

## INQUIRY INTO E-PETITIONS

**Organisation:** House of Representatives  
**Name:** Hon Tony Smith MP  
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**THE HON TONY SMITH MP**  
**Speaker of the House of Representatives**

25 May 2017

The Hon John Ajaka MLC  
President  
New South Wales Legislative Council  
Parliament House  
6 Macquarie St  
Sydney NSW 2000

Dear Mr President *John,*

Thank you for your letter of 13 April 2017 inviting a submission to your Procedure Committee's inquiry into e-petitions.

I am pleased to provide a submission prepared by the Department of the House of Representatives which outlines the background to the decision by the House of Representatives to adopt an e-petitioning system, the process to develop the system and the early experience with the system.

I hope that the information provided will assist the Committee in its deliberations.

The contact in the Department of the House of Representatives for the submission is Russell Chafer, Clerk Assistant (Committees). Mr Chafer can be contacted on (02) 6277 4399 or [russell.chafer@aph.gov.au](mailto:russell.chafer@aph.gov.au).

Yours sincerely

**THE HON TONY SMITH MP**

## **SUBMISSION INTO E-PETITIONS INQUIRY: PROCEDURE COMMITTEE OF THE NSW LEGISLATIVE COUNCIL**

The Department of the House of Representatives is pleased to provide the following information to the current inquiry of the Procedure Committee of the New South Wales Legislative Council. The House of Representatives introduced its first e-petitioning system at the beginning of the 45<sup>th</sup> Parliament in 2016. The House Standing Committee on Petitions (Petitions Committee) in this parliament to date has received 226 petitions in total, 168 of which were e-petitions, and 58 paper petitions.<sup>1</sup> The House Standing Committee on Petitions has recently announced an inquiry into the new e-petitions system. The purpose of the inquiry is to review the e-petitions system to find out whether it is meeting the expectations of Parliamentarians and members of the public.

### **Background on the Petitions Committee**

In September 2007, the House Standing Committee on Procedure (Procedure Committee) inquired into petitions and the petitioning system that was then operating in the House. The Procedure Committee's [report](#) recommended that a Standing Committee on Petitions be introduced in the following Parliament.

The Petitions Committee was first established at the start of the 42<sup>nd</sup> Parliament in February 2008. Standing Order 220 provides for the Committee to receive and process petitions and to inquire into and report to the House on any matter relating to petitions and the petitioning system.

### **What guided the decision to accept e-petitions?**

The Procedure Committee, in its September 2007 report, had recommended that an electronic petitioning system be introduced. The Procedure Committee concluded the following:

The Committee considers that disallowing electronic petitions in the 21<sup>st</sup> century essentially denies a growing number of petitioners the opportunity to air their grievances. New information communication technologies, notably the internet and email, can generate huge support on issues. The mere fact that a person has not set up a booth outside the local supermarket should not render that petition any less meaningful: 'real individuals' also use the internet. The Committee accepts the reality of modern lobbying and campaigning and its inevitable impact on the petitioning process.

The Committee is particularly enthusiastic about the prospect of increasing transparency in the petitioning process with the introduction of e-petitioning. All stages of the process—opening, closing, presenting and responding—will be publicly recorded and monitored on the website. The Committee would expect this transparency to have the follow on effect of encouraging more Ministers to respond to the matters raised in petitions.<sup>2</sup>

In June 2008, the newly appointed Petitions Committee conducted an inquiry into the subject of electronic petitioning. The Department of the House of Representatives (the Department)

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<sup>1</sup> As of 18 May 2017

<sup>2</sup> House Standing Committee on Procedure, [Making a difference: petitioning the House of Representatives](#), p. 38, 2007.

put in a submission to the 2008 Petitions Committee inquiry.<sup>3</sup> The submission discussed different models of electronic petitioning that had been introduced in various jurisdictions within Australia and overseas. The submission also noted that the Australian Senate had received a limited number of electronic petitions. The submission canvassed the changes required to the practices and procedures of the House if electronic petitioning was to be introduced, noting that more changes would be required if a dedicated electronic petitioning website system was developed. The submission outlined practical considerations, privacy and security concerns, financial implications and the role of members in relation to e-petitions.

The submission concluded by stating the Department's full support for the introduction of a website based e-petition model. The Department supported accommodating e-petitioning as much as possible within the framework of the House's existing petitioning system on the basis that a e-petitioning and paper systems could co-exist. It noted that e-petitioning should be introduced in a way that minimised the risks of the new system being used for partisan purposes.

The inquiry into electronic petitioning received 15 submissions in total and a [report](#) on the inquiry was tabled in November 2009. The report recommended that an e-petitions system be introduced.

On 23 February 2015, the Government responded to the 2009 report and supported the Committee's recommendation for the introduction of electronic petitioning for the House of Representatives. The Government response requested that the Speaker and the Department of the House of Representatives work towards implementing electronic petitioning within existing resources.

The Speaker informed the House on 22 October 2015 that the Department of the House of Representatives would work with the Department of Parliamentary Services to develop an electronic petitions website and system. The Speaker flagged that he would update the House once the e-petitions system was developed and that the House would need to consider amendments to the Standing Orders in order to allow for the new e-petitions system.

### **Implementation and testing of a new e-petition system**

Following the Government response, the Department of the House of Representatives and the Department of Parliamentary Services formed a steering committee in November 2015 to develop and build a new e-petitions system for the House.

By March 2016, a new e-petitions system had been built and was ready for testing. In August 2016 the e-petitions system was ready to be introduced at the start of the 45<sup>th</sup> Parliament. See Attachment A for information regarding capital expenditure for the e-petitions system.

### **Changes to practices and procedures**

On 13 September 2016 the Speaker advised the House that the e-petitions system and website had been developed and was available on the House of Representatives website. The Speaker informed the House that several changes had been made to Standing Orders with respect to the new e-petitions system. Along with several small changes to Standing Orders with respect to petitions, the following new standing order 205A was adopted by the House on 13 September 2016.

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<sup>3</sup> The Department's submission is available online as submission number 13 [here](#)

### **Standing Orders - 205A Rules for e-petitions**

- (a) A principal petitioner for an e-petition must provide the petitioner's full name and address.
- (b) The posted period for an e-petition is to be four weeks from the date of publication on the House website.
- (c) Once published on the House website the terms of an e-petition cannot be altered.
- (d) Once the posted period for an e-petition has elapsed, the petition shall be presented to the House in accordance with standing order 207.
- (e) Names must not be copied, pasted or transferred on to an e-petition.
- (f) A Member must not be a principal petitioner or signatory to an e-petition.

On 10 October 2016, the Chair of the Petitions Committee presented the first report for the 45<sup>th</sup> Parliament to the House. The Chair noted that the first batch of e-petitions had been considered by the Committee and that these petitions were available for members of the public to sign on the website.

### **The merits of accepting e-petitions**

An e-petitions system enables members of the public to enter and sign petitions online, and track the progress of any petition as it is presented, referred and responded to by the relevant minister. The combination of these new developments makes it easier for members of the public to petition the House.

The achievements already made to date through the introduction of e-petitioning show that historic parliamentary processes can be adapted to modern times to the benefit of the House and the community.

The new e-petitions system generates automated acknowledgement letters to the principal petitioner which keeps them up-to-date with the processing stage of their petition. This automated process has led to increased efficiencies within the secretariat supporting the Petitions Committee.

### **Lodging and processing e-petitions**

The following [link](#) to the current e-petitions webpage shows how an e-petition is created.

To request a new e-petition petitioners follow the web link on the Petitions Committee homepage to take them to a page where mandatory fields must be filled in to validate a new e-petition. These rules adhere to Standing Order 204. The principal petitioner must verify an email link within 8 hours of posting the e-petition.

The next processing stage involves the secretariat preparing meeting papers that include new petitions that are lodged for the Committee's consideration at its next private meeting. The Petitions Committee rules the received petitions either in or out of order. After the Committee meeting, all e-petitions deemed in order are posted on the website to collect signatures for 4 weeks. The principal petitioner is advised via email of this process. The e-petitions system collects signatures via validated email addresses and tallies the number of signatories but does not make the emails or names of signatories public. If the petition is ruled out of order, the petitioner is also advised via email.

After the close of signatures, the petition is presented to the House by the Chair of the Petitions Committee, or another member if advised by the principal petitioner, on the next available sitting Monday. Members also have the opportunity to present petitions to the House outside of the allocated time on a sitting Monday as per Standing Order 207 (b). After presentation each petition is usually referred to the relevant Minister for response. The Minister is expected to respond in writing to the petition within 90 days of presentation. All Ministerial responses are printed in Hansard and published on the Petition Committee's website.<sup>4</sup> The principal petitioner is advised when his/her petition is presented and when a Government Response to their petition is tabled in the House.

### **Conclusion**

The Department considers that the new arrangements for e-petitions in the House are working very well. The establishment of the e-petitioning system and website has proven to be a valuable enhancement of the petitioning system for the public, the members of the House and the secretariat supporting the Petitions Committee.

The Petitions Committee has received 75% of its petitions as e-petitions to date. This figure is a positive reflection on the new e-petition system and is an indication that the general public is receptive to petitioning the House online.

Department of the House of Representatives  
May 2017

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<sup>4</sup> Standing Orders 209 (b) and (c)

# Attachment A

## Cost of introducing e-petitions

The total cost of the e-petitions system paid by the Department of the House of Representatives was \$47 291.<sup>5</sup> This cost included the development work and the establishment of technical support from the Department of Parliamentary Service during the testing phase. It did not include staff costs from the Department of the House of Representatives. These staff costs are outlined below.

The Department drew on staff to provide support for the project in terms of developing business requirements and testing. Staffing levels included one Director level (EL2) overseeing the implementation of the e-petition project over a 12 month period in a non-dedicated capacity supported by a PSL 6. Additional support for testing was drawn from Departmental staff at levels at PSL 6 and EB 1 on an ad hoc basis.

### Ongoing staffing allocation for House Standing Committee on Petitions in 45<sup>th</sup> Parliament

Non-dedicated Director – Executive Band 2

Dedicated Assistant Director – Executive Band 1, part-time 2 days per week

Non-dedicated Researcher – Parliamentary Service Level 6

Non-dedicated Administrative support – Parliamentary Service Level 4

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<sup>5</sup> This figure is the cost incurred by the Department for the House of Representatives only.