

## 3.2. The Case Study: A Citizens' Jury Assesses the Bloomfield Track

The findings here reported grow out of a 'citizens' jury' convened on the Cairns campus of James Cook University in January 2000.<sup>23</sup> Its task was to discuss policy options for the Bloomfield Track, a controversial unimproved road running through the Daintree rainforest, in the Wet Tropics World Heritage area on the far northeast coast of Australia.

### 3.2.1. The Issue

The Bloomfield Track is a public road, accessible only by four-wheel-drive vehicle, running between the Cape Tribulation and the Bloomfield River. The Track itself is ~30 km in length, forming part of a longer 181 km route between Cairns and Cooktown in the far north of Queensland.

Constructed amid controversy in the mid-1980s, the Track's stated purpose was to provide access for locals in the isolated areas north of the Bloomfield River as an alternative to the longer (190 km) inland route already in existence.

Relative trip times for both routes vary according to the conditions and the driver.<sup>24</sup> In good weather, the Bloomfield Track shortens travel time between remote northern towns and larger population centres to the south; it is also enjoyed by tourists seeking a 'wilderness experience'.

Being part of the Wet Tropics, however, periods of heavy rainfall are common. Flooded creeks can render the Track impassable, and muddy conditions mean that steep grades turn treacherous, particularly for heavy vehicles. These factors undermine the Track's utility as a means of access. Furthermore, the resulting erosion impacts on the region's ecology.

Sensitivities surrounding the Bloomfield Track are heightened by the fact that, forming as it does part of a larger World Heritage-listed Wet Tropics, the Daintree region is recognized as embracing ecological values

<sup>21</sup> Grice (1975) and Mansbridge (1999a).

<sup>22</sup> Goodin (2003b: ch. 9). In explaining how 'discourse ethics' gets the sort of 'intersubjectivity' that it requires, Habermas (1995: 117) similarly says that it 'rests on... a joint process of "ideal role taking" in which everyone is required to take the perspective of everyone else, and thus project herself into the understandings of self and world of all others'. cf. Young (1997b).

<sup>23</sup> The design of this exercise deviated marginally from that of Ned Crosby, who has copyrighted the term: 'scare quotes' ought to therefore be understood as implicit in all subsequent uses of the term in this chapter.

<sup>24</sup> Work is currently underway to upgrade the inland route to a two-lane bitumen road, however, and that will reduce travel time on the inland route considerably; this forms an important part of our story, below.

<sup>25</sup> Webb (1984).

of international importance. The area through which the Track passes contains the last significant example of continuous mountain-to-coastal rainforest in Australia.<sup>25</sup> It also comprises the only example where such rainforest abuts inshore coral reefs, promoted by the tourist board as 'where the rainforest meets the reef'.

Proponents of the Track have consistently appealed to the need for access of the Bloomfield community. Its detractors have steadfastly emphasized its direct impact on rainforest and the symbolically important abutting reef.

Those stated arguments both for and against the Bloomfield Track have often concealed deeper political motivations. Its construction in the mid-1980s was the result of a complex interplay of tensions within and between different levels of government (local, state, and federal) and a desire to play off parochial concerns in the region against broader appeals to environmental values.<sup>26</sup> State and local powerbrokers cynically overrode 'due process' requirements, smoothing the way for its construction. Protesters attempted to impede its construction through a series of desperate tactics that backfired, playing into the hands of proponents of the Track keen to exploit anti-environmental sentiments in the local community for their own ends.

Such was the intensity of the campaign that the claims and counter-claims of various protagonists remain salient years later. The same stylized antimony—'community access' versus 'erosion and the reefs'—continues to dominate public discourse in the region to this day, despite the many subtle and interconnected considerations associated with the future of the Track.

### 3.2.2. The Jury

The Far North Queensland Citizens' Jury met to consider policy options for the Bloomfield Track as part of publicly funded academic research into the use of deliberative processes to inform public policymaking. Although its aim was to work towards agreed recommendations, this jury had no formal connection to any official policy process, as citizens' juries often do.<sup>27</sup>

A jury of twelve citizens was selected on a random stratified basis from among 300 respondents to 2,000 letters sent out to randomly selected addresses in the Far North Queensland region. All those selected were residents of the region, most of relatively long standing (two-thirds of

<sup>26</sup> Niemeyer (2002).

<sup>27</sup> Smith and Wales (2000).

jurors had lived in the area over a decade). The jury was demographically mixed: there were seven women, five men; five were aged 40 or under, seven aged over 40; two had ten years of schooling, five had twelve, and three had tertiary education (another two were secondary school-leavers who then had returned for tertiary training). Jurors were similarly mixed in their occupations. One (Koda<sup>28</sup>) was a qualified marine biologist working as an environmental consultant; another (Janine) was an indigenous woman born in the Daintree and employed as a community worker in the area.

The Far North Queensland Citizens' Jury met over four days in January 2000. The first day was devoted to a site visit and background briefings.<sup>29</sup> The second and third days were spent hearing and questioning technical witnesses and community representatives. The fourth day was given over to formal discussions among jurors themselves.

### 3.2.3. *The Evidence*

Technical witnesses testified on issues to do with engineering, planning, the environment, and impact of the Bloomfield Track on the reef and tourism. Community views were represented by the Mayors of the two local Councils (Douglas and Cook) through which the Track travelled, and the local councillor for the Bloomfield region, whose residents would be most intimately affected by any decision on the Track.

Without attempting to summarize all that was said over the course of those two days of testimony and questioning by members of the jury, I would highlight two points as particularly salient to the arguments of rest of this chapter.

The first concerns the issue of damage to the inshore coral reef from runoff from the Track. A representative from the Great Barrier Reef Marine Park Authority testified that, while there was clear evidence of erosion around the Track and of extra silt in nearby streams in consequence, there was currently no evidence that that runoff was causing any damage to the coral reef abutting the shore.

The second concerns the importance of the Track in providing access to the people living north of the Daintree River to larger towns further south. One witness presented evidence on planning issues that highlighted alternatives to the Bloomfield Track for access to the region. He particularly pointed to the upgrade presently underway on the existing

inland highway. Once complete, it will be a two-lane bitumen road, passable in all weather; and despite being 160 km longer, it will provide access for most vehicles at many times of the year that is as fast or faster than the Bloomfield Track.

### 3.2.4. *The Verdict*

Jurors were polled as to their preferences over five policy options for the Bloomfield Track at the very beginning and the very end of the exercise, when they first arrived and when they were about to leave. The options they were asked to rank-order were the following:

- Bituminize, upgrading the Track to two-wheel drive, all-weather standard;
- Upgrade the Track to a dirt road suitable for two-wheel-drive vehicles;
- Stabilize the Track, fixing specific trouble spots (such as steep grades) but leaving it as a four-wheel-drive track;
- Status quo, maintaining the Track in its present condition as a four-wheel-drive roadway; and
- Close the Track and rehabilitate the area.

Jurors' preferences over those policy options shifted dramatically from the beginning to the end of the jury process. Initially, the jury displayed a weak preference for 'stabilizing the Track' (the first choice of four jurors and the second of another three) or 'maintaining the status quo' (the first choice of three jurors and the second choice of another five). At the outset, closing the Track was the least-preferred option (indeed, it was literally the last preference of over half—fully seven—of the twelve jurors).

By the end, a strong (but still not unanimous) preference had emerged for closing the Bloomfield Track. That was the clear first choice of fully seven of the twelve jurors, and the first or second choice of all but two of them.

Looking across jurors' rankings as a whole confirms those impressions gleaned from inspection of 'top preferences' alone. A 'Borda count' (assigning five points to a juror's top-ranked option, four points to that juror's next-to-top option, and so on) shows that the 'closure' option shifted from being the lowest-ranked option at the beginning of the process to being the highest-ranked option at the end of the process.<sup>30</sup>

<sup>28</sup> A number of jurors chose pseudonyms to preserve their anonymity.

<sup>29</sup> The intention was to travel all the way to the Bloomfield region, but delays along the way (including the rescue of tourists stranded in the middle of a river crossing) forced the group to turn back earlier than that.

<sup>30</sup> These results are also confirmed by the findings made by the jury as a group, which were communicated as a Jurors' Report (Niemeyer and Blamey 2003).