

**Submission  
No 14**

## **INQUIRY INTO E-PETITIONS**

**Name:** Hon Penny Sharpe MLC NSW

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The Hon John Ajaka MLC  
Chair of the Procedure Committee  
President of the Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr President

### **Submission to the Inquiry into e-petitions**

I make the following submission to the Inquiry into e-petitions, and thank you for this opportunity to provide this submission.

The right of citizens to petition their parliamentary representatives is a significant and long-standing democratic right, and it represents the principal direct manner in which a person can place a grievance before the Parliament. This important facility must therefore be preserved within new modes of communication as technologies and community attitudes change – in fact it is incumbent upon the Parliament to make it easier for citizens to interact with their Parliament where possible, and modern technology provides us with a range of ways to achieve this.

As you may know, last year Labor Leader Luke Foley committed that a future Foley Labor Government would modernise parliamentary petitions in New South Wales by accepting electronic petitions as well as hard copy paper petitions. Numerous Australian jurisdictions already accept e-petitions, including the Commonwealth and the parliaments of Queensland, Tasmania, the Australian Capital Territory and the Northern Territory.

The undertaking of this reform in New South Wales would not be revolutionary, and it should be approached methodically as another progression in a long line of necessary electronic developments of our digital age, as much a part of change as the recent development of Hansard being made available via the Parliament's website a matter of hours after being spoken in the chamber.

New South Wales has already brought about reforms to petitions in the recent past, for example the requirement of a discussion in the Legislative Assembly where 10,000 signatures are received for a tabled petition. This was a positive development for citizens being given another avenue to raise matters of concern with the Parliament. In a similar manner, the Parliament should now give citizens the further available avenue of electronic petitions in order to raise matters with the Parliament, and this should be given the same standing as a paper petition in terms of requiring a discussion or a response from the relevant Minister.



It would be highly problematic to mount an argument, for example, to supporters and signatories of an e-petition that has received 50,000 or 100,000 signatures, that their elected representatives will not accept or consider their request or grievance, yet a paper petition of 10,000 signatures will be accepted and in fact then attract a discussion in the Legislative Assembly with contributions by multiple Members in that place. The stark contrast between the two is unable to be breached by any principled argument for equality, and the position must be reached that both forms of petitioning are equally valid.

Further, given the current State Government has advocated for, and the NSW Parliament has passed, legislation that allows a wide range of official documents, notices and forms to be accepted in electronic form and communicated by email, we have already accepted electronic mechanisms as valid forms of official communication. It would therefore be consistent to extend this acceptance of electronic transactions and submissions to the acceptance of electronic petitions to the Parliament.

I note that measures will need to be implemented to ensure a method of validation that e-petition signatures are genuine, and I would welcome a consultation process prior to implementing the acceptance of e-petitions in order to evaluate available options. It is important that this should not be set at a level that would hinder the reasonable citizen from signing an e-petition, and in undertaking this process for electronic petitions we must acknowledge openly that the level of validation for signatures on paper petitions currently presented to the Parliament is rudimentary. It is a matter of finding the balance, and given the paths already forged by numerous other jurisdictions in this area, I believe the NSW Parliament will be able to develop an appropriate model and procedures.

The people of New South Wales deserve a modern Parliament, one that recognises modern community activism and acts dynamically in its engagement with the concerns and requests of citizens in its jurisdiction.

Thank you for the opportunity to make this submission. I look forward to the Committee's report.

Yours sincerely



**Penny Sharpe MLC**

3/5/2017