

Submission No. 5

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Submission House of Representatives Standing Committee on Procedure Inquiry: The Petitioning Process

A personal submission from Ms Rosalind Berry, Victoria

Introduction:

The right of a member of the public to petition those in power, whether clan chieftain, lord of the manor, monarch or Parliament goes back many hundreds of years. It used to be done in person with decisions made then and there. We, the petitioning public, no longer expect such a result but we do hold strongly to the belief that our petitions matter and should be treated with respect by those in government.

Over the years I have been involved with many petitions, signing them and getting others to do so. This is because I view the act of petitioning as a way of passing on my deep-felt concerns, on a range of subjects, to those who have the power to do something to alleviate these concerns. Unfortunately, it seems all too often that the petitions with all their hopeful signatures are, as someone once told me, 'a waste of time and paper'. They seem to disappear into the bowels of Parliament House and, although we know they are presented to the House by the relevant Member, there is little or no feedback

I believe that the setting up of this committee is a real step towards ensuring that petitions play their true democratic role in involving the public in the government of Australia.

The importance of petitions

1. They give petitioners a form of involvement in the democratic process.
2. They are useful as a sounding board for concerns experienced by the voting public.
3. They act as a limiting agent for governmental decisions which are **not** in the national interest.
4. They provide useful information on matters which may have 'slipped under the radar' to the detriment of a government department.

I would like to expand on this last point. For over four years I have been involved with the *Rural Australians for Refugees* and a wider network of organisations supporting asylum seekers and refugees. During this time I wrote many letters and signed a number of petitions relating to immigration issues including the effect of detention on children, the psychological effects of long-term detention and the deportation of Iranian Christians and the recent proposed amendments to the Migration Act. Each petition gave specific information about the effects these departmental decisions were having on the detainees. Yet the petitions (and my letters on the same subjects) were ignored or answered by bland regurgitation of policy statements. I suggest that if the Department of Immigration and Multicultural Affairs had taken note of the information in the many letters and petitions it received about the processing and treatment of detained asylum seekers, the 'culture change' would have happened earlier and without the extremely critical publicity which surrounded those much-needed changes.

Possible changes to the petition process.

The effectiveness of petitions could certainly be improved. Perhaps erroneously, there is a view by the public that Parliamentarians are dismissive of petitions unless they are of a huge size. This suggests that the views expressed in petitions with fewer signatures are of less interest to politicians.

I note that there is a difference between the two Houses in regard to on-line petitions. I would like to see the validity of such on-line petitions accepted in both Houses. I am sure that it would be possible to weed out fraudulent signatures.

The idea of a special committee with responsibility to look at all petitions seems to me to be an excellent one and I was particularly interested to read about the procedure followed in Scotland. I would personally feel that my input had been valued if the petitions were sent directly to a Petitions Committee to be discussed, investigated and recommendations made. I presume that these would then be passed on to a relevant committee, Minister or other M.Ps. There would also need to be a time limit for a response to these recommendations and finally the person, organisation or community group involved would be notified of the reaction to their petition. I am sure that this would satisfy Australian petitioners.

I note that in India a similar Committee on Petitions has the responsibility to report specific complaints to the House. I assume this would be after investigation into the validity and severity of a complaint. This would certainly add to the respect given to petitions but increase the workload of the committee. It would be up to the committee members to decide which complaints to bring to the notice of the House. This could mean that decisions were made according to party-lines so the make-up of such a committee would be of the utmost importance.

Thank you for allowing me to put in this late submission.
I wish your committee all the best for your deliberations on this matter and I will be very interested to read the final report.

Rosalind Berry