citizens' Assembly had been published at the time of the Panel's public hearing with the Minister for the Environment on 1st June 2021, the Panel sought to explore the independence of the process further.

During the hearing, the Minister for the Environment emphasised the importance of ensuring no political influence on the recommendations and highlighted that he had not seen the report prior to it being published to ensure that there was no political influence on the Citizens' Assembly⁷⁰

...I have not had the opportunity yet ... I have been outside the Island for about 10 days and I heard the presentation from the team, from the chair and members of the Assembly on Friday, as we all did. I have not had the opportunity to go through the report in detail. That has been quite deliberate. I thought it was essential that there was no political influence on them in reaching their 19 recommendations. What is the point of setting up what is a very elaborate and very demanding and sophisticated, innovative approach if we then go and distort it? I chose not to do that. So I made it plain, and I am very pleased that my colleague Ministers accepted that, and that we are all now in a position as elected Members, and the Council of Ministers is no different as seeing for the first time what they have recommended to us.

Key Finding 29: The reporting process of the Citizens' Assembly's recommendations was conducted with the appropriate level of independence, transparency and openness and without any undue influence from the Government.

6 Conclusion

The Panel notes that it was provided with the opportunity to observe and scrutinise the meetings of the Citizens' Assembly, the Advisory Panel meetings, as well as the selection and reporting process in accordance with its [Amendment](#) to P.127/2019. This report has sought to inform the States Assembly and general public of its findings as a result of the Panel's observation of the Citizens' Assembly process.

In accordance with the mandate for the Citizen's Assembly, on evaluating the selection process undertaken by the Sortition Foundation for the constitution of the Citizens' Assembly

⁶⁹ [R.95/2021 – Achieving Carbon Neutrality – Report of Jersey's Citizens' Assembly on Climate Change](#)

⁷⁰ [Transcript – Quarterly Public Hearing with the Minister for the Environment – 1st June 2021](#)

and considering the further evidence received, the Panel is satisfied that the selection process has achieved a randomly selected group to be broadly representative of Jersey Society.

The Panel observed that that the Mandate called for an Assembly of at least 49 members, however, a 45-member assembly was established. The Panel notes that it is unclear as to why a smaller Citizens' Assembly had been established.

As a result of observing several of the Citizens' Assembly sessions and on consideration of the evidence received, although not without its challenges, which would be expected from such a demanding and innovative process for Jersey, it is the Panel's view that the meetings of the Citizens' Assembly were conducted with the appropriate level of independence, transparency and openness and without undue Government influence.

Regarding the appointment of the Chair-Convenor, after considering the evidence received it is the Panel's view that the process that was used to select and appoint the Chair-Convenor to the role was fair, transparent and independent. The Panel confirms that, in accordance with its Amendment, the Chair-Convenor was appointed subject to the review and consent of the Citizens' Assembly and that the recruitment process was transparent to members of the public and stakeholders.

Following the Panel's observation of the majority of the meetings held by the Expert Advisory Panel, the Panel is satisfied that the Expert Advisory Panel undertook its role with an appropriate degree of independence and with no undue influence from the Government. Regarding the selection of the Panel and its Chair, it is the Panel's view that the process was transparent and independent. The Panel can confirm that the Chair was unanimously appointed by the members of the Expert Advisory Panel.

The Panel notes that trained independent Lead Facilitators were appointed in accordance with the Carbon Neutral Strategy to assist the Assembly to deliberate the key issues in a way that would promote critical thinking and consensus. The success of the process was evident through the feedback that was received from the Citizens' Assembly members during the Block 4 sessions and the timely presentation of the Citizens' Assembly report regarding its recommendations. The Panel confirms that an Officer from the States Greffe was appointed to provide support to the Citizens' Assembly process in accordance with the Mandate.

It is the Panel's view that the reporting process was fair, transparent and independent of undue influence from the Expert Advisory Group, the Chair-Convenor and the Government of Jersey. The Panel notes that the Citizens' Assembly's recommendations were reflected in a draft report which was produced independently by an Officer of the States Greffe. The Panel notes that the Citizens' Assembly presented its final report and recommendations to States Members on 28th May 2021 prior to the report being published on 1st June 2021.

The Panel's next steps

The Panel recognises that the Citizens' Assembly has recommended that a Scrutiny review be undertaken, prior to the next election, of the Government's response to the recommendations presented by the Citizens' Assembly.

It was the Panel's view that it would be important to reflect further on the views of the participants of the Citizens' Assembly and Expert Advisory Panel members regarding the process and its independence, and noting that the Sustainability and Foresight Team in the

Government of Jersey had received initial qualitative feedback responses of participants of the Citizens' Assembly, the Panel requested that data for consideration as part of its review.

However, the Panel was informed that the raw data that had been collated to date was intended to form part of a wider evaluation and that in its unanalysed state and out of the wider evaluation context that it could not be represented in a balanced way. Therefore, the Panel was informed that an evaluation of the Citizens' Assembly process would be undertaken by the Department for Strategic Policy, Planning and Performance to draw on the input and views of a range of stakeholders, including the Citizens' Assembly participants, the Advisory Panel members and expert witnesses. However, it was noted that this was scheduled to take place alongside a similar evaluation of the Citizens' Jury on Assisted Dying, at a later date.

In consideration of this and that the Panel's review was one of the observation and scrutiny of the Citizens' Assembly process, the Panel took the decision to present this report as an interim report with the intention to undertake a further review at a later date when the information it sought would be complete and accessible.

Regarding a future review, it is the Panel's intention to include the scrutiny of the Government's response to the Citizen's Assembly's recommendations (as recommended by the Citizens' Assembly in its report). In addition, in light of the evaluation of the Citizens' Assembly process being undertaken by the SPPP Department, to evaluate the feedback and views received from the participants of the Citizens' Assembly and Advisory Panel members. It is the Panel's view that the subsequent review will also consider the cost implications of such processes in respect of the benefits that they provide.

Considering the above, the Panel believes that a subsequent review would be the right approach to follow as the outcome of that review would also be dependent on whether the Citizens' Assembly's recommendations are incorporated into the Government of Jersey's Carbon Neutral Roadmap.

Appendix 1

Panel Membership



Constable Mike Jackson (Chair)



Constable John Le Maistre (Vice-Chair)



Constable Sadie Le Sueur-Rennard



Deputy Inna Gardiner



Deputy Graham Truscott



Deputy Steve Luce

Terms of Reference

Not Applicable

Evidence Considered

Public hearings

- Public Hearings with the Minister for the Environment on the 8th December 2020, 9th March 2021, and 1st June 2021.

The public hearing transcripts can be viewed on the States Assembly website [here](#).

The webcast of the hearings can also be viewed here up until 6 months after the hearing was held.

Other evidence considered

- Briefing received from the Sortition Foundation
- Advisory Panel meeting minutes
- Citizens' Assembly meeting minutes
- Environment, Housing and Infrastructure Panel meeting minutes
- Citizens' Assembly Observer guidelines
- Chair-Convenor's blog

What is Scrutiny?

Scrutiny panels and the Public Accounts Committee (PAC) work on behalf of the States Assembly (Jersey's parliament). Parliamentary Scrutiny examines and investigates the work of the Government, holding ministers to account for their decisions and actions. They do this by reviewing and publishing reports on a number of areas:

- Government policy;
- new laws and changes to existing laws;
- work and expenditure of the Government;
- issues of public importance.

This helps improve government policies, legislation and public services. If changes are suggested, Scrutiny helps to make sure that the changes are fit for purpose and justified.

The Environment, Housing and Infrastructure Scrutiny Panel, scrutinise Government on matters within these three remits. To learn more about the Panel's work – [CLICK HERE](#)



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