

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY



Office of the Clerk

Mr Ken O'Dowd MP
Chair
House of Representatives Standing Committee on Petitions

By email: petitions.committee.reps@aph.gov.au

Dear Mr O'Dowd

Thank you for your letter of 17 December 2020 which invited me to make a submission to an inquiry into aspects of the House of Representatives petitioning system that the Standing Committee on Petitions is undertaking.

The ACT Legislative Assembly has accepted both paper petitions and electronic petitions (e-petitions) for some time and has standing orders which cover petitions (Chapter 8). Both our paper and electronic petitions are simple systems for collecting signatures, and to date, neither has posed any major security or accessibility problems or concerns for us.

A question we are sometimes asked by concerned petitioners is whether we publish on our website, their details, including addresses. The short answer is no. However, we do publish the details of the principal petitioner, unless they ask us not to do so. Given that most principal petitioners ask to not have their details published, we will be reviewing the practice and may change our forms to allow people to 'opt in' to having their details published.

I also take this opportunity to provide the following observations in relation to some of the specific terms of reference for this inquiry.

In relation to self-declaration of residency, the Office of the Legislative Assembly (OLA) has no way to ensure that individuals provide correct names or their addresses, which are required to be in the ACT.

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However, most petitions to the Assembly relate to local matters and individuals signing these petitions generally provide addresses located in the directly affected areas or close surrounds.

A sponsoring Member is required to check a paper petition before it is provided to OLA for processing to ensure that addresses are in the ACT; addresses from outside the ACT are not counted.

I note one term of reference relates to the use of records for verification purpose. To date, there has been no identifiable need for OLA require verification of identity, age, or address of petitioners. I am unaware of any major risk to the integrity of the petitioning process that could be associated with what may be an occasional instance of an individual who does not provide correct personal details.

One reason for this is that petitions are presented and referred to a committee where there is a minimum of 500 signatures, but committees rarely conduct an inquiry. In fact, since the 500 signatory threshold for automatic referral commenced in 2015, only one committee has ever decided to inquire into a matter raised in a petition. The Assembly sometimes refers petitions of less than 500 signatures to a committee, but this is less common, and may involve debate. Each petition is referred to the relevant Minister for response within three months. Otherwise, the Assembly does not undertake any other action in respect of petitions.

In relation to the security of e-petitions, we have encountered no security issues to date. We have received calls from time to time, from individuals who have difficulty accessing the online form. We have no evidence to suggest that this is because of our system; rather we think that the occasional instances where this occurs is probably because of user error or where a person is using older software that does not support the e-petition form.

I hope that this information is of assistance to the committee. Please do not hesitate to contact me if you would like to discuss.

Yours sincerely

Tom Duncan
Clerk

19 January 2021