

**Submission  
No 1**

## **INQUIRY INTO E-PETITIONS**

**Organisation:** President of the Senate  
**Name:** Senator the Hon Stephen Parry  
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## E-Petitions in the Senate

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Chapter 10 of the Senate Standing Orders sets out requirements for tabling petitions in the Senate. It makes no specific provision for, or reference to, the tabling of electronic petitions. Nevertheless, the Senate does accept electronic petitions in some circumstances. The Senate does not host, or facilitate the hosting of, electronic petitions.

Among other things, Standing Order 70 requires that:

- petitions “be fairly written, typed or printed without interlineation or erasure”;
- every signature “be written on a page bearing the petition” and
- “no letters, affidavits, or other documents shall be attached to a petition.”

In the case of electronic petitions, the most problematic requirement under the Standing Orders concerns ‘signing’. The Senate deems an electronic petition to have been ‘signed’ by the provision of an email address. The requirement that signatures be written on the same page as the petition text (ie, that petitioners are fully aware of what they are signing) is deemed to have been fulfilled by the senator who lodges the petition confirming that this has taken place. The requirement that no extraneous material be attached to a petition (for example, the comments often included with electronic petitions) is deemed to have been satisfied by removing any comments field from the printed document.

In general terms, electronic petitions which conform with the Standing Orders are treated no differently from any other petition. At the time provided on each sitting day, the Clerk announces that petitions have been lodged. The text of these petitions is printed in Hansard and a copy of the petition is forwarded to the relevant Senate Standing Committee for its consideration. All petitions are lodged and presented in paper form – a USB stick would not be likely to conform with the requirement that petitions be “written, typed or printed”.

Occasionally, senators may seek leave of the Senate to table a petition (including an electronic petition) which does not conform with the Standing Orders. This often occurs where an electronic petition fails to provide email addresses – usually because the petition-hosting site refuses to make them available – and therefore falls foul of the ‘signing’ requirement. If leave is granted, non-conforming petitions may be tabled as ‘documents’. No further action is taken on such documents (ie, the text of the petition is not reproduced in Hansard and the document is not forwarded to a standing committee).

As no distinction is drawn between conforming electronic and paper petitions, no statistical information is kept on their number. The Senate has received a proportionately larger number of electronic petitions in recent years – probably around half of all petitions received – but the total number of petitions received has declined. For example, in 2009-10, 43 petitions were tabled; in 2015-16, 30 petitions were tabled.

Issues surrounding electronic petitions were canvassed in greater detail by the Procedure Committee in its First Report of 2013 (which may be found at [http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Procedure/2013/report1/index](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Procedure/2013/report1/index))

The Report recommended that the above approach should continue for the immediate future, but noted that, in the longer term, "the solution to these issues is for the Senate to host e-petitions on its own website so that conformity with the standing orders can be ensured from the outset". Attachment 1 to the report is a Background Paper prepared by the Senate Table Office, which contains some useful additional information.

There is no proposal under current consideration concerning the implementation of an e-petition mechanism.