



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

STANDING COMMITTEE ON PETITIONS

Reference: Electronic petitioning

WEDNESDAY, 24 JUNE 2009

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**HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON PETITIONS**

Wednesday, 24 June 2009

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

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

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

LAURIE, Mr Neil, Clerk of the Parliament of Queensland 1

Committee met at 11.23 am**LAURIE, Mr Neil, Clerk of the Parliament of Queensland**

Evidence was taken via teleconference—

CHAIR (Mrs Irwin)—Good morning. I now declare open this public hearing of the Standing Committee on Petitions and welcome everyone in attendance. Today the committee is speaking by telephone to Mr Neil Laurie, Clerk of the Parliament of Queensland, regarding the committee's inquiry into e-petitioning. The Queensland parliament has had an e-petitions process since August 2002. The committee has been advised that from 2003 to 21 December 2007 there were 817 petitions in total, with 901,232 signatures, of which 162 petitions were electronic, that being 20 per cent, with 241,144 signatures, which is 27 per cent.

Neil, the Queensland parliament has been receiving e-petitions since 2003 and you also maintain paper petitions. Have you noticed that the number of petitions has grown since the introduction of e-petitions?

Mr Laurie—I think that is the case. As a general observation, the number of petitions has definitely increased and also, during that period, it is our observation that the number of e-petitions is increasing as well.

CHAIR—Can you give us a little bit of background on your e-petitions, mainly on how long a petition should remain open, how should identical or very similar petitions be managed and what attempts if any should be made to verify signatures? I will also just add another question to that. I found it interesting that e-petitions have to be supported by a member of the Queensland parliament. I am just wondering if there are any risks associated with that requirement?

Mr Laurie—I will start from the reverse-forward if you like. It is properly better to explain it that way. When we were designing the e-petitions process, one of the desires was to essentially make sure that the e-petitions process ran as similar as possible to the paper petitions process, which had been in operation from the commencement of the house back in 1860. The reality is that when it comes to petitions—paper petitions that are out there in the community—at some point in time those petitions have got to come to the house and, under our existing rules for paper petitions as they were then, essentially a member must then support the petition in terms of bringing it forward to the house for tabling. So members bring petitions to me as the Clerk and then I present the petitions after ensuring that they qualify with the rules for paper petitions.

One of the things that was live with the e-petitions was that we had to front-end the process in the sense of putting the member's support up at the front of the petition process because we did not want to put an e-petition up on the parliament's website and have a multitude of signatures go on it only to find that, at the end of the process, there was no member willing to support it. That is the reason why we made it a condition of the e-petitions process that a member sponsors the petition at the beginning. That being said, I am unaware of any instance in the last six or more years since e-petitions have been in place where a petitioner has been unable to find a member to support a petition—certainly none of those sorts of instances have ever come to my attention.

Simply because a member sponsors an e-petition it does not mean that they support the contents. It is very similar to how members who are bringing forward paper petitions that have been presented to them, and then presenting them to me for presentation to the house, do not necessarily support the content of the petition. They are just discharging one of the roles of members of bringing matters forward. So that was the rationale for having members support them upfront. We were aware when the e-petition process was being developed in Queensland that there were other systems in their genesis in other jurisdictions and, in particular, Scotland had had an e-petitions process for a little while.

CHAIR—That is correct.

Mr Laurie—The process in Scotland, as I recall from the investigations we conducted at that time and I think they may have changed since that time, was that effectively the e-petitions were being gathered by a university website or by a third-party website. We felt that, if we were going to have an e-petitions process, it should be administered by the parliament itself, which reduced the risk of any sort of fraud. But we also felt that if we were going to have e petitions on our site we would have to have that upfront membership support from the very beginning, so that is the rationale for that.

The minimum and maximum periods were essentially an arbitrary decision. In the design of the system we had to have a minimum and a maximum, or we felt that we had to in terms of our design, and so they were arbitrarily chosen time periods, for want of any other desire. The reality is that sometimes we have e-petitions lodged where, for example, the principal petitioner and the member request that they go up for a month. Those petitions are then presented and, the following day, they essentially renew that petition by putting up a new petition. We do not find any objection with that.

The issue of similar petitions has been a bit of a problem from time to time, but we ensure that there are never two identical petitions up there at any particular time. We would wait until one expired before we put up the other one, or we would get them to change it so that it is significantly different. But that has not been a huge problem for us.

Mr BROADBENT—Mr Laurie, I have found it easy to start a petition, but how do you find yourself being able to stop a petition? They tend to radiate from one community to another community to another community, so the original time frame you would expect for a petition, be it an e-petition or a paper petition, can radiate like ripples across the nation?

Mr Laurie—Paper petitions have been around for a long time. Parliament itself has never really had much to do with the regulation of them out in the community. Really, often the first that parliamentary officers or members even become aware of these matters is when someone brings the completed petitions to us. Although, from time to time, we receive requests as to the correct form to use from members of the community who want to start a petition, and we certainly push out as much information as we can. I think there is nothing more disappointing to petitioners than to have collected thousands of signatures only to find that their petition is in a form that would not be accepted.

When e-petitions are sponsored by a member and the time limit is set on the petition, the petition goes up on the site, and literally on midnight of the day that it closes the petition just

ceases. So at that point in time no-one else can join. Of course, it does not stop a new petition from being presented on the same topic the following day, but we have no difficulty in terminating it because it is all run automatically by the software.

Mr BROADBENT—Do you think that e-petitions are a necessary evil? Do you think that e-petitions are a right thing for parliaments to be introducing?

Mr Laurie—I am a strong supporter of e-petitioning. I think it is recognition of the realities of modern society. More and more people are communicating by electronic means—for example, by email—and more and more people are even utilising their computers to read the news or to view the news on TV. It seems to me that, if parliament wants to maintain its relevance, it has to adapt its procedures. Therefore, I believe that e-petitioning is one way in which it can be adaptive to modern society. I do not think you can ignore it.

Mr BROADBENT—Mr Laurie, can you explain the ongoing relationship between members of parliament and the e-petitioning process, having regard to your six years experience of that?

Mr Laurie—As I said before, to my knowledge there has never been an instance where a petitioner has not been able to find a member willing to sponsor a petition. To my knowledge, I know that members oftentimes promote the e-petitions in their areas so I think that members are as participative with e-petitions as they were with paper petitions, and remain so with paper petitions. I also know that quite often people within electorates will sponsor an e-petition and at the same time circulate a paper petition, and they will try to time the tabling of the paper petition with the e-petition so that there is maximum impact on the day. So I think that members are involved in e-petitions, both in sponsoring them and in promoting them.

Mr BROADBENT—How does the parliament respond to the e-petitions?

Mr Laurie—We have an expectation that the ministers will respond to petitions, and we do have very good response rates to petitions. Once a petition is presented to the house, whether it be an e-petition or a paper petition, I as the clerk then write to the relevant minister, drawing their attention to the petition, and invariably there is response to the petition from the minister involved.

One of the things we did when we introduced e-petitions was re-invigorate our entire approach to how petitions are reported. So online not only are there the e-petitions that are closed and have been presented but also we put up now the paper petitions that have been closed and presented. We make sure that the responses to those petitions as they come in are also put up on the website. So any member of the public can view the petitions site on our parliamentary website and see all the paper petitions and the e-petitions that have been presented and the responses to each.

CHAIR—What are responses like from the ministers? On a Monday evening when parliament is sitting, I as chair table the petitions in the House of Representatives and then they are referred on to the minister for a response. Once the response has been received from the relevant minister, we can get the department in to answer a number of our questions in relation to that petition. The ministers usually have to respond within 90 days, and we have had a very

good success rate so far of about 97 per cent. Is there a time frame in which your ministers must respond to a petition?

Mr Laurie—At the moment there is no time frame, but I anticipate that that may change. That being said, the response rates are very good. We would normally expect ministers to have responded within three months, and I would say that the majority of them now respond within 30 days.

Mr SIMPKINS—Mr Laurie, I am quite drawn to the method you are using because I have always held a concern about the validity of the names and identities of the people who contribute to some organisations that do a lot of e-petitioning. Does the software that you use ensure that no one can sign up to an e-petition more than once?

Mr Laurie—I have to say that, when you are dealing in the electronic world, there are limitations to authentication. When e-petitions were first being investigated in Queensland back in 2001-02, the issue of authentication was a predominant concern of people. I think we have to take relatively pragmatic view towards authentication. My view is this: for hundreds of years paper petitions have circulated in the community and members have placed their names on and signed petitions. The reality is that we have never conducted audits to make sure that those paper petitions are all the time authentic. We have only ever investigated fraud when allegations have been made and there has been some evidence of fraud submitted. So for hundreds of years we have accepted paper petitions and have taken at face value that there is no fraud involved with them, unless an allegation is made to that extent.

I think we have to be as pragmatic when it comes to electronic petitions. We have to take at face value that the people who are signing are actually the people who are putting their name to it, if you can understand what I mean, until or unless somebody takes the contrary view. There is no way that we can guarantee, or anyone can guarantee, authentication of people online unless there is a process for authentication such as that which the banks have with PINs or identification numbers. We have no way of being able to do that. However, the fact that it is done in-house here does allow us to notice suspicious activity. For example, if there is a lot of activity on a petition overnight, if the numbers go up by a thousand or something, it may cause us to have a look at the database to see whether there has been anything suspicious about that activity. But, as I say, there are no guarantees in this business. I do not think that the fears about authentication, however, should dissuade us from having processes like this.

CHAIR—You do not have a system in place whereby someone might add their e-mail address to an e-petition and, if they were to do it again, it might jump back—similar to the way in which people are able to have a vote online and if they decide to vote a second time it jumps back to that person and states, ‘You have already voted.’

Mr Laurie—What we do have on our e-petition site is an auto scripting rule. For example, each and every time somebody goes to sign up on a petition a page comes up that makes them copy down a number—and authentication number, if you like. You will have to excuse me because I am a clerk not an IT guru, but I think essentially it stops people from running auto script databases. So somebody cannot actually have a database of names and addresses and automatically download that onto our system. The auto script procedure makes it a requirement that each and every time somebody enters an e-petition they are given an authentic, individual

number and that number has to be put on the system. But our system would not stop somebody who had a database of names and had an individual sitting at a computer simply entering those names and addresses; our system would not stop that sort of fraud.

Mr ADAMS—Mr Laurie, this is Dick Adams, from Tasmania—from the first Perth of Australia. I am interested in the resource angle in the software. Did you have somebody build the software for you to do this? How many resources do you have looking after the website, dealing with the petitions as they come in et cetera? I think we are interested in understanding what resources we will need to go in to bat for.

Mr Laurie—The system was developed by Phil Moroney, one of our programmers in our internal information technology section here. The maintenance of the system is not problematic to us. The day-to-day operation of the system is run through my office, which comprises my secretary and me. Literally, when a member sends in an e-petition request form, my secretary brings it through to me. I approve the wording on the form and ensure that it is within the rules. She then enters the details onto the database and then presses the required buttons, if you like, built into the software to put it up on the website. The petition system automatically shuts itself down on the closing date. My secretary then prints it out and we present the petition to the house on the next sitting day.

The software was developed in-house. It is very low maintenance. It has worked very well for, sometimes, very big petitions and in very short periods of time. We had one petition on daylight saving of about 55,000 or 60,000 signatures in a week and we did not have any problem with the system operating with that sort of capacity.

CHAIR—So there was no meltdown and no overload.

Mr Laurie—No meltdown and no overload.

Mr ADAMS—Like you we get concerned about this. Legitimate organisations like GetUp! and others have given us evidence that they would like to gather names and put them into the system. But I think that defeats the whole purpose and history of petitioning. I like your number; at least there is a number on your website. I have not looked at your website but I think that we as a committee should probably do that.

Mr Laurie—I also should mention, in relation to the issue of fraud, that one of the advantages of us having it in-house is this. Whilst I said before we cannot stop people individually entering fraudulent names onto it, we can see ISP addresses. Say one computer has entered 500 addresses overnight. We can tell if it comes from the same IP address, so that would give us an indication to tell us whether or not there is fraud involved or whether or not it is just people where a petition has been popular. There are a couple of little safeguards there. But I do not believe that you will be able to develop a system whereby you can 100 per cent authenticate somebody unless you have an Australia card number sort of system in advance, but I do not think that is going to work practically.

Mr ADAMS—I think it defeats the purpose, and it does not matter what we are trying to achieve. Thanks very much, Mr Laurie.

CHAIR—Mr Laurie, you mentioned Mr Moroney's name. I have got a copy of the letter here that you signed on 8 December to Robyn McClelland, Clerk Assistant, here at Parliament House, where you state that Mr Moroney was presently finalising a secure data entry enhancement for the e-petitioning system and you were hoping to have this facility up and running or available in early 2009. So that is running now and you have got no hiccups or problems with that?

Mr Laurie—You are going to have to excuse me, Madam Chair, as I will have to get back to you on that. I cannot recall it being actually implemented, but that does not mean it has not been, if you know what I mean.

CHAIR—That is fine.

Mr Laurie—I would like to check on that before I answer the committee.

CHAIR—Yes, if you could take that on notice that would be great and then you could just send it off to us.

Mr Laurie—I will take that on notice and I will come back to you about that.

CHAIR—Do you see any time frame in the future when the IT support for e-petitions will need to be substantially upgraded?

Mr Laurie—As I said, the e-petitions system has been growing. I know, simply from my own observations here in approving them as they go up, that the number that we have on our site has been growing each week since the new parliament has come back. I think the newer members that are more computer savvy are promoting e-petitions more. I have noticed an increase since our last election. I just do not simply think that there is any requirement at this stage, and I cannot foresee it at the moment. It may well be so in the future, but I am somewhat dubious. I think we will be able to handle the sorts of numbers that we are getting at the moment. As I said, we are getting bigger and bigger petitions. We have currently got a petition up there for car registration price increases. There have been 30,000 signatures on that since that petition has gone up two weeks ago and it is getting bigger with thousands of more signatures each and every day. We have got a number of petitions up there at the moment. Everything seems to be working correctly and fine. I do not see any capacity issues at this point in time.

CHAIR—Okay, that is fine. We have no further questions as I think we have virtually covered everything.

Mr BROADBENT—You have convinced us, Clerk!

CHAIR—You have. You have definitely done a good job. You have definitely convinced us down here.

Mr BROADBENT—And we will not have to go to Scotland now, which is a shame!

Mr Laurie—I should say by way of closing, if that is to be the case, that there will always be impediments and roadblocks to new concepts put up and put forward. I really think sometimes those impediments and roadblocks are more illusory than anything else. No system is perfect. I

do not think paper petitions are perfect. Certainly, as I said before, we do not, as a matter of practice, authenticate paper petitions. I think you have just got to move forward with new ideas and address problems as they arise—if they arise—rather than not go forward simply because of a fear of problems.

CHAIR—Thank you for that.

Mr BROADBENT—Mr Laurie, the Petitions Committee will be on the road going around Australia in the future, whatever its make-up. I would like to flag the opportunity to meet you face-to-face at some stage so we can further discuss the issues.

Mr Laurie—You would be more than welcome. I would welcome the opportunity to show you the back end of the system and how my people actually add the data to the databases and things of that nature so you can see just how user friendly the whole system is.

Mr BROADBENT—Certainly if there comes a time when we can do that we will. But if we members of the House of Representatives cannot be there I would guarantee that the officers of the House would be involving themselves very closely with that.

Mr Laurie—Absolutely. We have certainly offered to the House of Representatives the software. If you simply want to use our software, even as an interim measure while developing your own or enhancing software, that is certainly available to the House of Representatives.

Mr BROADBENT—Is it slower when it comes out of Queensland?

CHAIR—Don't listen to a word he is saying!

Mr Laurie—It is always faster when it comes out of Queensland and it has a sunny disposition.

CHAIR—We thank you for that generous offer. We thank you, Mr Laurie, for your participation today and for the contribution of the parliament of Queensland to the work of the committee and thus to the work of the House. It is much appreciated. Thank you very much, Mr Laurie.

Mr Laurie—Thank you, Madam Chair. I will get back to you on that other matter.

CHAIR—I would greatly appreciate it, thank you.

Resolved (on motion by **Mr Broadbent**):

That this committee authorises publication of the evidence given before it at this roundtable meeting today, including publication on the parliamentary electronic database of the proof of the transcript.

Committee adjourned at 11.53 am