

Petition Effectiveness: Improving Citizens' Direct Access to Parliament

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Abstract

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.

In recent years, a number of parliaments both in Australia and overseas have sought to improve the petitioning process. Various models have been developed and adopted. The paper places these models along a 'parliament–government' scale of action, highlighting different marks of emphasis in addressing the question of petition effectiveness.

'Fundamental' and 'Ancient' Rights

Petitioning the Parliament is seen as one of the most ancient and fundamental rights of citizens. Petitions have always been a form of demand for a favour, or to redress an injustice. As the distribution of justice and wealth became important aspects of ruling, rulers could hardly deny their subjects the right to approach them to implore them to exercise justice, or to grant a favour.¹

Petitions are said to date back to ancient Roman times when Roman citizens were entitled to send written pleas, requests and complaints to their emperor. The term petition was, however, unknown in Roman law. The term used was supplication, derived from the Latin verb 'supplicare', which means 'to fall on one's knees before someone', 'to grovel' or 'to plead'. This term also denoted the request of a citizen

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¹ Lex Heerma Van Voss, *Petitions in Social History*, p. 1

for a statement on a legal dispute, which the emperor answered in the form of a written opinion.²

Whatever form or context, petitions were usually written in a deferential style, showing that the petitioner did not intend to question the established power structure.

Where petitions became an accepted tradition, they often served to inspire general legislation. Petitions deemed suitable by the House of Commons, for example, were considered to become statutes and in the 14th and 15th century, a large proportion of statutes originated as Commons' petitions. Judges drafted such statutes by combining a petition with its response from the King.³ Not only in Britain were petitions used to instruct legislation, but also in countries like Germany, Russia and Japan, where rulers laid claim to absolute power, petitions were used by broad layers of the population to influence legislation.⁴

The right to petition developed into other popular rights in Western countries from the 17th century. The right to petition brought about the right to assemble in order to draw up, discuss and sign the petition. In 1779, Lord George Gordon introduced a petition against the relief of anti-Catholic measures in the British Parliament and took 14,000 supporters with him to Parliament to deliver the petition.⁵ The 1894 and 1932 marches on Washington were legitimised as the presentation of 'petitions'.⁶

Understanding the potency of petitions, many rulers initially sought to forbid them. In pre-Revolutionary France, petitions were considered illegal. Despite their establishment as a fundamental right in England, in 1648 the Long Parliament disallowed petitions submitted by more than 20 individuals. Under Charles II, petitioning to convene Parliament was punishable as high treason and James II had bishops confined to the Tower for petitioning against religious policies.⁷

These attempts on the right of petition led to the House of Commons passing two resolutions in 1669:

² 'From the history of petition law', <http://www.landtag.sachsen.de>, accessed August 2007.

Interestingly, a petition is said to have a hand in the death of Julius Ceaser. In 44 BC, a group of senators called Caesar to the forum for the purpose of reading a petition, written by the senators, asking him to hand power back to the Senate. As Ceaser began to read the (fake) petition, he was stabbed (23 times) to death.

³ Sir Gilbert Campion, *An Introduction to the Procedure of the House of Commons*, 1947, p. 11

⁴ Lex Heerma Van Voss, *Petitions in Social History*, 2002, p. 3

⁵ Charles Tilly, *Popular Contention in Great Britain 1758-834*, 1995, p. 160

⁶ When Congress refused populist Jacob Coxe's proposed plan of federal work relief on public roads to be financed by an issue of Treasury notes he stated, 'We will send a petition to Washington with boots on.' See John M. Blum et al., *The National Experience, Part Two: A History of the United States since 1865*, 1981, p. 515

⁷ Lex Heerma Van Voss, *Petitions in Social History*, 2002, p. 4

That it is the inherent right of every Commoner of England to prepare and present petitions to the House in case of grievance; and the House of Commons to receive them.

That it is the undoubted right and privilege of the House of Commons to adjudge and determine, touching the nature and matter of such petitions.⁸

Petitioning was also included in the Bill of Rights in 1689.⁹ In the 18th century, the right to petition was amongst listings of individual liberties like the Bill of Rights of most American states and the *Déclaration des droits de l'homme et du citoyen* of 1791. Today, while the 'right to petition', *per se*, is not mentioned in the United Nations Universal Declaration of Human Rights, the related freedom of assembly and right to 'take part in the government' are.

The House of Common's traditions of petitioning were inherited by the new Australian parliament in 1901 via the colonial legislatures.

Can Petitions to the House be Considered 'Effective'?

In Australia, at both the Commonwealth and State level, a multitude of mechanisms have surfaced by which a person may seek redress of a grievance. These range from appeals to formal institutions such as the Commonwealth Ombudsman and the Administrative Appeals Tribunal, to seeking media coverage of issues.¹⁰ Despite this plethora of avenues, it is still the case that only petitioning facilitates a direct link between the public and the House.

Perhaps more importantly, petitions can foster a sense of unity and purpose within a community which is then publicly demonstrated when the petition is presented to the House. In this sense, a petition provides a measure of a community's strength of feeling on an issue, and in turn, provides Members of Parliament with a sounding board for the concerns expressed by the voting public.

Today, an increasing number of political 'campaigns' are also being staged on the internet — including on the rather topical websites of 'GetUp' and 'Kevin07'. While they might not be considered petitions in a procedural sense, the number of 'signatures' attached to these campaigns is perhaps more evidence of the weight of community sentiment on a particular issue.

⁸ *House of Representatives Practice*, 1st edn, p. 689

⁹ 'That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal.'

¹⁰ At the Commonwealth level, individuals can also address a complaint to the Human Rights and Equal Opportunity Commission, the Migration Review Tribunal, the Office of the Commissioner for Complaints (for complaints about Commonwealth funded aged care services), the Privacy Commissioner, the Refugee Review Tribunal, the Social Security Appeals Tribunal and the Veteran's Review Board. Each State and Territory also has an Ombudsman. See <http://www.comb.gov.au/commonwealth/publish.nsf/Content/home>.

The question is whether petitions are as effective at an institutional level as they are at a community level.

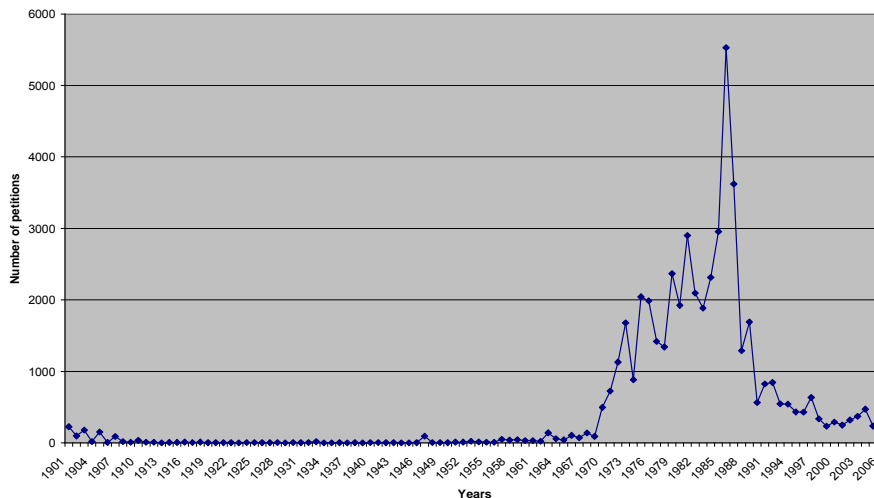
How often are Petitions Presented?

Since 1901, the number of petitions presented to the House has varied somewhat. In the early years, the House received between 100 and 200 petitions a year. Numbers decreased significantly from about 1908, not reaching any more than 16 a year until the end of the Second World War. The new political landscape of the early 1970s, however, brought with it thousands of petitions. In 1972, a report of the Standing Orders Committee explained these very high numbers of petitions by noting that:

rather than present all sheets of a petition as one document, a single sheet or group of sheets of a petition has been distributed to a number of Members and presentation has been repeated on many sitting days presumably to have the effect of securing greater publicity.

Petitions today, however, are mostly presented on sitting Mondays, and it is believed that this essentially ‘grouped’ more sheets of petitions together as one.¹¹ While the days of receiving thousands of petitions are long gone, the House has received an average of 320 petitions a year since 2001.

Figure 1: Petitions presented to the House of Representatives, 1901–2006



¹¹ *House of Representatives Practice*, p. 612 (footnote 221).

*Petitions to the State Parliaments***Table 1: Petitions presented in Australian State and Territory Legislatures and the Senate, 2003–07**

	2003	2004	2005	2006	2007
Senate	129	180	86	161	58 ^a
New South Wales					
Legislative Council	126	257	250	146	30 ^b
Legislative Assembly	833	2154	1841	1343	211 ^c
Victoria					
Legislative Assembly	179	254	412	259	99
Legislative Council	40	71	69	88	11
Queensland					
Paper Petitions	114	115	136	119	97
Closed E-Petitions	26	17	38	48	19
Current E- Petitions			12		
South Australia					
House of Assembly*	138	93	139	80	--
Legislative Council*	43	6	30	26	--
Western Australia					
Legislative Assembly**					
Legislative Council	81	38	55	33	58
Tasmania					
<i>House of Assembly</i>					
Paper Petitions	23	18	30	5	12
Closed E-Petitions	1	3	3	0	
Current E-Petitions			0		
<i>Legislative Council^d</i>					
Paper Petitions	4	0	0	1	6
Closed E-Petitions	--	--	--	1	
Current E-Petitions			0		
NT Legislative Assembly	28	16	14	30	9 ^e
ACT Legislative Assembly	38	14	9	37	10 ^f

Notes: ^a to 9 August 2007^b to 28 June 2007^c to 26 June 2007^d to 22 August 2007^e to 29 June 2007^f to 21 August 2007

* Information provided by financial year

** Information not available

Petitions presented in Comparable Overseas Parliaments, 2003–07

	2003	2004	2005	2006	2007
New Zealand	46	62	53	92	37
United Kingdom	220	128	51	293	--
Scotland	108	107	113	112	38*

What Kinds of Issues are Raised?

Petitions are presented to the House of Representatives on a very wide range of matters. So far this year petitions have been received relating to every Commonwealth ministerial portfolio, although certain portfolios such as foreign affairs and health and ageing tend to attract more petitions than others (see Table 2).

Some of the petitions presented this year have focussed on very local issues, for example, calling on the House to: ‘investigate the need for an Australia Post outlet at the Timbarra Shopping Centre in Berwick’ or ‘review Australia Post’s stance and support the provision of a PostPoint merchandising unit in the premises of the Balmain East Newsagency’.

Other petitions seek action at the international level:

we call on the Government to take Japan to the International Court of Justice on behalf of our country and other smaller countries in the South Pacific who are impacted by Japan’s slaughter [of whales].

Irrespective of the number of signatures, however, petitions not only articulate a community’s concern, but its plan for action:

The petition of certain citizens of Australia, draws to the attention of the House the crippling effect that drought has on our nation, the sovereignty of God in matters over which we have no control, such as the provision of rain, and the fact that prayers are already said in this place at the beginning of each sitting of parliament.

Your petitioners therefore request the House, during any time that there is a Commonwealth Exceptional Circumstances declaration of drought in place for any region within the Commonwealth, the following be added to the prayers said under standing order 38: ‘Lord God, we pray that during this period of exceptional circumstances and need, you would send rain on this land.’

Table 2: Petitions presented to the House of Representatives, by Portfolio, 41st Parliament

<i>Portfolio</i>	<i>In Order petitions</i>	
	<i>Number of petitions</i>	<i>Number of signatories</i>
Agriculture, Fisheries and Forestry	7	17,750
Arts and Sport	4	2,391
Attorney-General	15	12,672
Communications, Information Technology and the Arts	30	13,522
Community Services	2	2,283
Defence	16	4,998
Education, Science and Training	14	7,836
Employment and Workplace Relations	70	41,690
Environment and Heritage	42	20,634
Families, Community Services and Indigenous Affairs	30	42,532
Foreign Affairs	164	120,883
Health and Ageing	170	199,002
Human Services	5	7,366
Immigration and Multicultural and Indigenous Affairs	106	19,093
Industry, Tourism and Resources	4	690
Justice and Customs	1	15
Local Government, Territories and Roads	4	20,274
Prime Minister	11	14,148
Special Minister of State	1	1
Trade	1	17
Transport and Regional Services	19	22,399
Treasurer	17	20,008
Veterans' Affairs	10	14,830
Total	743	605,034

Source: Chamber Research Office, 21 June 2007

What Impact are Petitions having in the House?

Of the 2589 petitions presented to the House of Representatives since 1999, only three have received a ministerial response.¹² No general purpose standing committee has produced a report generated from a referred petition — repeated recommendations from the Procedure Committee to have petitions stand referred to such committees have not met with Government support. Since 2001, petitions have

¹² Chamber Research Office, Statistics, August 2007

been presented and discussed during certain periods of private members' business. Only 3.3% of petitions presented to the House since then, however, have been presented in this manner.

It would seem therefore, that while petitions have great democratic appeal, they have been far more effective in strengthening community views on an issue than in actually having that issue heard and considered by the House of Representatives. In fact, one individual will have a much greater chance of receiving a written response to his or her letter than a group of petitioners who have collectively expressed a grievance by signing a petition.

Is the House Experience Unique?

The number of current or recent parliamentary inquiries into the petitioning process suggests that the House of Representatives experience is not unique — that various parliaments find the existing practices deficient, and are endeavouring to improve them.

In the United Kingdom, the House of Commons Procedure Committee tabled a report in May this year, noting that one of the major deficiencies of the current arrangements is that 'very often the outcome of the procedure is perceived by petitioners to be inadequate'.¹³ This report cited a Hansard Society survey in 2003 that found only 3% of Members of the House of Commons would describe petitions as a 'very effective' means by which to influence government.¹⁴

In Victoria, the Public Accounts and Estimates Committee is currently inquiring into strengthening government and parliamentary accountability in Victoria, with a specific term of reference on reform of the process of dealing with petitions.¹⁵

Which Way Forward?

Developments both in Australia and overseas point to deliberate decisions being made by parliaments to improve and to innovate the petitioning process. These models present a veritable 'smorgasbord' of options for legislatures such as the House of Representatives in deciding the way forward. Table 3 summarises some of these key methods.

¹³ UK House of Commons Procedure Committee *Public Petitions and Early Day Motions* First report of Session 2006–07, p. 8

¹⁴ UK House of Commons Procedure Committee *Public Petitions and Early Day Motions* First report of Session 2006–07, p. 5

¹⁵ See: <http://www.parliament.vic.gov.au/paec/inquiries/strengthening-government/>, accessed August 2007.

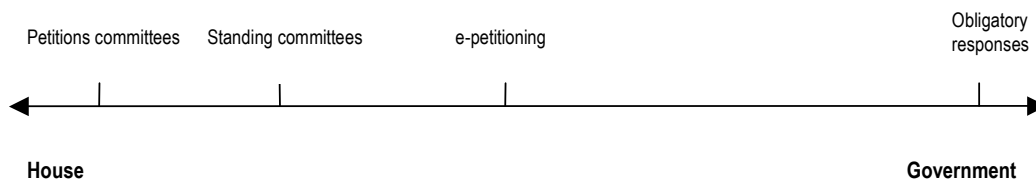
Table 3: Action taken in Overseas Parliaments

<i>Country</i>	<i>Presented petition referred?</i>	<i>Obligatory response time?</i>	<i>Responses printed/ acknowledged?</i>
Canada (House of Commons)	A committee designated by the presenting Member if there has been no response from Government	Within 45 days	Each petition receives an individual response After being tabled in the House, a government response to a petition is recorded in the <i>Journals</i>
Germany (Bundestag)	Petitions committee; the committee requests that the Executive respond to the terms of the petition; the committee then considers the statement and acts accordingly	None	All petitions are numbered and responded to
New Zealand	Relevant standing committee; reports to the House if/when appropriate	Within 90 days, if committee makes a recommendation	The clerk of the committee notifies petitioners of the committee's deliberations, following its report to the House
Scotland	Public Petitions Committee which then considers any further action to be taken	None The Committee meets every sitting fortnight	All petitions receive a written acknowledgment upon lodgement; where follow up is not pursued, a response explains why
UK (House of Commons)	Relevant government department and relevant select committee of the House	None If no observations are to be made, however, the presenting Member is so advised	Any observations made by Minister are printed and circulated as a supplement to the <i>Votes and Proceedings</i> and sent to the presenting Member
Wales	The relevant Assembly Minister or, if appropriate, the relevant subject committee	None	Minister responds to main petitioner; copy sent to Petitions Clerk, receiving Member and the Members' Library

Sources Canada House of Commons, Detailed Article: Compendium: Procedure Online — Petitions, available online at http://www.parl.gc.ca/sites/compendium/web-content/c_d_petitions-e.htm; New Zealand Parliament, Fact Sheet — Parliament Brief: Select Committees, available online at <http://www.parliament.govt.nz/en-NZ/PubRes/About/FactSheets/>; Scottish Parliament, Guidance on the Submission of Public Petitions, available online at <http://www.scottish.parliament.uk/business/petitions/guidance/index.htm>; UK House of Commons, Public Petitions to the House of Commons, available online at http://www.parliament.uk/parliamentary_publications_and_archives/publicpetitions.cfm; National Assembly for Wales, Guidance on public petitions procedure, available online at <http://www.wales.gov.uk/organipochamberbusiness/petitions-e.htm>.

Table 2 highlights the different ways parliaments have interpreted their own role in the petitioning process. Some have preferred to emphasise the parliament as the principal actor in dealing with petitions, while others have identified government as the key actor. While there are various combinations of these approaches, it could be argued that approaches which strengthen the role of the parliament include the establishment of dedicated petitions committees, and e-petitioning, while approaches which prioritise the role of government in the petitioning process tend to rely on obligatory government responses.

Figure 2: Parliament/Government spectrum of action on petitions



Petitions Committees

A key innovation in Scotland, Germany and India has been the development of a dedicated petitions committee. These committees are considered a constructive means by which a parliament is able to examine petitions and thereby enhance its own role in the petitioning process. One observer has described petitions committees as ‘deliberately setting out to engage with the public and actually encouraging them to use it as a process of contact with Parliament.’¹⁶

In Scotland, the petitions system is understood as central to the Scottish Parliament’s key objectives of ‘power sharing; accountability; accessibility; and equal opportunities’ (objectives on which the Parliament, as a whole, was founded).

The Public Petitions Committee (PPC) is a dedicated parliamentary committee with the clearly stated role of ensuring ‘that appropriate action is taken in respect of each admissible petition’ and taking ‘responsibility for the initial consideration of the issues raise.’¹⁷

¹⁶ UK House of Commons Procedure Committee *Public Petitions and Early Day Motions* First Report of Session 2006–07, p. 5.

¹⁷ Scottish Parliament, *How to submit a public petition*, available at: <http://www.scottish.parliament.uk/vli/publicInfo/documents/Howtosubmitpublicpetition.pdf>, accessed July 2007.

The committee meets fortnightly when the Parliament is sitting and holds both public and private meetings. The nine members of the committee are nominated in proportion to the representation of the various political groupings in the Scottish Parliament. The committee considers new and current petitions at each meeting and makes decisions about any further action. In so doing, the committee builds an expertise in the range of measures that can be taken on petitions, if not necessarily the broad areas of grievance raised.

The PPC can refer a petition to a subject committee, and where this occurs, the committee expects to be kept informed of that committee's consideration and actions in respect of the petition. The PPC may also investigate the petition itself, providing some principal petitioners the opportunity to speak to their petition and explain their grievance. The PPC, for example, has: heard evidence from petitioners and sought written evidence from organisations involved in the issue raised by a petition; and consulted with the Scottish Executive or invited its members to appear before the committee.

The PPC has also made recommendations about the resubmission of petitions which address a similar grievance to a petition previously presented.

The PPC is not bound to undertake any action and may choose not to investigate a petition. Where the PPC takes this course, however, it advises the petitioner and presents its reasons. Petitioners are thus kept informed of the progress, or lack thereof, on their petitions.

The Petitions Committee of the German Bundestag is the central point of contact for petitioners. The committee has the power to mediate between petitioners having difficulty with federal authorities or other institutions subject to the supervision of the federal government. On average, 15,000 petitions are received by the German Bundestag each year, most of these relating to administrative complaints (similar to those addressed to the range of ombudsmen-like authorities in Australia).¹⁸

On the basis that the German Bundestag has the right to demand information from the federal government, the Petitions Committee begins its examination of the matter raised in a petition by requesting comments from the federal ministry responsible. Once the facts of the matter are settled and any legal issues resolved, the Committee presents a recommendation before the plenary of the Bundestag. The recommendation could be in the form of a referral to the federal government for remedial action or for re-examination of the issue; referral to the parliamentary groups in the Bundestag for parliamentary inquiry; or referral to one of more of the parliaments of the German Lander or the European Parliament. Once the resolution

¹⁸ The Bundestag's Petitions Committee has a staff of 80, responsible for investigating individual complaints.

has been adopted by the plenary, the petitioner is sent an official reply setting out the decision reached and the grounds on which it was taken.

In India, the Lok Sabha's Petitions Committee consists of 15 members nominated by the Speaker.¹⁹ A minister may not be nominated to this committee. The committee examines the merits of petitions, holds public hearings, calls for formal comments from Members and, where necessary, officials from the relevant government department before making recommendations to the House.²⁰ Petitioners may also be called before the committee. The committee has produced 28 reports since 2004, available from the committee's website. Each report deals with a maximum of six petitions, outlining the initial terms of the petition, the committee's recommendations and any action to be taken by the government.

In the State Parliament of Western Australia, the Standing Committee on Environment and Public Affairs inquires into petitions as well as matters referred by the House. Inquiries arising from petitions have included an inquiry into the Alcoa Refinery at Wagerup, Swimming Pool Fencing, the Provision of Mental Health Services in Western Australia and Primary Midwifery Care.

In New Zealand, all petitions stand automatically referred to subject matter committees. The committees to which petitions are referred in New Zealand are able to take action as required, including receiving written submissions from petitioners, government departments and other sources relevant to the matter raised in the petition.²¹ In the New Zealand model, petitions are essentially treated as a separate inquiry topic to be considered by the select committees. No time limits are put on committees.

E-petitions

Electronic petitioning has now been introduced in the Scottish, German, Queensland and Tasmanian parliaments. The British Government recently announced its endorsement of e-petitioning in the House of Commons, following the model introduced in November 2006 to petition the Prime Minister.²²

Electronic petitions are seen as a reflection of societal changes in modern information communication technologies. In this sense, they are seen to place an emphasis on the role of parliament in the petitioning process by enhancing the democratic process and reinvigorating traditional and administratively cumbersome processes by which people can interact with the parliament.

¹⁹ Committee on Petitions, <http://164.100.24.209/news/parliamentarycomintroduction/p22.htm>, accessed July 2007.

²⁰ See Mr IC Harris, Clerk of the House, Submission no. 1, p. 9

²¹ See David McGee, *Parliamentary Practice in New Zealand*, 3rd edn, pp 525–9.

²² See <http://petitions.pm.gov.uk>.

The Queensland Parliament introduced a trial e-petitions system in 2002, extending this more formally in 2003.²³ This initiative was part of the Queensland Government's wider program of e-democracy.²⁴ The system requires that a petitioner wishing to submit an e-petition seek the sponsorship of a Member of the Legislative Assembly. This ensures such petitions are not frivolous or contrary to the standing orders. A sponsoring Member is permitted to request changes to an e-petition before submitting it to the Clerk.

Once a petitioner has secured the support of a Member, the petitioner completes an e-petition request form which outlines the: wording of the petition; period it will be hosted on the Queensland Parliament website (between 1 week and 6 months); eligibility requirements of petitioners (including the requirement that a person may only join an e-petition once and may not use a false name); and details of the sponsoring Member and principal petitioner.²⁵

On acceptance of the conditions of use, an individual receives a random identification number which must be recorded on the petition, along with his or her name, address (including postcode) and email address.²⁶

Once the Member and principal petitioner are satisfied with the terms of the petition, the Member submits the form to the Clerk of the Parliament, who examines the petition to ensure it is consistent with the standing orders. Compliant petitions are then hosted on the Queensland Parliament website for the period indicated on the e-petition request form. The Parliament does not promote the petition in any way; it merely facilitates the petition process by hosting the petition on its website. It is the responsibility of the principal petitioner to raise community awareness of their petition.

When the e-petition's period for hosting on the Queensland Parliament website has expired, the petition is removed and the Clerk of the Parliament presents the petition to the Parliament in the name of the sponsoring Member at the first available opportunity. The Queensland Government is not obliged to respond to e-petitions tabled in Parliament.

The Queensland model also allows citizens to view the status of petitions and monitor whether any response has been provided. A 2003 online survey of the

²³ 'E-Petitions' available at:
http://www.parliament.qld.gov.au/EPetitions_QLD/HTML/InformationBrochure.pdf, accessed 6 July 2007

²⁴ See 'e-Democracy in Queensland' available at:
http://www.getinvolved.qld.gov.au/be_informed/democracy/edemocracy.html

²⁵ The public are advised that any breach of these conditions amounts to a contempt of parliament which is a punishable offence.

²⁶ These contact details are not made publicly available on the website, but are kept by the Queensland Parliament's Table Office.

Queensland Parliament's e-petitioning system found that 72 per cent of respondents returned to the e-petitions website to view the ministerial response.

The Tasmanian House of Assembly follows the same guidelines and processes, and uses the same software as the Queensland Parliament. The only major difference between the Queensland and Tasmanian systems is the issue of Government responses. In Tasmania a Government response to each petition is required to be laid before the House within 15 sitting days of its communication to the Premier.²⁷

The Scottish Parliament formally introduced an e-petition system in February 2004. Petitions are hosted on the parliamentary website for an agreed period of between four and six weeks. Each petition has its own online discussion forum, enabling discussion of the petition and related issues. Petitioners may seek support for their petition from anywhere around the world. Petitions are not presented by Members of the Scottish Parliament but are sent to the Public Petitions Committee (PPC) by the organisers. Detailed guidelines and proformas are available from the PPC. Once the period for hosting the e-petition has expired, it is processed and examined by the PPC.

The German Bundestag introduced a system similar to that used in Scotland in September 2005.²⁸ From the Bundestag's petition webpage, petitioners may submit petitions electronically, or may co-sign other petitions online. Each online petition has its own online discussion forum. While the Bundestag receives a high number of petitions, e-petitions do not yet constitute a large proportion of petitions presented.

Both the Australian Senate and the Northern Territory Legislative Assembly now accept electronic petitions. In these cases, the Senator or Member is required to certify the authenticity of an electronic petition. It is understood that electronic petitions do not constitute a high proportion of petitions presented to the Senate, although a number have been signed by larger numbers of signatories than traditional petitions.²⁹

Obligatory Government Action

In Canada, New Zealand and the United Kingdom, the focus of petition action is on the role of government. Petitions to the Canadian House of Commons and the New Zealand House of Representatives can expect a response within 45 and 90 days of presentation, respectively. The United Kingdom's House of Commons Procedure Committee has recently recommended that the Government be required to respond

²⁷ Tasmanian House of Assembly, Standing order 73

²⁸ J. Wakefield, 'Petitioning the Parliament by mouse' *BBC News*, September 2005

²⁹ Mr IC Harris, Clerk of the House of Representatives, Submission no. 1, p. 19

to all petitions presented to the House within 2 months. Further, the committee recommended that 'the option of making no response to a particular petition should be discontinued'.³⁰

The argument here is that while a petitions committee might demonstrate the parliament's commitment to petitioning, obligating government to act 'is more likely to achieve [petitioners'] objectives or to influence government policy'.³¹ This is also an argument about 'managing public expectations': the more a petitioner assumes his or her petition will have an effect on the parliamentary process, the more disappointed he or she may be when change does not occur.

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. ▲

³⁰ House of Commons Procedure Committee, *Public Petitions and Early Day Motions*, May 2007, p. 17.

³¹ House of Commons Procedure Committee, *Public Petitions and Early Day Motions*, May 2007, p. 9.