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Participation and Advocacy

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This paper is a brief overview of the way Government is approaching participation in policy making, and some of the opportunities and dangers which this poses for community organisations.

There is now little argument about the principle of participation as a basic principle of good policy. This shift in approach to the issue of participation is pretty clearly expressed in this quote from a contemporary policy text:

Whereas secrecy was once the hallmark of the political and policy domains alike, community expectations have shifted. Groups outside government expect involvement in decision making. The legitimacy of much public policy now rests on an exchange between citizens and their governments.

(Bridgman and Davis, *The Australian Policy Handbook*, 2000)

The principle is consistently included in major Government policy documents. The NSW Social Justice Directions Statement of 1996 is one example. It states that the Government's social justice strategy is based on four principles: equity, access, participation and rights. The participation principle is framed as "people have better opportunities for genuine participation and consultation about decisions affecting their lives." It is worth noting that the principle is also part of the title: *Fair Go, Fair Share, Fair Say*. (*Fair Go, Fair Share, Fair Say: NSW Government Social Justice Directions Statement*, October 1996)

The idea that participation is an element of good practice in policy development has major benefits for community organisations involved in advocacy work.

Lack of consultation is a valid criticism of a policy development process, and is a sufficiently strong criticism that it can slow down or overturn a policy development process which does not show adequate consultation. We can insist on being invited to the table.

The accepted language is of participation, rather than consultation. Different parts of Government have picked up on this distinction and improved their practice to give community organisations greater involvement in decision making. This is patchy, but valuable when it does occur.

A major disadvantage of the new practice is the dramatic increase in time demands from consultations processes. Community organisations are being asked to comment on an ever increasing number of initiatives. Some are of critical importance to the organisation, some not. The time spent responding to an ever increasing number of consultations, is time deducted from pro-active advocacy work. For NCOSS there is a constant challenge in ensuring that our responses to requests for comment do not leave us without time and resources to pursue pro-active advocacy work. This is a definite danger.

A further disadvantage is the tick-box approach to participation. While policy makers must now show that they have involved the community in decision making, the quality of that participatory process is often not questioned. Last minute, token consultations are common.

At NCOSS we regularly face this dilemma. These meetings are often useful information sessions, if nothing more, and are an important way of maintaining a relationship with their funder. We do, however, know that the policy brief within the Department will claim that satisfactory consultation occurred, and will use NCOSS attendance as evidence of this. By attending the event, we are giving token processes a legitimacy which they have not earned.

The earlier quote from *The Australian Policy Handbook* was one half of a paragraph, here is the remainder:

Public servants and politicians must find ways to discuss with relevant communities of interest and draw them into the policy process, while avoiding unreasonable delays, simply vetoing by unrepresentative groups and abrogation of responsibility to vested interests.

(Bridgman and Davis, *The Australian Policy Handbook*, 2000)

This is about the need for Government to manage the process of participation, and it is in this process of management that many difficult issues for community organisations emerge.

I would like to look firstly at the phrase 'to draw them into the policy process', which is a really interesting way of framing participation processes. As community advocates, we love to be drawn into policy processes, in so far as we can influence the key decision makers. But we don't want to be drawn into the policy process so far as to lose our capacity to stand outside it and criticise it.

Co-option is a major danger for advocates in participation processes. We are at once flattered and seduced by the opportunity to influence important decisions, and we are also immediately at risk of losing our credibility with our communities.

NCOSS faces this problem a lot. We try our best to be strategic in choosing where we lend our credibility to a Government process, and when we choose to comment from a distance. Joint projects, however they are phrased, are a major danger. If they work, they can work brilliantly. We are, for example, very happy with the results of work on the CSGP Framework. Where joint projects don't work, however, they can crash and burn really badly. We don't want to be left trying to extract ourselves from the ashes of a project which the sector has come to hate.

A variation on the issue of co-option are some of the special arrangements used to try and separate representatives of community organisations from the accountabilities of their organisations.

My favourite is the invitation to take part in a committee as an individual. I am a member of the Health Participation Council, which is a NSW Health Ministerial Advisory Council. NCOSS was sent a letter inviting it to nominate someone; sitting fees are paid to NCOSS, at my request; and my bio which is going on the NSW Health website, clearly states where I work. There is no question that NSW Health wants me to use my experience as a NCOSS person on the committee, and that they are claiming credibility for their committee on the basis of my employment by NCOSS. Despite this, I am formally appointed to the committee as an individual, and I was told at my first meeting that I was not there representing anyone, except myself, and that I should make use of that freedom.

In essence, what this is doing, is trying to break the obligations of accountability which I have to my organisation, while claiming the legitimacy provided by my organisation

Another approach is to require committee participants to keep discussions confidential. A State level committee on mental health, the Mental Health Implementation Group, adopted this approach. The committee developed a series of papers on a broad range of issues in mental health, but the community organisation reps on the committee were not permitted to take the papers back to their networks and seek comment. From my perspective, this is a great way to develop lousy papers, but it is also a great way to again break the obligations of accountability. There are certainly plenty of community organisations which do not participate in these sorts of processes.

NSW Health is also the author of the following agreement, which I think is a masterpiece:

I, [name] understand that as a member of the [name of committee] with NSW Health, I may be the recipient of material either in verbal or written form pertaining to the operation and administration of the NSW Department of Health or the NSW public health system. I understand that there are laws concerning privacy, confidentiality and non-disclosure which may apply to information which comes into my possession as a committee member. I undertake to maintain the confidentiality of any material that may come into my possession and confine discussions of this material to meetings of the committee.

I recognise that my appointment to the Committee is to represent the community point of view, and that further broader community consultation may occur. I will abide by any decision concerning the level of appropriate consultation of discussion to occur outside Committee meetings.

Signed, and witnessed etc

This agreement obliges the participant to discuss committee information only within the committee, not with their constituency. It states that they are to represent the 'community point of view', rather than the views of their specific constituency or community. I can't say I really know what 'the community point of view' is, but whatever. It states that there are laws concerning privacy, confidentiality and non-disclosure, but does not seek a commitment to abide by those laws, it requires a blanket commitment which goes beyond the legislative requirements. It also requires a signature and a witness, as though it is some formal legal undertaking.

This agreement is firmly part of the traditions of secrecy in policy development, but somehow inserted into an otherwise quite progressive policy on participatory practice.

I will deal now with the idea of 'unrepresentative groups and vested interests'.

There is little question that community organisations are facing growing challenges to their legitimacy as representatives of the community. While there are a number of ways in which this is expressed, I would like to focus particularly on challenges to advocacy by community organisations which provide services.

Economic rationalist thinking has posited community organisations as providers, in the market model of consumers and providers. While appropriately consulted on issues of service provision, there are challenges to community organisations speaking on issues facing consumers. Within the economic rationalist framework, advocacy for consumers can be viewed as self-interested advocacy for increased resources or increased market share.

Equally, the growth of the consumer movement has encouraged a critical approach to community organisations which provide services speaking on issues facing consumers. I have faced endless discussions about whether particular organisations are a 'consumer organisation' or not, with the term 'consumer organisation' not meaning is it made up of consumers, but whether it can legitimately speak on consumer issues. I prefer the term 'consumer advocacy organisation', but I am finding that there is confusion about terms and meanings.

One of the key strengths of community organisations which provide services, is that they have immediately to hand the information about what is happening on the ground. They know what services their communities are asking for. They know what problems their communities are trying to solve. They can track emerging needs. They can monitor the impact of Government policies. This is extremely valuable information.

These groups are also a key structure in a community. Given the Government's failure to resource consumer advocacy organisations in most areas, community organisations which provide services are often the only advocacy group operating in a community.

I see this as an area where community organisations need to do some thinking about how to conceptualise their role in the economic rationalist and consumer movement environment. I think there is also an opportunity for community organisations to revisit their processes for identifying community views, and to take a more rigorous approach to the development of policy positions.

One major Government strategy to sidestep community groups is to focus on participation by individuals.

We are seeing massive growth in the number of processes which focus on individuals rather than interest groups. Polling through private firms like AC Nielsen. Participation processes for local individuals, such as Health Councils in NSW Health. Replacing funded peaks with roundtables of individuals, such as happened in youth at Commonwealth level.

These are, of course, great opportunities for individuals to participate in processes they would not previously have had access to. They do, however, have limitations as sources of policy advice. Individuals are generally well-placed to articulate their own experience, but are poorly placed to synthesize the experiences of many individuals into a broad picture and have no formal accountabilities to their communities. Processes which focus

on individual also leave open the scope for participants to be selected to provide general support for a particular view or approach.

These processes are most appropriately used alongside discussions with interest groups. What is of concern, however, is that they are often adopted instead of discussions with interest groups and, in the case of the Commonwealth, used to replace interest groups. Where interest groups exist, they are often side-lined as the policy makers argue that there is no need to ascertain the views of interest groups if Government has gone directly to the source and consulted the individuals who make up the community. Their views are also commonly rejected if they conflict with the views of the 'real consumers' who have been involved in the other processes.

A variation on this focus on individuals, is the idea of the 'pure' community participation process. The perception that there is some scientifically ascertainable correct representation of the views of the community – that the question of what does the community think, has a single correct answer which good practice consultation processes can ascertain.

I don't agree with this approach. There are many versions of 'what the community thinks', and these will be different depending on your process, what the weather is like, what day of the week it is.

This idea of 'pure' or 'scientific' community participation is particularly problematic for community organisations engaged in advocacy. Identifying a role for advocacy in this context is difficult. In fact, when I attended a conference on participation recently, I heard practitioners refer to groups which ran an agenda as 'tainting' the process. Essentially, they are saying that advocacy is not legitimate participation.

Again, I see this as a site for community organisations to undertake some work on the legitimacy of advocacy activity. I do not see participation processes as a neutral scientific process in which skilled practitioners extract the correct answer from a community, but a much more complex process, involving competing and contradictory interests.

In summary, I see the focus on participation in policy development as providing new opportunities for community advocates to organise to be at the table when important decisions are made. It is also the source of a vast amount of time-wasting meetings and token consultations. The urge within Government to manage participation has spawned an array of strategies to draw community organisations into decision making, and provide the policy development process with credibility, while removing the capacity of that representative to act as an effective, accountable advocate for their community.

At the same time, community organisations are facing new challenges to their claims to be community representatives, and we need to invest some time and thought into sector responses. We are also seeing moves to sideline or replace community organisations with participation processes involving individuals. And we are also dealing with this extraordinary idea that somehow, advocacy is not participation.

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