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Official Committee Hansard

**HOUSE OF  
REPRESENTATIVES**

STANDING COMMITTEE ON PETITIONS

**Reference: Electronic petitioning**

WEDNESDAY, 26 NOVEMBER 2008

CANBERRA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES



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**HOUSE OF REPRESENTATIVES  
STANDING COMMITTEE ON PETITIONS**

**Wednesday, 26 November 2008**

**Members:** Mrs Irwin (*Chair*), Mr Broadbent (*Deputy Chair*), Mr Adams, Mr Chester, Ms George, Mr Hawke, Mr Neumann, Mr Simpkins, Mr Craig Thomson and Ms Vamvakinou

**Members in attendance:** Mr Adams, Mr Broadbent, Mr Chester, Ms George and Mrs Irwin

**Terms of reference for the inquiry:**

To inquire into and report on:

The introduction of an electronic petitioning system for the House of Representatives, with particular reference to:

- a) the different models of electronic petitioning that could be introduced, and their effectiveness in facilitating electronic petitioning of the House of Representatives;
- b) changes required to the practices and procedures of the House in implementation of an e-petitions system;
- c) the role of Members in e-petitioning;
- d) privacy and security concerns;
- e) the financial and resource implications of an e-petitions system; and
- f) the experience of other relevant jurisdictions, both in Australia and overseas.

**WITNESSES**

**COCHRANE, Mr Fergus, Clerk, Public Petitions Committee, Scottish Parliament..... 1**  
**HARPER, Mr Robin, Member, Public Petitions Committee, Scottish Parliament ..... 1**  
**McAVEETY, Mr Frank, Convener, Public Petitions Committee, Scottish Parliament ..... 1**



**Committee met at 7.32 pm****COCHRANE, Mr Fergus, Clerk, Public Petitions Committee, Scottish Parliament****HARPER, Mr Robin, Member, Public Petitions Committee, Scottish Parliament****McAVEETY, Mr Frank, Convener, Public Petitions Committee, Scottish Parliament**

*Evidence was taken via teleconference—*

**CHAIR (Mrs Irwin)**—I declare this committee hearing open. I would like to take this opportunity to thank Frank McAveety and Nigel Don, members of the Scottish Parliament, and also Fergus Cochrane, Clerk to the Public Petitions Committee, for your warm welcome and assistance when I visited your parliament in September of this year. I welcome the committee members who are now appearing before our committee for this hearing. As you are aware, we are interested in finding out more about the experience of the Scottish Parliament in engaging people in the petitioning process and in particular in electronic petitioning. When I visited the Scottish Parliament in September, you were undertaking a review of e-petitioning and you seemed keen to upgrade the software used. Have you made any progress with that?

**Mr McAveety**—We have done two things. One is that within the next week we will have a session of the parliament's committee out of Edinburgh. We will be taking it down to the southern part of Scotland, to Berwickshire, and we will have a session there that will involve community interest and will seek views from individuals about the petition process. I would like to ask Fergus to indicate what kind of work has been done in terms of the software and the technology around the e-petitions structure as well.

**CHAIR**—I would greatly appreciate that because we actually have an inquiry underway at the moment here in Australia on e-petitioning. Thank you, Fergus.

**Mr Cochrane**—There is a project going forward just now with our information technology people here in the parliament. Our e-petitions system is hosted on an external server. This project which is underway is looking at bringing the e-petitions system in-house. So we are having a look to see whether our infrastructure, the hardware, can actually host the system. If it can, fine. If it cannot we will be doing another tendering exercise anyway, but the big thing is to look at how we can improve the functionality of e-petitions. The system that we have now is fairly obsolete software. It still works but it did break down earlier this year. There are also lots of improvements that need to be made to it.

From looking at other e-petition systems that other legislatures are using we have certainly got some ideas which we would like to enhance the system with, and I am more than happy to jot these down in an email and send them to you. We are waiting for this project to be completed by our IT department which will then give us a clearer idea as to precisely what we can do in-house and how we can do that. But there comes a point with e-petitions, I think, where you can only do so much because it is a fairly simple piece of software. So the other thing that the committee is looking at is what other forms of information technology might be appropriate. E-petitions was a big idea four years ago. The committee is looking at what the next big idea is out there that the

committee can maybe tap into and use as a way of encouraging people to engage in the petitions process.

**CHAIR**—We look forward to watching progress with your other big idea. If it is all right with you, I really want to concentrate mainly on e-petitions this evening, but I know that other members of the committee will have questions as well. I noted that for e-petitions you were not strict about verifying signatures. I noted in the UK parliament when I visited it after I left Edinburgh and also in the US Congress that they were very concerned to authenticate signatures. Am I right in thinking that you do not see the necessity to verify every signature and, if so, why not?

**Mr Cochrane**—We do monitor the electronic signatures and also the discussion forum. We do that in-house as clerks. We check electronic signatures. There is a certain amount of filtering which the system itself does anyway. It can pick up multiple email addresses, so if the same person is trying to email over and over again to support a petition electronically, the system would pick that up. It can also pick up rogue email signatures. For example, we have had people like Mickey Mouse, Donald Duck, that sort of thing, where people think they are being very original in supporting petitions electronically. There is a bit of manual checking, but to a certain extent we rely on trust quite a lot. It is the same way with hard-copy signatures: if somebody sends petition with 10,000 signatures on it, we are not going to go through and check those 10,000 signatures. There may well be 500 duplicates and there may well be 500 people who do not exist, but at the end of the day there is a certain amount of trust. But, yes, we do do monitoring and we can quite simply pick up where there are rogue emails.

**CHAIR**—I also understand that you allow signatures from people who might not live in Scotland—they are not permanent residents or citizens of Scotland. I am just wondering why you allow people who are not residents or permanent residents of Scotland to sign a petition.

**Mr Cochrane**—I think that one of the perceived benefits of allowing an electronic petitioning system was that it opened up the petition, particularly through the discussion forum, to a much wider audience than the person's geographical area. With a petition that somebody brings forward with hard-copy signatures, chances are that most of these hard-copy signatures will be from that local area. But of course the great advantage of e-petitions is that you open up to an entire worldwide audience. It is just something that we have never put any restriction on at all.

**Mr McAveety**—Can I add that I understand the concern that if you are in a national parliament you would be thinking that it should be primarily for those individuals within the country, and I think that that it is still the dominant experience. I will give you an example of why there is a kind of anomaly around it. For example, a number of years ago there was a project in one part of Scotland that was an ancient archaeological site and lots of the tourists and visitors who visited that site were concerned, as well as the local community, about the possible loss of that important piece of not just Scotland's history but of the world's geological history. There was clearly a core petition from that part of Scotland and from those in Scotland who were interested, but there were also a fair number of signatures from tourists, visitors and other people who had an interest in that area and topic.

What I would say can be done to try to mitigate overdominance of nonresidents in the petition process—and that has not been a feature of our process—is that the job of the convener and the

clerk and the committee is to prioritise what petitions are the immediate priorities. We cannot reject a petition on the grounds of the standing orders of the parliament as long as it meets the eligibility criteria, but obviously we would make judgements as politicians about the relative value of a petition dependent on the nature of the petitioners. So I think we can agonise a bit too much on this when, in reality, it is not as important as it might seem. I think it is just about how we manage it so that people do not think it has been dominated by people—and I do not like to use this phrase—from ‘outside the country’ who are able to dictate the terms of a petition in the country’s parliament. I think that we can manage that quite cleverly. Robin Harper might make a comment on that as well.

**Mr Harper**—Yes, I would like to follow up on that. I think that e-petitioning serves an extra and different purpose from the straightforward written petitioning system. The number of signatures on a petition is not a determining factor as to whether we look at it or not. It is not a determining factor even necessarily of the value of the petition. It is simply a way of finding out what public support there is for the petition and whether there are any extra arguments coming in that it is very useful for us to look at. Essentially, we have to look at a written petition with just one signature on it and, if of value, we will consider it. So the total number of signatures on the petition is not necessarily a determinant of how important it is.

**CHAIR**—Just for the record here in Australia, because this will be recorded in *Hansard*, I was very interested when I was over there in a debate within your parliament at the time on an inquiry that you had into a particular petition. Could you let us know a brief bit about why and how you started that inquiry, the procedure that you went through and the outcome?

**Mr McAveety**—We had a petition presented to our committee relating to the availability of cancer drugs for individuals who had been refused access to such drugs by their local health board. The petitioner was concerned that when they then purchased the drug element of their treatment they were then denied the National Health Service element of their treatment because they had been forced to go private. The petitioner, who was much in favour of a socialised health system, petitioned the parliament. During the process of the petition, there were some quite powerful emotions. The individual with cancer passed away during the process of the petition, but his partner persisted with the petition. So we had a very extensive inquiry—the first ever by the Petitions Committee since the establishment of the parliament.

We then had an opportunity to present that debate to the chamber of the parliament, and the health minister, who is also the Deputy First Minister of the Scottish government, was involved. If you have a chance to look at the record of the debate, it was probably one of the best debates that we have had in the parliament in recent years because people were willing to look at different aspects of that issue. What it has resulted in is a substantial shift in government policy round this issue. We are still awaiting final recommendations from the minister in the Scottish government, but we have also had, coincidentally, a more radical shift to something that is not necessarily everyone’s political view in the UK health department, and the Scottish health minister is having to take that into account as well. It has been very effective in articulating a public issue, bringing the parliamentary process into that issue and maybe changing policy. It is a great example of how a petition structure can really make a difference.

**CHAIR**—I will now pass over to a colleague of mine, Mr Dick Adams, to ask a question.

**Mr ADAMS**—It is great to be talking to you in this process. It is an excellent thing to occur. I want to ask you about the opportunities that petitioning electronically provides. I also want to ask you about how your committee has been able to increase awareness among people in Scotland about how they can participate in the process of petitioning and therefore make a connection to your parliament.

**Mr McAveety**—I will give you another example. We have received a petition in the last month or so on the serious incidence of knife crime in Scotland. We will now have a knife summit in the chamber of the parliament in the middle of January in which we will bring together victims and their families, procurator fiscals and senior police officers—for example, we expect to have present the head of our largest police force. We may have a government minister. We will certainly have the head of our major accident and emergency services in the hospitals. We will also have a number of key folk from the judicial system. More radically, we will have, as I said, the victims and their families able to articulate their concerns. We will also potentially have some young men who are the perpetrators of such crime. It is really to try to raise the debate about the concern among the people of Scotland about the terrible loss of young lives—mainly young men between the ages of 15 and 25. It is about using the parliament to amplify this big issue that you know from your electorate office and I know from mine is a worry that our communities have.

I have taken the simple view as convener that the convener's job is to try and find the issues that resonate with the wider public and to make the parliament's committee relevant to them. That then justifies us having, hopefully, the wisdom as politicians to bring forward the issues that do not easily get public support or publicity or wider knowledge but that are important. So by making the Petitions Committee relevant we can also justify occasionally bringing in issues that may be a bit more left field and to say, 'This should also be discussed in Scotland.' Robin, who has been a member of the committee since the establishment of the new parliament, also has some strong views on how we can engage more widely with citizens and make it relevant.

**Mr Harper**—The interesting thing is that the committee is developing. When we were first set up—I was not on the committee then—we were seen very much as a filter, as a committee that would pass judgements on where petitions should be sent, whether they would go to another committee or they would go to government or other institutions, and that our job more or less finished there. But now we are beginning to set precedent, and I think this is very exciting. We need to give some thought now to going out into the countryside. We do not have a publicity budget but there is not a lot of point in going out if we do not actually make sure that lots of people know that we are going to be outside Edinburgh and that arrangements are made to encourage people to come—simply advertising will not be enough.

The general committee structure in parliament is such that we are beginning to fill a gap, because when the legislative committees programs are full and we want to refer something to them, we get a letter back saying: 'It might be difficult to find time. We will give it a short amount of time.' If this had happened with the issue on cancer treatments, for instance, it could have hung fire for a long time and then not had the detail in time that we were able to give it by deciding not do the job of the health committee but to do the sort of thing that the health committee themselves would have been doing.

**Mr ADAMS**—On third-party petitioning, which we are looking at in our e-petition inquiry, we have some pretty active groups on the internet that organise around issues. They have given evidence to us that they would like to be the ones that actually organise the petitions and then lodge them with the parliament. Have you got any comments about that? Have you experienced that or do you accept that?

**Mr Cochrane**—The committee commissioned some external research back in 2006 which was carried out by the University of Glasgow. One of the encouraging things that the research threw up was that 51 per cent, I think it was, of petitioners were individual members of the public. The next biggest group of petitioners, at around 20 per cent, were community groups—groups of people in, perhaps, a community council or whatever. So three-quarters of petitions were coming forward from local communities and members of the public who wanted to bring a concern forward. The smallest category was actually formed by what you might call pressure groups and also trade unions, because it was recognised that there were other facilities available for them to take concerns forward, either through direct approaches to members or government ministers or getting parliamentary questions lodged. It was quite encouraging that, by and large, the petition system has been left, if I can put it that way, as a facility that is still primarily used by members of the public as a direct route for them into the policy development arena.

**Mr Harper**—I could add that in fact the pressure groups have discovered another way of petitioning, which is blanket petitioning of the 129 MSPs because they can get hold of all our email addresses and organise several hundred people to blanket petition. That is actually pretty counterproductive because, even if you have absolute sympathy with the petition you are getting, having your computer blocked sometimes with a day and a half's worth of work to do to clear the stuff out is not funny.

**Mr McAveety**—If I can add a final point on that, I think the job of convener is important in this process because you need to make judgements about the direction that petitions have come from. I use a 'reasonable' slide rule on this. One measure is that if the petition can perhaps be best addressed through other policy committees or there is a legislation process that either the governing party will bring forward or backbenchers can bring forward—as they can in our parliament—then that is the best way for that petition. I will give you an example from an early part of my time. Although I am a member of the teachers trade union, and they had managed to receive 80,000 petition signatures on class sizes, my view was that that was already part of the wider political debate amongst political parties and that the education committee was going to have to look at that anyway because class sizes are a perennial issue in public discourse, so it was not as important for me as the Convener of the Petition Committee to worry as much about that as I would about others. But I want to say that I do not have an easy answer about those who are third-party organisers who either have—quite rightly—a political agenda, like trade unions or others, or those who want to sabotage the democratic process to reveal the supposed impotence of elected members. I think our job is to find a system that engages well with folk, so people do not turn to what I call 'e-saboteurs' who like the idea of using the cyber connections to cause problems or to make it difficult for elected members. We are in a democracy, it is a two-way process, and we need to always try to re-emphasise that.

**CHAIR**—What you are saying is assisting us with our Petitions Committee here in Australia. I will pass now to the deputy chair of our committee.

**Mr BROADBENT**—I have a very brief question. Did e-petitioning turn out to be all that you thought it would be?

**Mr McAveety**—Russell, that is like saying: when you took the marriage vows did it turn out to be everything you expected it to be? Sometimes it can be fantastic, at other times fairly turbulent!

**Mr ADAMS**—It's still like that for me, too!

**Mr McAveety**—I might be dressed in black today but I'm not taking confessionals! I will get Fergus to try and respond.

**Mr Cochrane**—I would say yes. You can quote statistics. When the system started at 2004 we were getting about 40,000 hits a month on the website. We are now getting about 1½ million hits a month on the website, such is the interest. Three-quarters of the petitions that come forward now people want as e-petitions. It is a simple process which makes it so much more easy and convenient for people to bring their petitions forward. It just involves a bit of imagination and a bit of work on the part of the parliament to put that facility in place and to make sure it works and is easy to use. The benefits are fantastic and the uptake is amazing. Could you do without it? The discussion forum of our e-petition system was down for a few months during the summer and we were heavily criticised for that. It was quite embarrassing. Such is the usage now and the regard that people have for it that we took quite a bit of flak while we tried to get the thing fixed.

**Mr BROADBENT**—I have a second question then. Has the standing of the Petitions Committee been raised within the parliamentary circles because of the work that you have done over the last 18 months?

**Mr McAveety**—Well, I think under this fabulous convenership it is making a real difference! No, that is a difficult issue to judge. I can say that I think we have made a conscious decision as a committee in the new parliament, since May 2007, to be more outward looking, taking petitions to the chamber and trying to develop the e-structure. But what I would say, looking at what happened in the recent US presidential elections, is that there is clearly a debate now about how we as politicians who are normally quite slow to react to any new technological developments need to reinvent how we engage with citizens. Whilst it was a partisan political campaign that was trying to get a different type of outcome, there is no doubt that some of the lessons of that should feed in to the debate. I think there must be enough intellectual capital in either Scotland or Australia in the younger generation who understand the technology more than any of us can, because we are in a sense caught between the old world and the new world of technology. We must be able to find young people who would be able to come up with even more innovative ways to engage with citizens. But always remember that our predetermined view that I would like to argue is that the parliament matters; it is not about circumventing parliament, it is about trying to enhance parliament.

It is a bit like the sterile debate—you can look at the minutes of the House of Commons—in the eighties about not allowing cameras in. That would now be considered such a daft idea, not allowing cameras in, but they had to break through a traditional perspective about the filming of parliament. It was only in the early nineties that the House of Commons allowed broadcast filming, within reason, to be within the House of Commons. So I think we need to engage

more—and I am sure you will have the same debate in your parliament—with younger people about how they see the technology evolving and how parliament, parliamentarians and committees can be more responsive in using that and also facilitating that as a tool for engagement with citizens.

**Ms GEORGE**—Because we are very early into our tenure as members of the Petitions Committee, your experiences are very valuable as a guide for what we might do in future. Part of the function that I think we are performing is almost like an administrative arm of government where we are the siphon for discontent by petitioners. We get a formal response from the minister, we have gone to the stage of calling in the bureaucrats to go into the rationale for their decisions, but we have not moved beyond that. I am wondering whether you have some views about how the Petitions Committee can play a more interventionist role in terms of possibly changing policy or having inquiries or whatever. I think there is a limit to how much we can just function as: getting a reply from the minister and quizzing the bureaucrats. I think that comes up against a wall and we need to find ways of moving beyond that. I guess you would have experienced the same in your early days. What were the qualitative changes that you were able to bring into being?

**Mr Harper**—I think our record in the first two governments was quite good in terms of the number of petitions that were actually actioned. That is really what one aims for; it is not simply to get publicity for an issue or an answer from a minister. Ideally, as many petitions as possible should be actioned. I forget whether we have a record of the percentage were actually actioned. I thought it was really quite high.

**Mr Cochrane**—It is, yes. There is always the issue about the success of a petition. People ask the question: how many petitions have been successful? The difficulty, of course, is how you determine what a success is. Is it achieving every single thing that the petitioner wanted, which happens in a considerable number of cases, or is it being able to progress that matter a lot further and a lot higher up the government system than you would be able to if you did not actually have a petitions process?

**Mr McAveety**—Jenny, I will be quite candid about it. Firstly, the job of the committee is not to be a kind of filter house of the occasional happiness around a petition, because you would end up being pretty sterile and, as an individual MSP—in your case, as an MP—you feel that you are just functionaries in that process and you are not really shifting the debate at all. That is what I understand from the tone of your initial question. On the second question, I am sorry we lost a bit of the sound there.

**Ms GEORGE**—In respect of the traditional response you get from the ministers in terms of current policy—this is what we do and these are the reasons—how do you break through and try and create a venue or a forum where you can actually alter policy and move the debate on?

**Mr McAveety**—I think there are a few options there. Let us not forget that sometimes the opportunity to have a minister in front of your committee can be quite pleasurable. I understand from the murmur and laughter I can hear from you there that you have the same psychology that we have! But sometimes it is about how we conduct ourselves as committee members in terms of that issue with the minister. Sometimes you want the constructive and collaborative approach and sometimes you have to clobber them about the ear. We have to make judgements on that.

The second strategy is that we need to tell people what we are doing more, so you need to have publicity. I know people can resile from that. But there is no point in being in politics if you do not communicate what you have been trying to do, and that is as true for a committee as it is for a parliamentarian. We need to do that better. The third thing is that we need to use other vehicles to drive an issue. That is why I am keen in this new committee to get to the chamber with some big issues, to make sure they are in there, and then try to use the contacts that you should have with the media and so on to try and communicate that. The fourth one essentially is the issue of spending time in the committee. We have not done this enough collectively, and I am saying that as a committee convener. I do not think we have given ourselves enough time yet to look at where petitions have been and where we feel there has been a logjam.

My final words are that how you handle people at the committee is important. You will always get the serial petitioner who, no matter what you do, will never be happy. But I think the greater test is the numbers of folk who drop letters in afterwards and say, 'Thanks for giving us the courtesy of your time and making us feel comfortable.' That is true in any walk of life. What ninety per cent of the public want is the reassurance that you are listening. We need that to be more a feature of not just the Petitions Committee but all committees of the parliament to make that real difference.

It is fairly simple stuff. You know this already as a parliamentarian. Sometimes we get into the drag of just doing our day duties. Sometimes we forget to take that step back and say, 'I have skills here that should be able to help with this issue.' You would be a better judge of that in your locality than I would be for Australia and, equally, I would feel more able to articulate the concerns here. That is really the experience that we bring to a particular issue itself.

A final thing that we should mention is that the Scottish Parliament's committees also have the power to legislate, which is not a feature in the House of Commons. So there is a big, big difference—the potential power of our ordinary committee of parliament to really impact on legislation. We have not in the first two terms of the parliament really empowered that debate. I think that is the future for the Scottish Parliament, in terms of members really seeing committees as almost equivalent to the power of ministers to bring forward legislation. That is a very different dynamic, not just in petitions but right across the policy areas. Robin, do you want to come in again?

**Mr Harper**—I would like to say two more things on that. The committee does not let go of petitions easily. We keep track of where they have been and we make sure that we get the answers, and some petitions are kept alive for two or even more years.

**Mr Cochrane**—Six.

**Mr Harper**—Six years, in one case; Fergus could expand on that. I was not on the committee six years ago. But that is very important. We do not just refer them on. We never just do that. We keep track of the petitions lodged.

The other thing is that recently we had, I thought, a very fruitful open meeting with members of organisations in Scotland that were willing to come along and comment on how we related to the public and to other institutions. We have had a look at how we can feed back more in the

future and we are going to carry on considering that, which is what Frank was talking about. We have already started that process.

**Mr BROADBENT**—Was that the same petition that you were continuing over six years or were you following it for six years? Were there petitions coming in continually over six years or were you following a particular petition for six years?

**Mr McAveety**—My personal view as convener is that we should try to avoid that length of time for any petition in our structure, and that is certainly one of the things that I am keen to try to resolve. The individual petition, I think, was a single petition that has really been batted about all over the place. I would really much prefer to have a reasonable time frame for either resolving the petition, moving the petition forward, getting a decision in favour of the petition or, when we need to do it, closing the petition. There is nothing worse than leaving it. Theologically, I might have been brought up a certain way to think that limbo is acceptable. I do not think it any longer is.

**Mr BROADBENT**—How do you close a petition? I have got a feeling that we have got one coming on here at the moment and I am trying to figure out how to close it. It is one thing to get it going; it is another thing to stop it. How do you end a petition?

**Mr McAveety**—That is where a very useful clerk comes in, so I will pass over to Fergus.

**Mr Cochrane**—The standing orders dictate that in closing a petition the committee must give a reason for doing so. Essentially, from the outset I would argue you are trying to get that petition to the point of closure. Petitioners might not accept that but, ultimately, that is what you want to happen, because it may be that when you close it you have actually achieved everything that they want. It is a matter of how you can get to that point as quickly as you possibly can. As clerks, each time the committee considers a petition and decides to write to bodies X, Y or Z, we get the responses back, give them to the petitioner, get their comments on them, and then we try filter down through the issues to see what issues are actually outstanding. We are also quite careful to watch that they do not suddenly highlight new issues, that the petition does not go way off on a tangent. It may well deal with issue A but it cannot suddenly go away and deal with issue B—that is another petition. So you have got to be quite careful in looking at whether sufficient action has been taken by whomever to address the concerns of the petitioner and get to that point of comfort almost that, yes, sufficient action has happened and the committee can now close it.

**Mr BROADBENT**—Has your committee closed the attention to a petition?

**Mr Cochrane**—Out of the current petitions that it looks at at each meeting, which is about 15 or 16 petitions, hopefully the committee would close about five or six at each meeting. What I am quite keen to do is to try and get a balance, because at every meeting the committee might look at seven, eight or nine new petitions. If only five or six of the current petitions are closed, suddenly you are adding two, three or four new petitions onto the pile at every meeting. The current workload is around 100 current petitions that the committee is looking at. So, yes, at every meeting they will close a number. But of course with the number of new petitions that 100 continues to rise.

**Mr McAveety**—Usually we have a hard heart when it comes to closing a petition. You just look at the evidence and identify whether or not you can take it any further. I think that within reason most folk would accept closure. There will always be some folk who will rail against the particular petition being closed off. There is not a petition committee that, when we close a petition, will not receive one or two emails from the petitioners complaining about that. But I just like to say, ‘Look, the parliamentary process has been followed through here.’ I as convener take the responsibility for the decision to close a petition in partnership with the committee.

So far we have managed it, and we do close quite a number of petitions. At every committee we have had petitions where we have finally said, ‘This can go no further,’ or ‘We don’t feel we can add anymore to that particular one now.’ You have got to make that judgement in your own case about whether the consequence of that closure is more problematic than keeping it open. That is a judgement that you can only make based on the evidence in front of you. I would not worry about it as much, genuinely, because we are all big boys and girls who have had to say no to people over the years. We just have to put a hard hat on and suffer the occasional arrows of attack.

**Mr Harper**—You could see some petitions that are virtually life-support machines and it is time to turn off life-support machines.

**Mr McAveety**—I hope I have helped you on that. I would not worry too much about it.

**Mr CHESTER**—One of the challenges we face here in Australia is getting younger people to take an interest in public policy development. I see e-petitions as an opportunity for us to improve that situation. Have you noticed any trends in the issues that have come before you that would reflect younger people becoming more engaged in your parliamentary processes?

**Mr McAveety**—I think the jury is still out on that. I do not think that parliamentary structures are all that well shaped at present to deal with whatever the dynamic is amongst younger citizens. I am now at that difficult age when I am repeating exactly the same mantra that my father gave me, that ‘things ain’t quite what they used to be’. I know I keep referring to it but I think we should look at what happened in the US presidential election about engaging with young voters. There is clearly no doubt that the success of the presidential candidate was partly due to having a much greater engagement strategy with younger people about both registration and motivation on ideas.

We have had a petition to the parliament from an organisation called YoungScot. They were part of the discussion that Robin referred to about how we can engage more effectively with young people. Basically, their key message was that we need to use the new technology much more, we need to get out a bit more and we need to be seen to be less stuffy. That is a difficult one, because there are formalities to parliamentary process that are absolutely unavoidable. I think we need to continue that dialogue and discussion because I do not think we are anywhere near the level of engagement that will work with anybody under the age of 25 anywhere in the country.

**Mr Harper**—I would like to disagree slightly. We have a Scottish Youth Parliament, which has representatives elected to it from all over Scotland. We now have so many young people visiting the parliament every day that they have had to take over part of the cafeteria on a

permanent basis so that we can have two rooms for children to rotate through almost continuously from nine o'clock in the morning until three o'clock in the afternoon. The level of interest in parliament amongst schools is really very high, and one is besieged on a weekly basis by young people doing Modern Studies Higher who are asking for advice on political issues. So there is a great deal of interest in the parliament amongst young people, even if there is perhaps not as much engagement as one might think was possible. I remember a group of young people in the first parliament who asked me if there was an age limit on lodging petitions. I said to them, 'No, anybody can lodge a petition.' They asked, 'Could we lodge a petition?' I said yes and they did—on school meals.

**Mr McAveety**—Robin is right to correct me on the desperation I gave you in my answer. Next week the committee is going to Berwickshire, where two of the three key petitions will be from young high school students. And one of the most successful petitions prior to my time as convener was a petition from young teenage Scots—and I know this may be hard to believe—complaining that the price of alcohol was too cheap.

All I can hear is stunned silence: yes, I thought you would react like that! I think Scots and Australians have a similar approach when it comes to consumption of alcohol. But the reality was that they wanted to say, 'We want control of off-sales in off-licences.' That petition actually got remarkable publicity in Scotland and has resulted in influencing some of the public debate about the easy availability of alcohol for young people in our country. And I think we will have changes on that.

My concern is that I do not think young people see how they engage with the parliament much, in terms of the decision-making process, as opposed to understanding the institution through the education process. I am worried. Maybe it is because I represent a very disadvantaged area. I am not hearing youngsters from areas like mine feeling that the parliament is something that they think they can utilise more effectively. The evidence tells us that the poorer, more disadvantaged communities or the communities with less educational attainment are not connecting at all in any way with the parliament, compared to how other, highly educated, university level, constituencies engage with parliament.

**Mr BROADBENT**—Frank, you mentioned the interaction with young people in the Obama campaign in the American election. Could I add to that the disengaged people. Would you like to comment in that area? I am looking at this petitions committee and access through e-petitions or petitions or whatever. McCain actually acknowledged how Obama was able to engage the community in the way that he did and have them come out to vote. Through our petitions system, we have a great opportunity to engage not only young people but also those who feel they are disengaged and do not have access through their member of parliament or through whoever. They can, by petitioning, come straight to the parliament.

**Mr McAveety**—I just think we need to keep working at it. The unsaid thing about the US campaign was the level of community resources that were placed to develop the structure to then build a credible campaign machine that meant that candidate could go to much larger funders—it was not just larger funders; he also generated from individuals a remarkable amount of contribution, which has not been a feature of any real democratic politician. And I mean small 'd', not capital 'D'. Whether it is Australia or the UK or whatever, we are increasingly dependent on larger private donors or institutional donors, which brings its own issues. If you look at the

British experience, there were one or two quite challenging moments for my own former Prime Minister.

The key issue is: what do we do as a parliament now? One of the key elements of the Scottish Parliament was that we wanted to do things differently from how the House of Commons was structured. We do have a very strong commitment to participation. What I would say about disengagement is: I do not think a petitions committee is going to solve that broader kind of scepticism about politicians. We argued for a long time in Scotland that if we had a more proportional electoral system that would mean the participation would increase. We have much more choice than we have ever had before in parties in Scotland and it has not made any real material difference yet to turnout. So there is a deeper issue there, which I think we all need to examine. That is another session, maybe another series of thought processes.

We need to, first, get the technology better and engage using the web much more, where we work with individuals in different communities and have a community type of structure through that. That requires money. We need to get the corporate body of the parliament to shell out a bit more cash to have almost like a democratic budget for participation and engagement. I do not think we are anywhere near that in the parliament in the way we should be. We also need politicians—and it is a difficult one for all of us—to maybe change how we do our business. That is hard because we are already very busy.

**Mr Harper**—I think that we lost a bit of the balance between efficiency and democratic representation when we stripped out all the town councils and we were left with 32 local councils and the Scottish Parliament and no effective grassroots-level participatory democracy. Our community councils have no funding and no way of raising money. They can get money from local councils. But the level of interest in community councils, although they are community councils, is very low. There is poor attendance at meetings and they do not have very much money for their publicity. Some of them are waking up and doing a good job; some of them are virtually defunct. We do not have a grassroots level of participatory democracy in Scotland any longer and that is what we need to be paying some attention to.

**Mr McAveety**—We have commissioned research into how we can get to what we call hard to reach groups as part of our broader inquiry. We expect that research paper to be ready by around about early February. What we will do is make sure that you receive a copy of that. I do not think it is going to have any remarkable revelations that we do not already know as individual elected members. There will be members in your parliament at the table there who represent what we define as areas that may be harder to reach in terms of participation and so on—like my parliamentary seat. It will throw up some things that we need to do differently, and maybe we can do that. It is more about finding the issues that matter to folk or that are relevant to them and taking the time to hear their voices. If we do that a bit more, we might end up doing this a bit more effectively.

**Mr BROADBENT**—That is really good. Thank you for the offer. My chair would like to come back to Scotland and pick up that research personally!

**CHAIR**—My deputy chair was very jealous that he did not get to accompany me to Scotland. You can understand why I am not asking too many questions from here in Australia, because you gave me such a wonderful briefing when I was at your parliament.

**Ms GEORGE**—What provisions under your standing orders exist for the committee to report back to parliament? Is it just a report on what petitions have come in and what the response has been, or is there time or opportunities for you to make recommendations about public inquiries or legislation?

**Mr Cochrane**—The remit of the committee is fairly broad: it is to consider and report about petitions and also consider issues of admissibility where appropriate. The report into the cancer treatment drugs which the convener referred to was the first report that a petitions committee had prepared. This is the way, as the convener said, that the committee wants to go. This reputation which it now has for innovation and the high regard in which the committee is held in are things that it wants to build on.

There is a process whereby for debates to be held in plenary in the parliament individual committees can make bids for time to be made available. There are a set number of days each year. So the committee put up a bid for its debate on cancer treatment drugs and because no petitions committee had had a previous debate in the parliament there was no problem in getting the time.

With regard to the role of the Scottish government, when a committee of the parliament reports we have a protocol with the government whereby they are expected—obliged—to respond to that report and all the conclusions and recommendations within two months. That is what the government did on this occasion. The committee received its response two months later. The committee looked at the petition again at its last meeting a couple of weeks ago and concluded that the response of the government was perhaps not as adequate as might have been expected. The committee has gone back to the government asking for a much more detailed response. The committee has also written to all the organisations who gave evidence to say, ‘What do you think of the action the government is taking in this issue.’ So it hopefully demonstrates how the committee can get their teeth into an issue and also the willingness to undertake detailed inquiries and also produce reports along these lines.

**CHAIR**—Do you, Frank, or any of the witnesses have any questions you would like to ask of the committee members?

**Mr McAveety**—There are one or two points. One of them is just to say that over here it is scorchingly hot today!

**CHAIR**—You have got your woollies on today, have you!

**Mr McAveety**—It is always subzero here so it is okay.

**Mr Harper**—I would like to give my regards to the Greens senator for Tasmania.

**Mr McAveety**—Could I ask you this: do you provide for petitioners to give oral evidence to your committee as well?

**CHAIR**—Yes, they do.

**Mr McAveety**—One of the issues we have is the persistence of the feeling amongst people that if they have not given oral evidence it means their petition is less important.

**Ms GEORGE**—They do not give oral evidence in all cases.

**Mr ADAMS**—That is a role that we need to do. It is like the issue, as you said, of the cancer drug. It is of major significance and we got a lot of petitions on a local regional basis. We had our first meeting in Melbourne recently where we took evidence from people who had come in from the country areas with a whole range of issues. We also had a school, which was a similar experience to you. It was an excellent opportunity. But we actually choose which petitioners come before us, and we have to do it that way because of time constraints.

**CHAIR**—I would like to thank you again for sharing your views and ideas with us here in Australia. As you know we are having an inquiry into e-petitioning and I am sure you will be keeping an eye on us just as we will be watching what you are doing over in Edinburgh. I think it is wonderful that our parliaments can have this dialogue and I hope it continues. And I hope that our paths do cross again. I know that a number of committee members were jealous that I had the opportunity of going over to the Scottish Parliament. I encourage them to visit to see it with their own eyes and to meet you all face to face.

**Ms GEORGE**—And you should come and visit us in Australia too.

**Mr ADAMS**—They tell me your building cost a fair bit of money!

**Mr McAveety**—We are building a new democracy for the people of Scotland. It is always worth it in my opinion.

**CHAIR**—I hope there will be an opportunity for you to visit our parliament in Australia and especially our committee. And do us a favour; if you are going to come to ‘our part of town’ as we call it here in Australia: please bring Fergus with you!

**Mr McAveety**—The only caveat I have is that, looking at the history of Australia, Scots have always caused a wee problem in your country. We would be happy to continue with that tradition.

**CHAIR**—Thank you, and hopefully we will meet again.

**Mr McAveety**—Thank you.

**Committee adjourned at 8.34 pm**