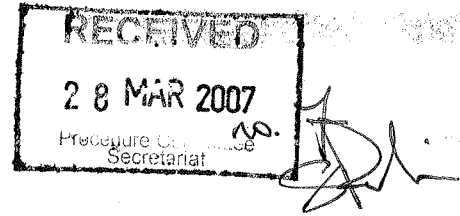


Submission No. 7

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Response to the House Standing Committee
on Procedure -

Inquiry into the petitioning process

Due 27 October 2006

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Table of Contents

Cover Letter.....	3
1. Abstract:.....	4
2. Why e-Petitions?.....	4
3. Some Traditions.....	5
4. The Queensland Model.....	6
5. The Challenge for Representation.....	7
6. Conclusion.....	8

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Cover Letter

Committee Secretary
House of Representatives Procedure Committee
Parliament House
Canberra ACT 2600

Dear Sir/Madam,

I thank you for providing community members with the opportunity to respond to the inquiry into the petitioning process. This is an important issue.

As one of many Australians who rely on the use of internet technology in our daily lives, it is fitting and highly appropriate that the very traditions of government and representation as mapped out by our forebears some nine hundred and forty years ago, embrace 21st century technology.

I urge the committee to embrace what I have called e-petitions and look forward to a future where Australians can use the internet to reach and maintain the oldest traditions of our form of government.

This submission has been emailed to the nominated address:
procedure.committee.reps@aph.gov.au

Yours sincerely

Phillip J Grimshaw. B.App.Sci, M.Litt.
Author, publisher

1. Abstract:

This document responds to the inquiry in the the petitioning process as resolved by the House Committee on 10 August 2006. It puts forward an argument of support for e-petitioning based in a model similar to what is already in place in Queensland.

2. Why e-Petitions?

As Australia races into the new century, it is obvious to many that we must tread carefully so that all community members continue to have access to the machinery of government. The pace of change continues unabated. With the passage of time, we observe the need for government to be better equipped to deal with the pace of change in society.

It may have been adequate for paper based petitions back in the 13-14th century – life was somewhat calmer than it is today. Governments did not have to maintain a global perspective while at the same time retaining a local focus on the needs and wants of the citizens. Things have changed a lot since then.

Today, Government needs all the tools it can amass to stay on top of community wishes, wants and aspirations. Traditional paper-based petitions are often too slow and too clumsy. In many instances, Government needs tools to assist it in making decisions and defining laws that better reflect community needs but in less time.

3. Some Traditions

As most are aware, petitions are a very old tradition in our form of government. It is an ancient right that has its roots in the English Bill of Rights - - the Right of Petition. Like our US cousins, their Constitution is based on the same traditions as ours – the Magna Carta, the English Bill of Rights and the English Petition of Rights.

The English Bill of Rights (1689) gave to all 'the right of the subjects to petition the king' and that 'all prosecutions by the king for such petitioning are illegal'.

We all have a responsibility to maintain such fine traditions. However, as a society, we also have a responsibility to engage technology to maintain these traditions in a manner which befits the current and future time frame, that is, embrace and augment these traditions.

The importance of petitioning has remained a constant for hundreds of years. Individuals may have different opinions on this topic, but it is a reality, across all the great democracies of the world today, that petitions are a key component of the process of government.

Some might argue there are other more effective means of pursuing grievances. But this is not the point. Petitions retain key attributes which are important to our accepted form of government. They must be retained at all costs.

However, traditions like petitions need to embrace the future while retaining their past. The e-Petition provides this mechanism.

4. The Queensland Model

Queensland has had e-Petitions in place since 2002. It is an easy system for the citizen to use and it fosters a rapport between the citizen putting forward the petition and the sitting member who sponsors it.

The strength of this model is that it provides easy access for the community at large to consider a petition and decide to support it or not. It does of course assume the citizen has access to the internet – but this is becoming more and more common with the passing of every day.

The sitting member is at the heart of the process – this is a good thing. After all – the sitting member is there to represent the interests of the citizen.

Further, citizens effectively 'sign the petition' in cyberspace by first recording their details. Once these details have been recorded, that citizen is free to 'sign' any petition in the future. Some might argue that authentication is an issue for concern. But I know there are solutions to address these concerns. After all – the Government is already using internet-based means of statistics collection as evidenced by the recent census. And no doubt in time, the Government will announce internet-based voting on polling day. The same sorts of challenges apply to each and every one of these rights and obligations of the citizen.

The Queensland model should be looked at as a platform for reference. That is to say, I am not suggesting it be adopted necessarily as it stands, but at least consider it and secure insight from how well it works.

Queensland is not the only place where e-Petitions have been embraced. The Scottish parliament have e-Petitions.

5. The Challenge for Representation

It is reasonable to conclude that the pace of life in the 21st century is somewhat faster than it was when petitions were first introduced some 600 years ago. This presents us with a number of challenges – specifically – effective representation in a world which moves at a faster pace.

Petitioning reinvigorated as an internet-based mechanism provides all citizens with a means of pursuing renewed ways of being involved in the political process. It is a two way process as well. It provides the Houses of Parliament with a new means of securing feedback from the citizens at large. Greater exposure to the issues of the day can only be a good thing for the Houses of Parliament.

Done effectively, e-Petitions make for better representation for all citizens. This means expanded involvement from the community – and this can only be a good thing. Further, it contributes to minimizing the chance that Government can be criticized for being 'out of touch' with the citizens.

One of the other benefits seen in the Queensland e-Petitions environment is that the citizen can see how a petition is going at any point in time – this is something that is not available via traditional petitions. This of course has benefits for the elected members of the house also.

6. Conclusion

This submission has attempted to capture and convey some key attributes of the e-Petition idea. As individuals, we all share the burden of making sure that the adoption of technology is on terms which are favorable to all members of the community.

And lest we forget – the role of government and in turn the rule of law and its instruments is to make sure there is a balance between the freedoms of the individual and the benefits to the community. But all this is premised on effective and timely input from the citizens. Petitions are a core component of this landscape. e-Petitions bring this key tool in line with current technology and community aspirations.

I urge the Committee to consider the arguments presented here in the hope that e-Petitions become a part of the Australian political landscape.