**6**

# The experience of other jurisdictions

## Introduction

6.1     Chapter 2 of this report considered models described or proposed to the Committee. This chapter considers the effects of electronic petitioning systems in the two parliaments—Queensland and Scotland—where the experience of electronic petitions has been most relevant and applicable to the House of Representatives.

## Experience in Queensland

6.2     The experience of electronic petitions for the Queensland Parliament has been positive. The Clerk of the Queensland Parliament told the Committee that following the introduction of electronic petitioning in August 2002 there had been, in the period from 2003 to 21 December 2007, '817 petitions in total, with 901,232 signatures'. Of these 162 petitions were electronic. For this period electronic petitions, with 241,144 signatures, accounted for 27 per cent of signatures to all petitions.[1]

6.3     The Clerk told the Committee that since electronic petitions were introduced, 'the number of petitions has definitely increased and also … the number of e-petitions is increasing as well':

---

1     Mr N Laurie, *Transcript of Evidence*, 24 June 2009, p.1.

> 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.[2]

6.4     In addition the Clerk told the Committee that the size of individual
        electronic petitions was increasing:

> 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.[3]

6.5     These were among the positively-regarded aspects of electronic
        petitioning in the Queensland Parliament. Another related to the rate of
        Ministerial responses to petitions. The Speaker of the Queensland
        Parliament advised the Committee that the number of tabled Ministerial
        responses had 'increased significantly' since electronic petitions were
        introduced. However the Speaker also advised the Committee that there
        was 'currently no compulsion' for a Minster to respond to a petition, and
        that the Queensland Parliament's Standing Orders Committee was
        considering whether Standing Orders should stipulate a time limit on
        ministerial responses to petitions.[4]

## Research: Queensland

6.6     The Committee received a submission from Dr Paul Williams of Griffith
        University, reporting research on electronic petitions in the Queensland
        Parliament. Dr Williams informed the Committee about:

- the numbers of signatures to petitions, including electronic petitions, in
  Queensland;

- the relative numbers of hard-copy and electronic petitions; and

- the number and significance of petitions which receive no ministerial
  response.

6.7     In relation to the size of petitions, Dr Williams advised that:

> [for] the vast bulk of paper and electronic petitions each attracts
> between 100 and 1,000 signatures. Very few petitions attract an

---

2     Mr N Laurie, *Transcript of Evidence*, 24 June 2009, p.1.
3     Mr N Laurie, *Transcript of Evidence*, 24 June 2009, p.6.
4     The Hon Mike Reynolds MP, Submission no.12, pp.2-3.

insignificant number of signatures (say, fewer than 10), with few therefore open to the charge of 'frivolity'. There are also a significant number of petitions attracting signatures in the 10 to 100 range, as there are the 1,000 to 10,000 range.[5]

6.8    In addition, there had been notable electronic petitions that had attracted a very high number of signatures, particularly:

two e-petitions in 2006 - on daylight saving, an issue close to Queenslanders' hearts [which] attracted almost 70,000 signatures between them: 62,232 in favour of introducing daylight saving, and 7,516 against.[6]

6.9    Such petitions, Dr Williams stated, showed that electronic petitions 'can prove effective lightning rods for public opinion'. He advised the Committee that these examples clearly demonstrated:

the potential [of electronic petitions] to galvanise support for or against any given issue. They are, in summary, effective instruments for voicing public opinion on executive policy.[7]

6.10   On the relationship between hard-copy and electronic petitions, Dr Williams advised that 'paper petitions remain the preferred option of Queensland petitioners'.[8] While the reason for this imbalance was difficult to determine, Dr Williams considered that this could be the result of insufficient public education on electronic petitions to the Queensland Parliament.[9]

6.11   Despite this, however, Dr Williams considered that electronic petitions were:

growing in popularity and, apart from an inexplicable decline in 2007, represent an increasing share of all petitions presented to the Queensland Parliament. This augurs well for the future of e-petitions in Queensland and elsewhere.[10]

6.12   Moreover, Dr Williams advised overall the number of petitions was 'growing, undermining the claim that Queenslanders feel so disenfranchised they are "dropping out" of the political system'. This

5     Dr P Williams, Submission no.10, p.12.
6     Dr P Williams, Submission no.10, p.16.
7     Dr P Williams, Submission no.10, p.16.
8     Dr P Williams, Submission no.10, p.11.
9     Dr P Williams, Submission no.10, p.12.
10    Dr P Williams, Submission no.10, p.11.

showed that in 'Queensland at least, it appears a sizeable core of voters remains committed to civic engagement'.[11]

6.13    Finally, Dr Williams advised the Committee on the significance of instances where petitions fail to receive a ministerial response:

> there is a small number of petitions (both paper and electronic) that, after tabling by a Member, fail to receive any Ministerial response … and more ominously, the number of these 'unresponded' petitions has grown in recent years.[12]

6.14    Dr Williams suggested that there was 'enormous voter angst over the fact petitions of any kind are allowed to pass without Ministerial response'. Dr Williams concluded that 'any e-petition model adopted by the House of Representatives must make a Ministerial response—if only via an acknowledgement letter to the Speaker—obligatory'.[13]

6.15    In practice, the Committee regards the current rate of compliance with requests for ministerial responses as good. The Committee considers that the current expectation that responses will be provided within 90 days of petitions being presented provides adequate support for this important aspect of petitions to the House. This makes the imposition of further, stronger, requirements unnecessary.

## Experience in Scotland

6.16    The Scottish Parliament's Public Petitions Committee (PPC) told the Committee that the experience of electronic petitions in the Scottish Parliament had been positive. It had increased the volume of petitions and the level of engagement with Parliament.

6.17    While electronic petitioning had not replaced 'the traditional method of paper petitioning', since 'not all citizens have access to the Internet', 'around 75%' of petitions then received by the PPC were 'hosted as e-petitions on our website'.[14]

6.18    An indicator of the prominence of electronic petitions was that the electronic petitions website experienced '1 million hits per month' from 'a

---

11    Dr P Williams, Submission no.10, pp.11-12.
12    Dr P Williams, Submission no.10, p.12.
13    Dr P Williams, Submission no.10, p.12.
14    PPC, Submission no.2, p.3.

population of less than 6 million'. This translated into '100,000 e-signatures and 3,000 on-line comments' for electronic petitions.[15]

6.19    The PPC told the Committee that electronic petitions, as an 'easier form of petitioning Parliament', had made a significant contribution to the accessibility of the petitions process.[16] The electronic petitions discussion forum, which forms part of the petitions website, had also had a positive effect, in that it allowed:

> the possibility for an online debate on the issues raised. With traditional methods of petitioning the citizen can only support a petition through adding a signature. E-petitioning provides the opportunity to comment on the issues raised either in support or against and is therefore much more interactive. The discussion forum can assist in furthering the Parliament's goal of creating a "culture of genuine consultation and participation".[17]

6.20    Using the electronic petitioning system, much of the PPC's correspondence was being dealt with in an electronic format, and this improved both access and ease-of-use:

> The vast majority of correspondence from the Committee is issued in e-format (around 95%). The correspondence (e.g. to petitioners, Scottish Government, other public bodies when requesting written evidence) contains hyperlinks to referenced material - the petition, oral transcript, written evidence, briefing produced by our research department.[18]

6.21    The PPC suggested that electronic petitions also brought other improvements over hard-copy petitions, in that electronic petitions:

- 'allow a much wider audience to know about a campaign and allows them to sign online';

- 'allow everyone to easily view who else has signed';

- 'can provide more information in text and pictures and links to other websites to better explain the importance of the petition to others'; and

---

15    Mrs J Irwin MP, Submission no.14, p.2.
16    PPC, Submission no.2, p.3.
17    PPC, Submission no.2, p.3.
18    PPC, Submission no. 2.1, p.3.

- allow 'those people who do and do not support a particular petition or campaign to say why [so that there can be an] online debate of the issue'.[19]

## Research: Scotland

6.22    A further insight into the experience of electronic petitioning in Scotland was provided by the results of academic research which the PPC had commissioned. This provided a positive view of electronic petitioning. In particular, the research allayed potential concerns that electronic petitioning could be taken over by third-party political interests:

> 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.[20]

6.23    In relation to these findings, the PPC told the Committee that it was seen as particularly 'encouraging' that the petition system 'has been left … as a facility that is still primarily used by members of the public as a direct route for them into the policy development arena'.[21]

## Further challenges

6.24    This indicated progress on engaging the public. However, as the Chair's submission to the inquiry notes, the Convenor noted two further challenges for the PPC:

---

19   PPC, Submission no.2, p.4.
20   Mr F Cochrane, *Transcript of Evidence*, 26 November 2008, p.5.
21   Mr F Cochrane, *Transcript of Evidence*, 26 November 2008, p.5.

■ 'how to make the work of the committee relevant to the process of government'; and

■ 'how to engage with those least engaged in the political process'.[22]

6.25    These are considered below.

## Relevance to the process of government

6.26    The PPC told the Committee that it had been successful in increasing the relevance of petitions to the process of government, and cited two instances where petitions had significantly affected government policy. One of these was an electronic petition on cancer treatment drugs:[23]

> 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.[24]

6.27    An opportunity then arose for the PPC:

> 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.[25]

---

22    Mrs J Irwin MP, Submission no.14, p.2.

23    *Petition PE1108*, viewed 5 August 2009, <http://www.scottish.parliament.uk/business/petitions/docs/PE1108.htm>.

24    Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.3.

25    Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.3.

6.28 While the PPC was still 'awaiting final recommendations from the minister in the Scottish government', the petition and the ensuing debate had 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.[26]

6.29 A second instance, the PPC told the Committee, centred on a petition on knife crime that involved both hard-copy and electronic petitions.[27] In response to the petition, the PPC was planning a 'knife summit' in January 2009 to bring together, among others, 'victims and their families, procurator fiscals and senior police officers'; 'the head of our major accident and emergency services in the hospitals', and 'a number of key folk from the judicial system'.[28]

6.30 The PPC told the Committee that, in a more radical departure, the summit would include 'the victims and their families' so that they are 'able to articulate their concerns' and, potentially, 'some young men who are the perpetrators of such crime'. The intention was 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…[29]

6.31 The PPC told the Committee that such events lift the profile and significance of petitions in the business of Parliament. In turn, this approach demonstrated changes in how the PPC was perceived since its creation, from initially being seen as a 'filter', to initiating change within Parliament:

> 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.

---

26 Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.3.

27 *Petition 1171*, viewed 4 August 2009,
  http://www.scottish.parliament.uk/business/petitions/pdfs/PE1171.pdf

28 Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.3.

29 Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.3.

> But now we are beginning to set precedent, and I think this is very
> exciting.[30]

## Engaging the least-engaged

6.32    The PPC told the Committee that the people most disengaged from
        Parliament were disadvantaged and young people. Particular challenges
        were experienced in getting these groups to engage in the petitions
        process.

6.33    In relation to young people, the Convenor of the PPC, Mr McAveety, told
        the Committee that contributing factors included 'parliamentary
        structures' that were not 'all that well shaped at present to deal with
        whatever the dynamic is amongst younger citizens'.[31]

6.34    Younger petitioners, however, had told the PPC that the effective use of
        technology could assist efforts to engage young people:

> 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.[32]

6.35    Despite these difficulties, 'dialogue and discussion' needed to continue
        because, in Mr McAveety's view 'we are [not] anywhere near the level of
        engagement that will work with anybody under the age of 25 anywhere in
        the country'.[33] As a result, young people do not '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'.[34] The
        situation is worse in disadvantaged areas:

> youngsters from areas like mine [are not] 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

---

30   Mr R Harper, *Transcript of Evidence*, 26 November 2008, p.3.
31   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.10.
32   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.10.
33   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.10.
34   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.11.

the parliament, compared to how other, highly educated,
university level, constituencies engage with parliament.[35]

6.36    The solution, Mr McAveety told the Committee, was a two-pronged
        approach in which technology and community-level engagement were
        pursued in tandem:

> 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.[36]

6.37    There were, however, challenges in implementing such an approach, first
        because it 'requires money' and second because it involves fundamental
        changes to 'how we do our business' :

> 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.[37]

## Committee comment

6.38    It is clear to the Committee that there is a benefit in parliaments being able
        to accept electronic petitions. The two examples considered in this chapter
        have both employed electronic petitions websites under the
        administration of Parliament.

6.39    Using this approach, both parliaments have experienced an increase in
        petitions. This contributes to increased public engagement with
        Parliament. In light of the evidence tendered to the Committee on low
        levels of engagement, this is a significant development.

6.40    These examples also show something about the aspirations of parliaments.
        In the abstract, moves to adopt electronic petitioning can be seen either as
        enhancements or necessary adaptations of the parliamentary system: that
        is, as either a luxury or a necessity.

---

35   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.11.
36   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.12.
37   Mr F McAveety, *Transcript of Evidence*, 26 November 2008, p.12.

6.41    The evidence considered here suggests that they are a necessity. Failure to adapt to contemporary methods of communication may contribute to perceptions that the House is irrelevant and out-of-touch with its public.

6.42    This may be a more pressing problem in the longer-term. Young and disadvantaged people, with whom parliaments currently struggle to engage, are likely to be voters for some time to come. Parliament's ability to engage these groups will influence their behaviour as participants in the democratic process, and on this depends the health of the democratic system.

6.43    A domestic 'digital divide', as well as other differences in educational achievement and resourcing, could have significant effects on the accessibility of electronic petitions in practice. If electronic petitioning is adopted by the House, these questions will require further attention in the future.

6.44    In the Committee's view, petitions are unlikely to be the sole answer to these challenges. The dissemination of information, the raising of public awareness by Parliament, and the public's ability to express its views in a meaningful way to Parliament, are other key elements in engagement.

6.45    Along with these, petitions can make a distinctive contribution. Adopting contemporary communication tools and methods, and combining them with the established process of petitioning, presents an important opportunity to address looming problems with engagement, and concomitant cynicism about the democratic process.

6.46    The existence of this problem is widely acknowledged, but few constructive responses are proposed. Electronic petitioning, in the context of appropriate and effective procedural arrangements, represents an important strategic asset for a challenging task.