

## Written evidence from Clerk of the UK House of Commons

### Background

I am pleased to contribute to the Standing Committee's inquiry into the future of petitioning.

This evidence covers the traditional public (paper) petitioning system and the e-petitioning system which is managed jointly by the UK Government and House of Commons and overseen by the Petitions Committee.

I understand that the Chair of the Petitions Committee will be giving oral evidence to your inquiry.

### Public petitions

#### *Paper Petitions - History*

The right of the subject to petition the Monarch for redress of personal grievances has a long history, having been recognised in the Magna Carta and restated in the Bill of Rights 1689.

The first known petitions to the Lords and to both Houses of Parliament date from the reign of Richard II but the practice seems to have become more widespread from the reign of Henry IV onwards.

During the 16th and early parts of the 17th centuries, petitions relating to issues of public policy became increasingly popular. As petitions during this time were taken before the start of debates they were often used as a way of obstructing business. A Select Committee in 1832 was established to tackle this problem and the House agreed to introduce more stringent rules via standing orders. In 1912-13 there were 10,221 petitions presented, this however fell dramatically in 1919 to 121. In 1939-40 only one petition was presented to the House.

#### *Guidance for paper petitions*

A paper petition (also known as a public petition) is a petition to the House of Commons presented by a Member of Parliament on behalf of constituents or other members of the public. The two resolutions from 1669 that describe the power to the House to receive petitions state "that is the inherent right of every commoner in England to prepare and present petitions to the House of Commons in case of

grievance... that it is an undoubted right and privilege of the Commons to judge and determine touching the nature and matter of such petition, how far they are fit and unfit to be received”.

Only MPs can present paper petitions to the House of Commons, but they are not obliged to do so. Constituents can send petitions to any MP in the UK, they are not restricted to their local MP. There are rules a paper petition must comply with for it to be presented to the House of Commons. For example, signatures and addresses must be handwritten. Electronic signatures are not accepted for paper petitions.

A petition should be respectfully addressed to the House, should not contain disrespectful language to the Sovereign or offensive claims and should clearly state the origin of the signatories. There should be a clear request or ‘prayer’ and this should be within the power of the House of Commons to grant. Hence the prayer paragraph may read “the petitioners therefore request that the House of Commons urges the Government”. The *sub judice* resolution applies to public petitions as they are a parliamentary proceeding; petitions may not include legal cases that are open in the UK courts. Members that have interests relating to their petition must disclose them to the Clerk of Petitions and an “R” is placed beside their name on the Order Paper.

Members of Parliament can present a paper petition via two methods:

- 1) Formal: An MP makes a short statement near the end of the day’s proceedings to explain who the petitioners are, the number of signatures the petition has, and what the petition is about. They then read out the request that the petition makes to the House of Commons. The petition itself is not debated.
- 2) Informal: A Member of Parliament can informally present the petition by putting it into the petitions bag behind the Speaker’s Chair. If a Member presents a petition informally they cannot speak about the petition.

In both cases, after the petition is presented it will be printed in Hansard and the Votes and Proceedings.

In the current Parliament, there have been 252 public petitions. Of these, 218 were formally presented to the House by a Member and the Government has so far published observations on 169.

### *Changes to the petition system*

In 1993, the Procedure Committee recommended a modernisation of the wording of paper petitions. In 2004, the Select Committee on Modernisation recommended that the requirement for the top sheet of petitions to be handwritten should be removed.

In 2007, the Procedure Committee recommended that petitions should be printed in Hansard, that “substantive” petitions should receive a response from the relevant government department, normally within two months.

In 2009, the Committee on Reform of the House of Commons (the “Wright Committee”) recommended to the House that petitions should be listed on the Order Paper on the day they are formally presented.

A proposal for an e-petitions system for the House was put forward by the Procedure Committee in December 2014, following a Government-run system introduced in August 2011.

### *Examples of mass paper petitions*

Mass petitioning has long been a feature of the public petitions system. For example, the 1866 women's suffrage petition was the first mass petition for votes for women presented to Parliament. It was presented by John Stuart Mill MP on 7 June 1866.

In more recent times, from October to November 2016, 240 petitions relating to the Women Against State Pension Inequality (WASPI) campaign were presented *en masse* by Members to the House of Commons.

The petition called for: “[...] a non-means tested bridging pension for women born on or after 6/4/1950 who are affected by the 1995 and 2011 Pension Acts and compensate those at risk of losing up to around £45,000, to also give proper notification for any future changes.”

The Government gave a detailed response to the petition and explained it would not be revisiting the State Pension Age arrangements for these women. This has remained its position in response to debates in Parliament which have occurred on several occasions.

Other recent mass public petitions have included:

- a campaign on “Home Education – draft guidance and consultation” from June 2018. This was led by John Howell, MP for Henley. Petitions in the same terms were presented formally and informally by over 100 MPs and were supported by thousands of signatures across the UK.
- The Scottish National Party organised a mass petition presented by 18 MPs that focussed on closures of local Royal Bank of Scotland branches.

## E-petitioning

### *Introduction and comparison to public petitioning*

The introduction of e-petitioning was a major addition to the petitioning system. It runs in parallel to the existing paper petitioning system and is overseen by the Petitions Committee.

The written evidence submitted to your Committee’s previous inquiry in July 2017 sets out the introduction of the current e-petitioning system and the rules it operates under.

Other than the format - electronic versus paper - there are four main procedural differences between the e-petitioning system and public petitions:

- E-petitioning allows members of the public to bring their concerns directly to the House of Commons, without requiring a Member of Parliament to bring them forward on their behalf;
- An e-petition is guaranteed a government response if it receives 10,000 signatures and consideration by the Petitions Committee for debate in Westminster Hall if it reaches 100,000 signatures;
- The rules around acceptable content are different. For example, e-petitions do not need to be “respectfully addressed”; and
- E-petitions require a minimum of six signatures before they can be opened. Petitioners are required to give their name and confirm they are a UK resident or British citizen.

### *Impact of e-petitioning*

Since its establishment in 2015 the UK Parliament e-Petitions system has become the most popular parliamentary site of its type in the world.

Petitions have been started or signed by over 14 million unique users. The largest petition had over 4 million signatures.

Since the 2017 General Election 32,069 petitions have been created. Of these, 13,974 reached the required six signatures. E-petitions have led to 204 government responses and 34 debates (all figures as of 6<sup>th</sup> November 2018).

As set out in the next section, there is a high level of public engagement with e-petition-based proceedings. This is reflected in online viewing and readership figures for petitions debates, which are consistently the highest for any debates in the House of Commons.

### *Public Engagement*

The Petitions Committee has experimented with different types of public engagement to inform its inquiries and the debates on petitions that it schedules. It also promotes greater awareness of the petitioning process. The House of Commons Participation Team has supported these activities and promotes petitioning as part of its work. Public engagement activities have included:

- Surveys (both quantitative and qualitative);
- Web threads on the Parliament website;
- Discussions on existing forums, such as Mumsnet and Money Saving Expert;
- “Digital debates”, which include discussions between the public and MPs on Twitter and House of Commons Facebook page;
- Informal evidence sessions with members of the public; and
- Round table discussions.

Examples of this engagement are set out in the following sections.

### *Links with other parliamentary business*

Petitions provide a way for Parliament to engage members of the public with other parliamentary business. Informing petitioners of select committee inquiries that are relevant to a petition they have signed can significantly increase the evidence received by committees. For example, over 8,000 people followed a link sent to petitioners to a web forum consultation hosted by the Public Administration and Constitutional Affairs Committee on devolution after leaving the European Union. This was 86% of the total number of people visiting the forum.

Such engagement also has a qualitative impact, increasing the number of personal stories select committees hear about from people who have direct experience of issues. For example, a Defence Committee inquiry recently received a significant number of submissions from former Marines and Navy personnel following an email to signatories to a petition on reduction of amphibious capacity in the Royal Marines. 954 people responded to a web forum discussion as part of the inquiry.

### The effect of enabling consideration of debate on petitions that have reached 100,000 signatures

#### *Procedure for debates*

Under the joint arrangements established by the Government and House of Commons in 2015, any e-petition receiving over 100,000 signatures is considered by the Petitions Committee for a debate in Westminster Hall.

Debates in Westminster Hall take place on a neutral and unamendable motion that “This House has considered e-petition [number] relating to [subject]”. The Committee can group several petitions together in a single debate. Debate lasts for up to three hours.

The Petitions Committee works on a presumption that it will schedule a debate for petitions receiving over 100,000 signatures unless:

- The subject has recently been debated or is likely to be debated in the near future;
- The Committee (or another parliamentary or government body) has decided to pursue the issue in another way; or

- The subject is unsuitable for debate in Parliament.

Since the petitions site re-opened following the 2017 General Election, 29 petitions have reached 100,000 signatures (as of 6<sup>th</sup> November 2018). Examples of petitions that have reached the threshold and been debated include petitions calling for reforms to the visa regime for family members of British citizens, the introduction of “safe standing” at football grounds, a ban on the sale of animal fur and for changes to the public inquiry into the deaths of 72 people in the 2017 fire at Grenfell Tower.

The Committee can also put forward petitions for debate that have received fewer than 100,000 signatures when parliamentary time allows. When doing so, the Committee is mindful that minority groups may find it harder to meet the 100,000 signature threshold. Nine such petitions have been debated in this Parliament. Examples of such petitions have included a petition requesting mandatory training in autism for health staff, one calling for reforms to the way car insurance is calculated and two petitions calling for public holidays on major religious occasions.

#### *Engagement with debates*

Petitions debates in Westminster Hall are the most viewed (on parliamentlive.tv) and read (in Hansard) debates in the House of Commons. They have been the most viewed and read item of parliamentary business every week since the petitions system re-opened following the 2017 election. The average online Hansard readership for a petitions debate is 9,773 unique views compared to 990 for Prime Minister’s Questions (though PMQs is often followed in other ways).

The table below shows the ten most read online Hansard debate reports as of 6<sup>th</sup> November 2018:

	<b>Debate Subject</b>	<b>Debate Type</b>	<b>Online Hansard Readership (unique page views)</b>
<b>1</b>	EU Referendum Rules	Petitions debate	370,338
<b>2</b>	State visit by President Trump	Petitions debate	136,429



<b>3</b>	Meningitis B Vaccine	Petitions debate	43,387
<b>4</b>	Social Absence and Penalty Fines	Petitions debate	30,502
<b>5</b>	School Absences and Penalty Fines	Petitions debate	26,877
<b>6</b>	Foreign Aid Expenditure	Petitions debate	23,751
<b>7</b>	NHS Pay Restraint	Petitions debate	20,019
<b>8</b>	Government Referendum Leaflet	Ministerial Statement	19,725
<b>9</b>	Exiting the European Union	Petitions debate	19,450
<b>10</b>	Free Childcare	Petitions debate	18,869

Debates on e-petitions are led by a Member of the Petitions Committee. Where time allows, and the subject is suitable, the Committee will engage with petitioners and the public before the debate. The Member leading the debate will often meet with the petitioner. The Committee may commission Parliament's digital or public engagement teams to collect stories and views from petitioners and the public in advance of the debate. It will sometimes, when time allows, hold an oral evidence hearing with the petitioner and other interested parties. The Member of the Committee leading the debate may make use of the material gathered through the public engagement process when opening the debate.



### *Case Study: Pre-debate engagement: Open book GCSE English Literature exam*

The Committee received a petition asking to “[Change the GCSE English Literature exam from closed book to open book.](#)” The Committee agreed to schedule this petition for [debate](#) on 26 March 2018

#### *Method*

A quantitative survey was chosen to allow the Committee to hear from a large number of those who signed the petition. There were also concerns that many signatories of the petition were under 18 and it would not be appropriate to encourage them to share their concerns in a public forum. A survey allowed all the information to be reviewed and summarised by staff without being made public.

To design the survey, the Committee worked with Parliament’s Education Service on a focus group with year eleven students.

The survey was sent to over 165,000 people who had signed the petition.

The survey allowed respondents to identify themselves as current students, former students, parents and carers, or teachers. Only teachers were directed to a free text box to allow them to make more detailed comments.

#### *Result*

The survey received 16,376 responses. 93% of respondents were taking their GCSE exams that year.

Answers were analysed by staff and summarised into a briefing for the Chair of the Committee, who was leading the debate. The Chair used both statistics and quotes from the survey and the focus group during her speech.

The public engagement added more detailed statistical information about why people had signed the petition. The Member leading the debate was also able to use quotes from teachers to illustrate the data gathered from students. Committee staff would not have been able to analyse 16,376 responses without using a quantitative survey.

The debate is currently the second most watched debate of all debates on [parliamentlive.tv](#) since the 2017 general election, with just under 103,000 views.

The operation of the Petitions Committee in overseeing the e-petitions system.

### *Role of the Committee*

As with departmental select committees, the Petitions Committee consists of eleven backbench Members of the House of Commons. The Chair of the Committee is elected by the House in a secret ballot. Members of the Committee are elected internally by their party and then formally appointed by the House. The party composition of the Committee reflects the broader composition of the House. In the current



Parliament, five Members of the Committee (including the Chair) come from the Labour Party, five from the Conservative Party and one comes from the Scottish National Party (SNP).

The Committee is responsible for the oversight of the e-petitions system and formally considers all e-petitions and public petitions presented to the House. It determines which e-petitions will be debated in Westminster Hall and can take further action on petitions.

At the start of the Parliament the Committee agreed the following objectives:

- The petitions system should be an effective way for petitioners to have their voices heard by Parliament and Government;
- The petitions system should increase and enhance public engagement with Parliament and Government, especially among people from disengaged groups; and
- The petitions system should connect petitioners with parliamentary business and increase Parliament's awareness of petitioners' concerns.

The Petitions Committee can act on petitions by:

- asking for more information in writing—from petitioners, the Government, or other relevant people or organisations;
- asking for more information in person—from petitioners, the Government, or other relevant people or organisations. This might be in Parliament or somewhere else in the UK;
- writing to the Government or another public body to press for action on a petition;
- asking another parliamentary committee to look into the topic raised by a petition; and
- putting forward petitions for debate in the House of Commons.

The Committee also acts as the final decision-maker on whether petitions meet the rules. This may happen where Committee staff ask for the Committee's opinion on a difficult petition, where a petitioner wishes to appeal against their decision to reject a petition or when there is a complaint that an open petition breaches the rules. The Committee also



periodically reviews the petitions system and has collaborated with academic researchers working in this field.

### *Committee public engagement and inquiries*

In addition to its work ahead of petitions debates, the Committee commissions and supports outreach work, raising awareness of the petitions system and provides training to members of the public and civil society groups. For example, it recently ran a workshop with a disability rights group on how to effectively petition Parliament.

The Committee undertakes periodic inquiries into petitions that it feels are suitable and which are not being examined elsewhere in Parliament. These inquiries follow a similar process to inquiries held by other select committees. However, the Committee places a greater emphasis on public participation and on new and innovative ways of taking evidence. This has included round-table discussions, web threads, informal hearings and consultation events. Examples of the impact of Committee inquiries include additional government funding for brain cancer research and the publication of new guidance on workplace dress codes.



*Case Study: Consulting on draft Committee recommendations through surveys, Facebook and informal round table events: Committee inquiry into online abuse and the experiences of disabled people. (Ongoing)*

[Make online abuse a specific criminal offence and create a register of offenders](#)

The Petitions Committee agreed to conduct an inquiry into online abuse, specifically focusing on the experiences of disabled people.

This petition was started by Katie Price following the online abuse directed at her son, Harvey, who has complex disabilities.

The Committee specifically wanted to hear from disabled people themselves. The inquiry began with an informal session with disabled people to hear about their views and experiences, before moving to traditional evidence hearings with Katie Price, disabled rights groups, the police and social media companies.

Although there was scope for digital engagement, the Committee recognised the sensitivities around the topic. There were concerns that open public engagement could encourage people to make public accusations of crime or potentially direct abuse back on to the petitioner. The Committee were also mindful of the capacity for staff to deal with potential disclosures of abuse.

The Committee decided that it would consult with disabled people and other members of the public on a set of draft recommendations towards the end of the inquiry, before finalising its recommendations in a final report.

The consultation encouraged public involvement, but reduced the potential risks associated with engaging on such sensitive topics.

*Method*

The Committee published its draft recommendations in a [Special Report](#) which has also been produced in Easy Read and Brail versions.

The Committee has held informal round table discussion events with disabled people in Scotland, Northern Ireland, north-east England, London and Wales to discuss the recommendations in detail and hear the views of disabled people.

The Committee also produced an online survey, which has been shared widely with charities and groups representing disabled people. The House of Commons Facebook page has also hosted a discussion thread on the recommendations.

This is the first time a House of Commons Select Committee has consulted on its draft recommendations before producing a final report.