

A SUBMISSION TO
THE
House Standing Committee on Petitions
Inquiry into Electronic Petitioning

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Introduction

There is no doubt that the events of September 11 events has changed the Western government view on foreign policy and that reflected into various undemocratic and unconstitutional legislation in each country, including Australia.

The world changed on 11 September 2001. And on 12 October 2002, the terrorists murdered innocent Australians close to home. We have had to adjust our thinking to deal with terrorism and the new threats of the twenty-first century. We've also had to take the fight to international criminals who traffic in drugs and people and who threaten our borders.

Former PM John Howard address to the Enterprise Forum Lunch Getting the Big Things Right: Goals and Responsibilities in a Fourth Term, Hilton Hotel, Adelaide. 8 July 2004.

This political view made Howard's government arrogant and not paying any attention to the wider community concern and even defeated Prime Minister John Howard didn't listen to his own Party ministers and MPs.

After Howard's shameful defeat in the last federal election, November 2007, many former liberal ministers criticised former PM political decisions [sic].

For example, *The Age* (18/2/2008) reported that "**Former ministers come clean over Howard government mistakes**"

"PETER Costello says the previous government should have ratified the Kyoto Protocol years ago — in a television program tonight where former ministers talk about wanting John Howard to quit before the election.

And former workplace relations minister Joe Hockey says when he took over the portfolio: "I don't think many ministers in cabinet were aware that you could be worse off under WorkChoices, and that you could actually have certain conditions taken away.

"Once I started to raise those issues with colleagues and they became more informed of the impact of WorkChoices, we introduced the fairness test."¹

It seems to me that Labor PM Kevin Rudd is taking similar arrogant John Howard leadership style. Take for example, **Rudd's disgrace motion on Israel's 60th**

¹ <http://www.theage.com.au/news/national/former-ministers-come-clean-over-howard-government-mistakes/2008/02/17/1203190653100.html>

'anniversary'. It shows arrogance from newly elected PM, who supposed to govern for all Australians.

Because of that the House Standing Committee on Petitions has responsibility to ensure that there is an effective petitions mechanism that encourages the constituents to become aware and involved more in the work of the Parliament to be able to influence the policies of the government of the day and remind policy makers i.e. parliamentarians, with their duties and adhere to the world standards.

“The question for members of State Parliament is not about why members of the Federal Parliament should adhere to world standards. It is about why the Federal Government is denying Australians the world standards which only the members of the Federal Parliament can gain for Australians. The question for members of the Federal Parliament is not about why Australia should adhere to world standards. **It is about why Australia is taking so long to do so.**”

'Abiding Interests' 1997 by former Prime Minister Gough Whitlam

Why we need the Electronic Petitioning System?

Community Petitions improving citizens' direct access to parliament and make the parliament more accountable to the People.

Petitions have historically been regarded as an avenue by which citizens can have their voices heard on the floor of the chamber. The extent to which petitions are effective in this regard however has been contested. While petitions have great democratic potential, they might be considered more effective in strengthening community views on an issue than in actually having that issue heard and considered by parliament.

Sonia A. Palmieri

Department of the House of Representatives, Canberra

*Paper presented to the ASPG Conference—Parliament's Accountability to the People
23-25 August 2007, Adelaide*

The Electronic Petitioning System will encourage the wider community to become more involved in the Parliament work and government policies. Will force Parliamentarians to listen seriously to the wider community concern.

I am confident that more Australians will get involved and get educated about their power through effective Electronic Petitioning System.

As I said in my oral evidence before your Committee Public Hearing, 30th October 2008, that I made two petitions and many public submissions to various parliamentary committees since 1997, I can tell you that I came across many Australians who are not aware at all about the parliament system and how constituents can make a huge difference through their participations (individuals and organisations) with the parliament system.

Electronic Petition Model

I think that electronic petitions should follow the same rules of current petition system:

- Addressed to the Speaker and Member of the House of Representatives;
- The Petition Text;
- Name and Signature and
- Principal Petitioner details

Because the electronic petition will be available on the World Wide Web, the committee needs to consider seriously the privacy and security concern.

The above concern may results on slightly changes on the practices and procedures in implementing the e-petitions system.

UK Model – e-petitions number10.gov.au

Last year the House of Commons proposed an e-petitions system for United Kingdom citizens and residents.

They have created a specific website² where any British citizen or resident can create a petition.

There are 5 stages to the petition process:

1. Create your petition
2. Submit your petition
3. Petition approval
4. Petition live
5. Petition close

Once Principal Petitioner created and submitted a new e-petition, only Principal Petitioner name display on the petition after the Committee approves the petition. The other contact details (address, mobile, email) can be viewed only by the Committee on Petitions.

Same thing applies to members of public who signs the petition online.

In less than a year:

The Downing Street web site received 29,000 e-petitions and 5.5 million signatures in its first year of operation. The committee report said the Commons had not experienced such traffic since the 19th century when, in 1843, 33,898 petitions were received in paper form.

The decision could signal the death knell for the existing system involving the physical collection of signatures, the delivery of the signed documents to parliament and their presentation in the Commons chamber, when a local MP “deposits” them in a sack behind speaker Michael Martin’s chair. Its use has been in steady decline.

Business Green parliamentary reporter³, 07 April 2008

² <http://petitions.number10.gov.uk>

³ <http://www.businessgreen.com/computing/news/2213677/public-set-submit-petitions>

Tasmania's House of Assembly e-Petitions Model

Tasmania House of Assembly recently introduced a model of online petitioning which has been introduced on a trial basis.

The Principal Petitioner has to fill a form and **approved/sponsored** by Member of Parliament.

Refer to Appendix#1

According to **E-PETITIONS PRIVACY STATEMENT:**

“Access to personal information

The Sessional Orders require the name **and address** of the Principal Petitioner to be published on the E-Petition. The personal details of persons who join an E-Petition will not be viewable in any form on the web site.

Your name, address and email address details will not be added to a mailing list by the Parliamentary Service. Access to the electronic information is restricted to certain officers of the Parliament of Tasmania. However, under the *Parliamentary Papers Act 1992*, the information from tabled petitions (including tabled E-Petitions) can be obtained from the Parliament's Table Office. The personal information within tabled petitions includes the name and address of the Principal Petitioner and the name, address and email address details of persons who have joined E-Petitions.”

As I mentioned before, to protect the Principal Petitioner privacy, it is recommended not to display his address details especially his home address. It is ok to display his postal address if it is different to his/her home address.

Refer to Appendix#2 for Tasmania House of Assembly e-Petitions Privacy Statement.

The financial and resource implications of an e-petitions system

No doubt that adopting the e-petition by the Parliament will require more financial and resources to cope with the increase in number of petitions submitted to the House Standing Committee on Petitions.

Also, that requires awareness process to inform the public about the new e-petitions process and procedures.

But no matter the financial and resource implications of a new e-petitions system, it is a worthy because it will advance our democratic process through better community involvements on important issues/policies, domestically and internationally.

Conclusions

Parliaments both in Australia and overseas are making very public decisions about the value of petitioning. At one end of the spectrum are those parliaments which have emphasised the interaction of the public with the parliament (as in the case of Scotland), while at the other end, an emphasis has been placed on improving the reasonable expectation of petitioners to influence government policy. Past and current parliamentary inquiries into the petitioning process are indicative of this decision-making process and should be welcomed.

Petitioning has historically provided people with a link to their Monarch and later, their representatives. **By not responding to petitions or addressing the matters raised within, we undermine their fascinating history and deny citizens ancient rights.**

Sonia A. Palmieri

Department of the House of Representatives, Canberra

*Paper presented to the ASPG Conference—Parliament's Accountability to the People
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I fully support electronic petitioning system for the House of Representatives with protecting the Principal Petitioner and others privacy by not publishing their personal details (home address and contact details).

I believe that the British Model is a good one to follow, but we need to address the Petition to Speaker and Member of the House of Representatives, not to Prime Minister.

This is the most effective way to **improving citizens' direct access to parliament and ensuring Parliament's Accountability to the People.**

This is the only response to the eleventh long years of Liberal Prime Minister John Howard arrogant and ignorant to the wider Australian community. We need to ensure that young Labor government led by Kevin Rudd don't follow the path of defeated Liberal Prime Minister John Howard.

Appendix

1. Tasmania House of Assembly E-Petition request form

This form may be used when seeking to obtain a Member of Parliament's sponsorship of a proposed E-Petition for posting on the Tasmanian Parliament web site.

Please ensure this form is completed in full and signed prior to forwarding to the MP's office.

Member of Parliament's Details*: (to be completed by Principal Petitioner)

Name

Address

Postcode

Principal Petitioner's Details: (to be completed by Principal Petitioner)

Name

Address

Postcode

Note: The name and address of the Principal Petitioner will be published on the web site in accordance with the Sessional Orders of the Tasmanian Parliament

Telephone (office hours) Email

Proposed E-Petition Details: (to be completed by Principal Petitioner)

Subject

Eligibility Category (circle appropriate category below)

Tasmanian Citizens/Tasmanian Residents/Electors of (state Division)

draws to the attention of the House (state the text of grievance) :

Your petitioners, therefore, request the House to (state the text of the action required)

:

Number of words Closing date

(word limit of 250 in total for grievance and action required) (posting period

minimum 1 week/maximum 6 months from date of posting)

Signature Date: //

Note: The Member of Parliament's office will contact you to advise of the outcome of your request. If the MHA agrees to Sponsor the E-Petition, you may be required to attend their office to sign another E-Petition Request Form if there are any required changes to the E-Petition.

*** The contact details for MPs are available from the Tasmanian Parliament at www.parliament.tas.gov.au**

Member of Parliament's Details*: (to be completed by the MP - the completed form is then to be forwarded to the Office of the Clerk of Parliament)

Name

Electorate
I agree to sponsor the petition overleaf
Signature Date: //

2. Tasmania House of Assembly e-Petition Privacy Statement

Your Privacy

This Privacy Statement sets out how the privacy of personal information collected within the Petitions section on the Parliament of Tasmania web site is administered.

Information collected

Visitors

This site does not store personal information in cookies.

When you visit the Petitions web site our web server makes a record of your visit and records the following information for statistical purposes only:

- the visitor's server address;
- the type of browser the visitor is using;
- the visitor's top level domain name (for example .com, .gov, .au etc);
- the visitor's traffic patterns through the Petitions site, such as:
- the date and time of the visit to the site;
- the pages accessed and documents downloaded; and
- the previous site visited.

Users

The petitioning process in Tasmania is governed by Sessional Orders which have been approved by the Legislative Assembly. In the case of the Principal Petitioner, the Sessional Orders require their name, address and email address to be published on the E-Petition. For persons who join an E-Petition, the Sessional Orders require the following mandatory personal information: name, address and email address. This information is required as a means of verifying the person and their eligibility to join the E-Petition. (A person is eligible to petition the Parliament of Tasmania if they are a Tasmanian citizen, resident or elector. See Conditions of Use)

Electronic Mail and Feedback

- When you join an E-Petition you have the option of electing to be notified when a Ministerial Response to the E-Petition is available on the web site. Email addresses provided for this purpose will be retained until either a response is posted or six months has expired since the E-Petition has been tabled.
- You also have the option of sending a message to a nominated email address on the web site or through the feedback form. These electronic messages will be monitored by staff for system trouble-shooting, maintenance and evaluation purposes. Any email correspondence sent will be treated as a public record and

will be retained as required by law or the rules and practice of the Legislative Assembly. This information is stored in a secured area and will not be used for any other purpose nor disclosed without your consent.

Access to personal information

The Sessional Orders require the name and address of the Principal Petitioner to be published on the E-Petition. The personal details of persons who join an E-Petition will not be viewable in any form on the web site.

Your name, address and email address details will not be added to a mailing list by the Parliamentary Service. Access to the electronic information is restricted to certain officers of the Parliament of Tasmania. However, under the *Parliamentary Papers Act 1992*, the information from tabled petitions (including tabled E-Petitions) can be obtained from the Parliament's Table Office. The personal information within tabled petitions includes the name and address of the Principal Petitioner and the name, address and email address details of persons who have joined E-Petitions.

Principal Petitioners may be contacted to provide feedback on the E-Petitions process.

Security

The Parliament of Tasmania applies a range of security measures to protect its web site from unauthorised access. However, users should be aware there can be risks with transmitting information across the Internet.

Contact

If you have any queries about these privacy and security practices, please contact the House of Assembly (03) 6233 2200.

***Note: External sites that are linked to our web sites are not under our control and you are advised to review their privacy and security provisions and statements.**