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**The People's Parliament:  
Is This In Name Only? Have Petitions Had Their Day?**

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## Introduction

Since ancient times, individuals have been able to seek direct action from their rulers through the means of a petition process. They may raise personal grievances or seek policy reform by writing directly to the government and demonstrating public support for their position by gathering as many signatures as possible.

Petitions continue to give the people a voice in Parliament and have been explicitly enshrined in the Westminster system since the *Bill of Rights 1689*<sup>1</sup>. However, with so many forms of instant communication now available between the people and the government, are petitions still relevant?

This paper compiles and analyses the data available on petitions in the Legislative Council and the Legislative Assembly in Western Australia to assess if petitions have had their day in the Western Australian Parliament. Petitions are reviewed from the commencement of the 38th Parliament in November 2008 to the last sitting day of the 39th Parliament in November 2016. During this period, the Liberal-National alliance formed the government.

This paper compiles the following data for each House:

- the number of petitions tabled over the identified period;
- the type of request in the petition;
- the subject matter of the petition; and
- the number of signatures for each petition.

In the Legislative Council, each petition is referred automatically to the Standing Committee on Environment and Public Affairs ("Committee") for consideration. This paper explores the way that the Committee dealt with each petition, including those that the Committee chose not to take further and the way that petitions subject to further consideration were resolved.

The analysis demonstrates that petitions remain a popular and valuable method for the people to have their views and calls for action heard directly by the Parliament. However, the data also indicated that the number of petitions tabled and the number of signatories to petitions are declining both in real terms and particularly when compared to the significant increases to the adult population in Western Australia during the same period. The challenge for Parliament is to transform the petition process to ensure petitions remain relevant in our increasingly tech-savvy society.

## Petitions Process

Petitions are treated differently in the Legislative Council and the Legislative Assembly. In each House, petitions must be addressed to the relevant House, comply with Standing Orders and be certified as such by the relevant Clerk. E-petitions are not accepted in either House, however both Houses have considered e-petitions in the past<sup>2</sup>. Refer to Appendix A for information relating to the method of petitioning and accepted form of petition in each House.

A petition may be tabled with just one signature in either House, although they typically have more than one signature. In each House, the petition is read aloud by the tabling Member. From that point on, the process is different.

## Legislative Council Petition Process

Every conforming petition that does not relate to a matter of privilege is referred to the Committee, comprising five Members, for consideration<sup>3</sup>. Approximately five petitions did not comply with the standing orders during the 38<sup>th</sup> and 39<sup>th</sup> Parliaments including for the reasons that a principal petitioner was not identified or that the prayer was omitted.

The Committee reviews the nature of the petition and if it is regarding a matter that is already before the House, for example, a Bill, the Committee may resolve not to inquire any further into the petition on the basis that the subject matter will be debated in the House and Members will be able to raise issues put to them by their constituents during the debate. For other matters, the Committee will seek to understand more about the issues raised in the petition by asking the principal petitioner to provide a submission that gives further detail about the terms of the petition. On occasion the requested submission is not provided and the Committee closes its inquiry into the petition at that point.

Once a submission is received from the principal petitioner, the Committee seeks a response to the petition from the relevant Minister, government department, local government or private body. Occasionally the Committee conducts further inquiries and public hearings in an effort to obtain more detailed information. The inquiry process concludes with the Committee responding directly to the petitioner or less commonly tabling a report making recommendations for the government to consider. Standing Order 191 of the Legislative Council requires the government to formally respond to any Committee report that recommends government action<sup>4</sup>. This is one means by which the Council brings the government to account for its actions, or inaction. Although a petition does not always achieve the change that the petitioner is seeking, the Legislative Council process for petitions promotes transparency and ensures that the petitioner at least receives a response from the responsible minister(s).

This Committee process is unique across the Australian State Parliaments. While the federal House of Representatives has a Petitions Committee, it is focused on receiving and processing petitions and reporting to the House on petition matters. The Petitions Committee facilitates the provision of Ministerial responses to petitions and occasionally conducts hearings with petitioners and government officials to enhance public dialogue on a matter raised in a petition. However it does not make recommendations about, or implement, any matters raised in a petition<sup>5</sup>.

## Legislative Assembly Petition Process

After reading the petition aloud in the Legislative Assembly, the tabling Member may choose to give a Notice of a Motion for debate on a petition or move to refer a petition to a Committee.<sup>6</sup> There is no formal mechanism for a petitioner to receive any response in relation to their petition.

Since 2008, no petition tabled in the Legislative Assembly has been debated.

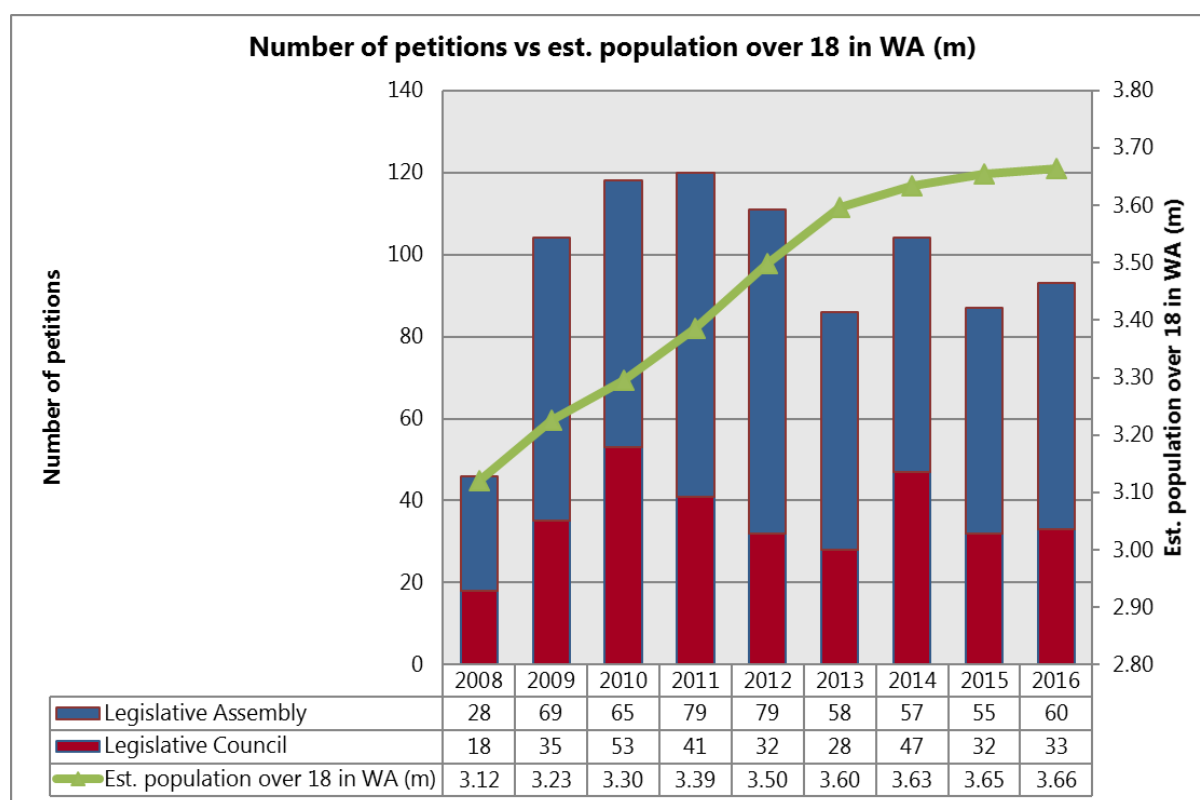
## Petitions Tabled in the Legislative Council and Legislative Assembly

Data was collected from the Parliament of Western Australia website for petitions tabled in the Legislative Council and Legislative Assembly from the commencement of the 38<sup>th</sup> Parliament in November 2008 to the last sitting day of the 39<sup>th</sup> Parliament in November 2016. Petitions tabled on the same subject in the same House during the same Parliament are treated by the Committee and for the purposes of this paper as one single petition, including all of the signatures of each petition.

### Number of Petitions

Excluding 2008, which contains data for a partial year only due to the September general election, the number of petitions tabled in both Houses ranges from 86 in 2013 to 120 in 2011, with the median number of petitions from 2009 to 2016 being 104. See Figure 1 for a breakdown of the number of petitions tabled in the Legislative Council and Legislative Assembly for the 38<sup>th</sup> and 39<sup>th</sup> Parliaments compared with the estimated population of Western Australia over 18 years of age<sup>7</sup>.

Figure 1: Number of petitions tabled in the Legislative Council and Legislative Assembly



While there is no requirement for principal petitioners to be over 18 in Western Australia, comparing the number of petitions tabled with the estimated resident population represents one method for gauging the popularity of petitions. This analysis shows that the population is increasing over the period, while the number of petitions is declining.

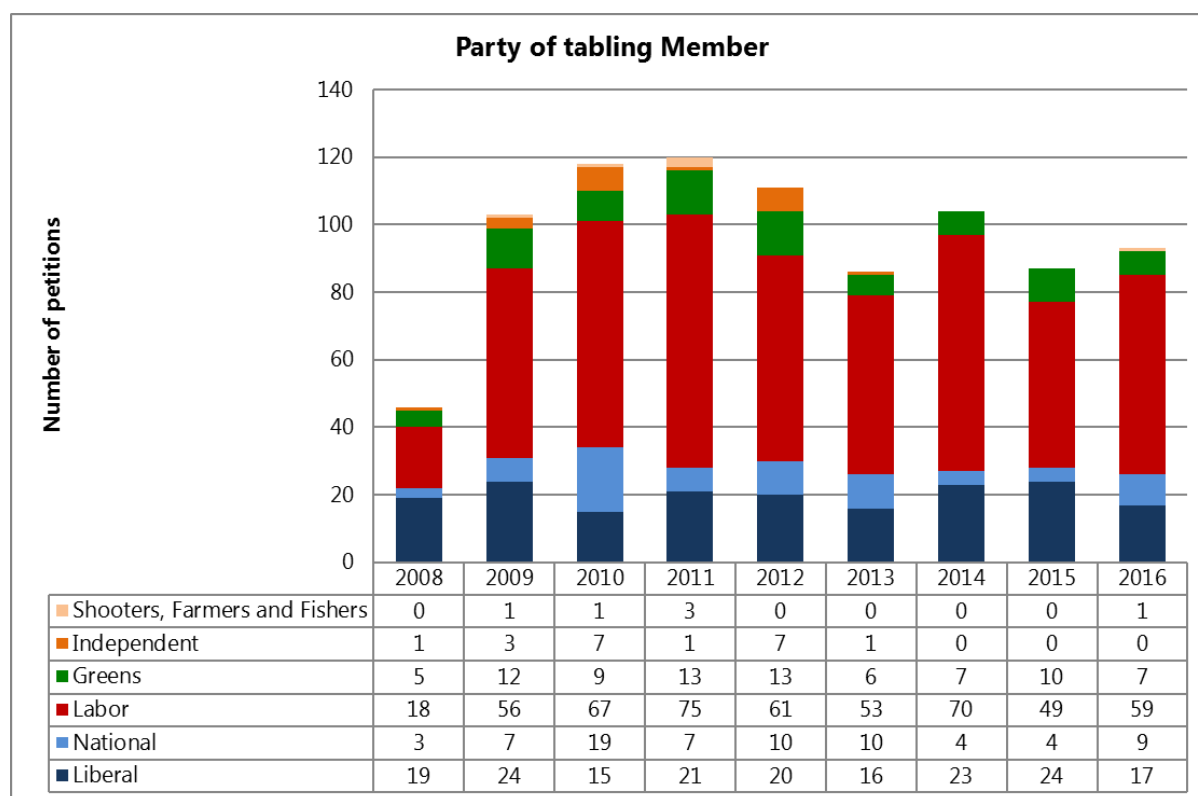
Given the Legislative Council has a process for dealing with petitions, including an active Committee capable of inquiring into petitions, one would expect a higher number of petitions to be tabled in the Legislative Council. Surprisingly, the majority of petitions were

presented in the Legislative Assembly, which had from 10 to 47 more petitions tabled per annum than the Legislative Council.

This may be attributed to a number of factors which require further research, including increased awareness of the Legislative Assembly as this is the House that forms government and petitions being promoted through electorate offices as a means of constituents to directly communicate their concerns with the "House of Government". There may also be a desire for petitions to be heard by the Premier and most government Ministers, who are Members of the Legislative Assembly.

Petitions may also be promoted differently by political parties and their popularity may depend on whether or not the party is in power or in opposition. For the period in question, the government comprising the Liberal Party and National Party held a majority in both Houses. An analysis of the number of petitions by party of the tabling Member is shown in Figure 2:

Figure 2 Party of tabling Member

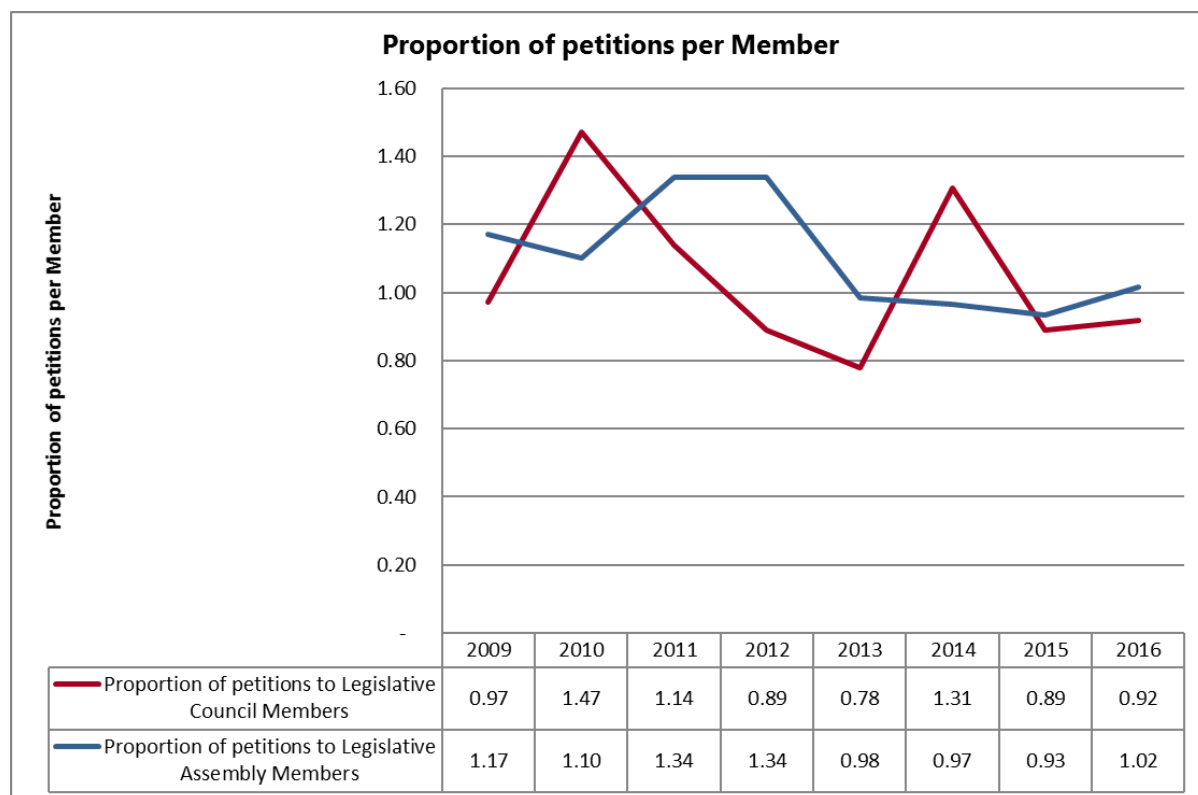


Labor party members were the most active in tabling petitions, followed by the Liberal Party. It will be interesting to see which party is the most active in tabling petitions following the change in government in the 40<sup>th</sup> Parliament and the fact that the party now in government, the Labor Party, does not hold a majority in the Legislative Council. Further research will be required to assess if this is a major factor driving petitions.

The number of petitions tabled may also be simply due to the different number of Members in each House. There are 59 Members of the Legislative Assembly and 36 Members of the Legislative Council, so it may be more likely that a petitioner will approach a Legislative Assembly Member. When comparing the number of petitions per Member in each House

excluding 2008, it appears that the proportion of petitions per Member is similar. See Figure 3 for a breakdown of the petitions per Member in each House.

Figure 3 Proportion of petitions per Member



### Type of Petition

The petitions tabled were reviewed and categorised according to the following types of request in the petition:

- vote for / against a Bill;
- request for the House to review / inquire; and
- request government take a particular course of action.

See Figure 4 and 5 for a breakdown of the type of petitions tabled in the Legislative Council and Legislative Assembly.

Figure 4: Type of petition tabled in the Legislative Council

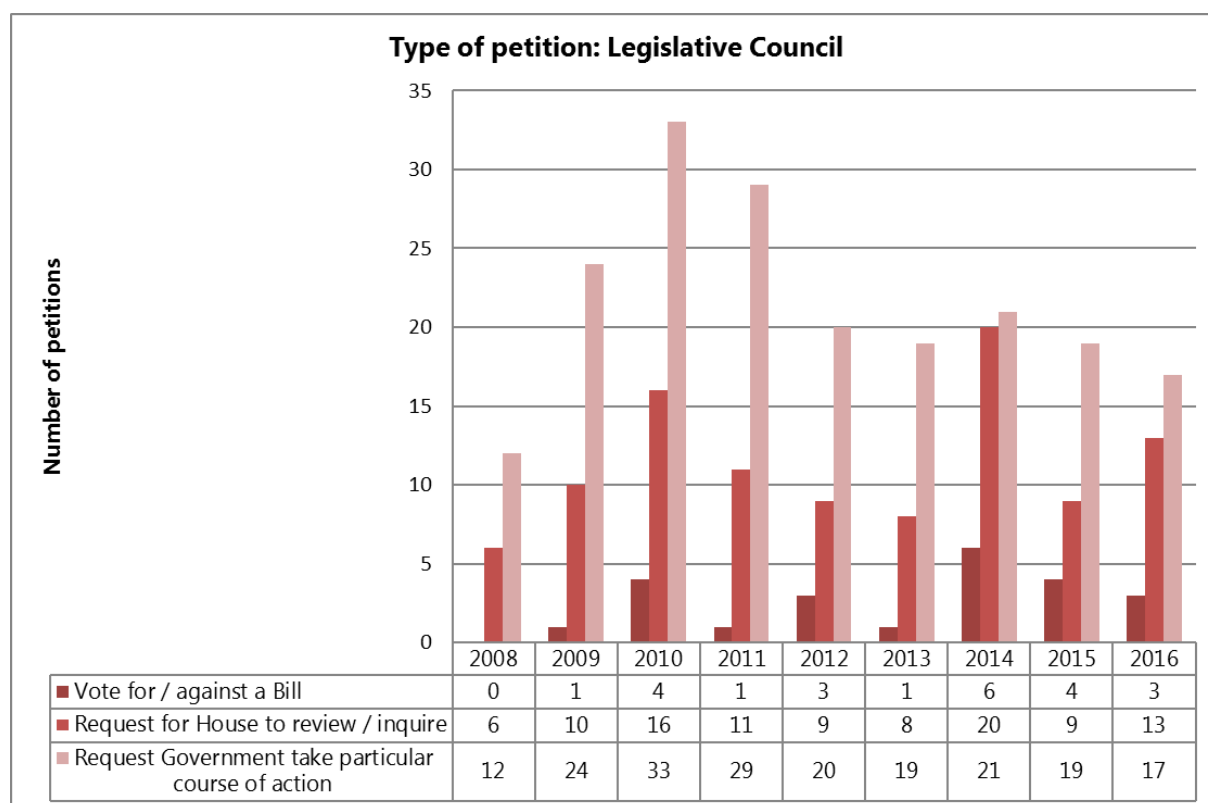
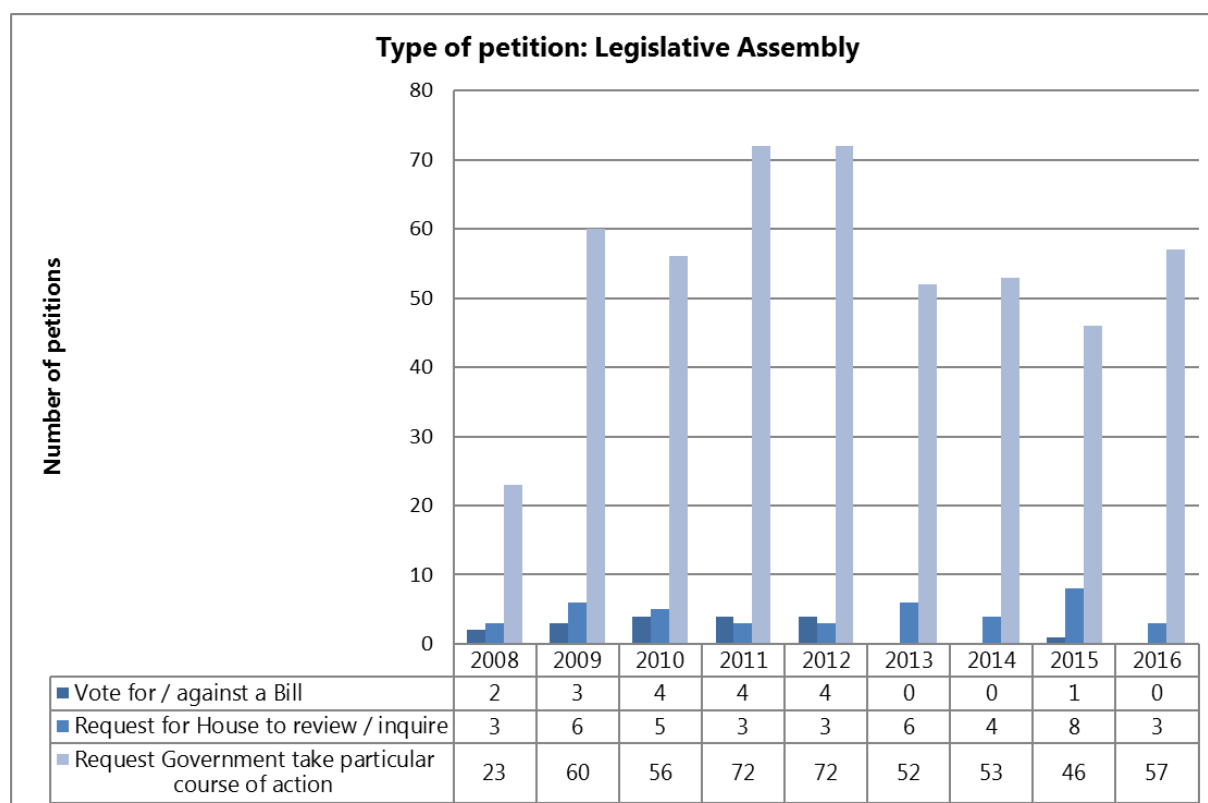


Figure 5: Type of Petition Tabled in the Legislative Assembly



The majority of petitions in both Houses requested that the government take a particular course of action. This included requests for the House to recommend action by the

government in relation to policy and outcomes. Another common request of petitions was for the House to review or inquire into a particular matter. Most petitions of this nature were tabled in the Legislative Council, indicating that the principal petitioners were aware that these types of petitions would be better directed to the Legislative Council where a process of review and inquiry is available. It may also indicate that the principal petitioner obtained advice or assistance from a Member of Parliament (perhaps the one proposing to table it), the Parliament of Western Australia website or the relevant House's administration about what they can request in a petition and the capacity of each House to achieve their desired outcome.

## Subject Matter of Petitions

The subject matter of petitions across both Houses was reviewed and each petition was categorised by one subject. Some petitions referred to more than one subject, and on these occasions, the primary subject of the petition was selected. The subject matter of the petitions is summarised in the table below.

Subject Matter of Petitions					
Both Houses		Legislative Council		Legislative Assembly	
Planning / Zoning	20.4%	Planning / Zoning	26.0%	Planning / Zoning	17.1%
Roads	11.2%	Legislation	11.3%	Roads	13.8%
Health	9.6%	Health	8.8%	Public Transport	11.5%
Public Transport	8.9%	Environment	7.2%	Health	10.0%
Legislation	8.5%	Roads	6.6%	Education	9.3%
Education	7.9%	Police and Justice	6.3%	Legislation	6.9%
Social Welfare	5.8%	Education	5.6%	Social Welfare	6.2%
Environment	5.3%	Social Welfare	5.0%	Police and Justice	4.7%
Police and Justice	5.3%	Public Transport	4.4%	Environment	4.2%
Animal Welfare	3.6%	Commerce	4.1%	Animal Welfare	3.5%
Local Government	3.2%	Animal Welfare	3.8%	Local Government	3.5%
Commerce	2.9%	Agriculture	2.8%	Sport and Recreation	3.1%
Sport and Recreation	2.9%	Local Government	2.8%	Commerce	2.2%
Employment	2.0%	Sport and Recreation	2.5%	Employment	2.2%
Agriculture	1.8%	Employment	1.6%	Agriculture	1.3%
Department of Child Protection	0.6%	Department of Child Protection	0.9%	Department of Child Protection	0.4%
International Affairs	0.2%	Prayer for Relief	0.3%	International Affairs	0.4%
Prayer for Relief	0.1%	International Affairs	0.0%		

Interestingly, there does not seem to be a correlation between the House where the relevant Minister was based and the House in which the petition was tabled. The top five subjects for petitions in both Houses were Planning / Zoning, Roads, Health, Public Transport and Legislation. In the Legislative Council, Planning / Zoning was more than double that of the nearest other subject, being Legislation. Legislation did not feature in the top five topics for the Legislative Assembly.

On further analysis, seven of the 36 petitions presented to the Legislative Council regarding Legislation requested that the House review or inquire into a piece of legislation, compared to only one request for a review or inquiry out of the 38 petitions presented to the



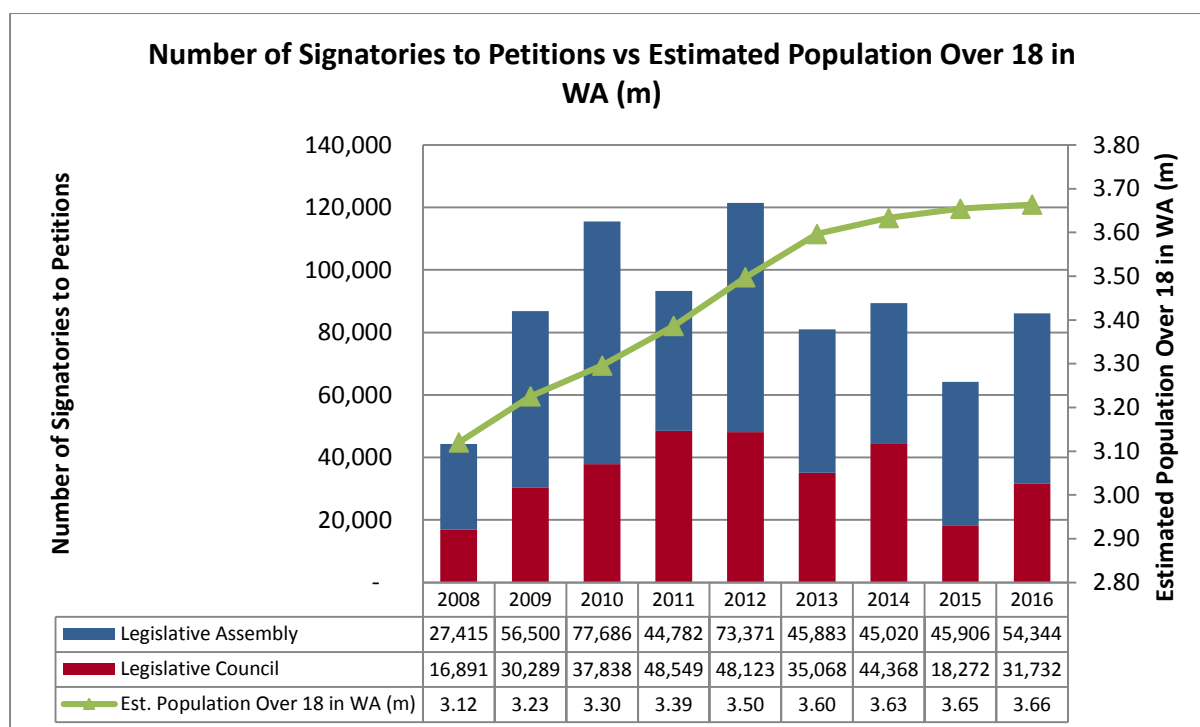
Legislative Assembly on this subject. This indicates that the principal petitioners in this subject area were aware of the existence and functions of the Committee inquiring into petitions and targeted the Legislative Council accordingly.

The same number of petitions regarding the environment were tabled in both Houses during the period, being 23 petitions each and resulted in this subject matter being in the top five categories for the Legislative Council. 11 of these petitions to the Legislative Council, or 48%, requested the House review or inquire into a particular matter, compared to only 4 of the petitions, or 17%, in the Legislative Assembly. Again, this indicates that the petitioners were aware of the existence and functions of the Committee.

### Number of Signatories to Petitions

There were approximately 782,000 signatories to petitions during the 38<sup>th</sup> and 39<sup>th</sup> Parliament. See Figure 6 for a breakdown of the number of signatories to petitions tabled in the Legislative Council and Legislative Assembly during this period compared with the estimated population over 18 in Western Australia.

Figure 6 Number of Signatories to Petitions



The number of signatories to petitions has declined during the period from a high of over 120,000 in 2012 to around 80,000 in 2016 while the population has continued to increase. There is no requirement for signatories to petitions to be over 18 in Western Australia, however this is one method for gauging the degree of public support for petitioning Parliament during this period.

The number of signatories by petition subject matter across both Houses during the period is summarised in the table below.

Number of Signatures by Petition Subject Matter					
Both Houses		Legislative Council		Legislative Assembly	
Planning / Zoning	185,615	Planning / Zoning	85,612	Planning / Zoning	100,003
Health	94,046	Health	50,717	Legislation	52,097
Legislation	85,475	Legislation	33,378	Health	43,329
Police and Justice	50,492	Environment	18,658	Roads	39,394
Roads	50,338	Animal Welfare	18,586	Public Transport	36,213
Education	40,363	Social Welfare	17,050	Police and Justice	34,481
Environment	38,236	Police and Justice	16,011	Employment	27,619
Public Transport	37,876	Education	15,497	Education	24,866
Commerce	34,696	Commerce	15,330	Sport and Recreation	22,764
Employment	33,658	Roads	10,944	Environment	19,578
Social Welfare	33,188	Agriculture	10,451	Commerce	19,366
Animal Welfare	29,829	Local Government	6,437	Local Government	19,120
Sport and Recreation	26,228	Employment	6,039	Social Welfare	16,138
Local Government	25,557	Sport and Recreation	3,464	Animal Welfare	11,243
Agriculture	14,078	Public Transport	1,663	Agriculture	3,627
Department of Child Protection	1,537	Department of Child Protection	1,292	International Affairs	824
International Affairs	824	Prayer for Relief	1	Department of Child Protection	245
Prayer for Relief	1	International Affairs	-		

Petitions regarding legislation attracted the third highest number of signatures overall and indicates that the public is aware of the legislation being introduced into the Parliament. While outside the scope of this paper, it would be interesting to understand the drivers for awareness of legislation. For example, is this through their local Member, interest groups like unions, chambers of commerce, environmental or welfare organisations, or religious lobby groups?

The highest number of signatures for a petition during the period was achieved with the "No Privatisation of Hospitals and Schools Bill 2010", a private Member's Bill that was tabled on 17 November 2010 in the Legislative Assembly with over 23,000 signatures. The next highest number of signatures was a petition concerning the Cottesloe Local Planning Scheme 3 tabled on 5 April 2011 in the Legislative Council, with nearly 13,500 signatures. Petitions with over 10,000 signatures during the period are as follows:

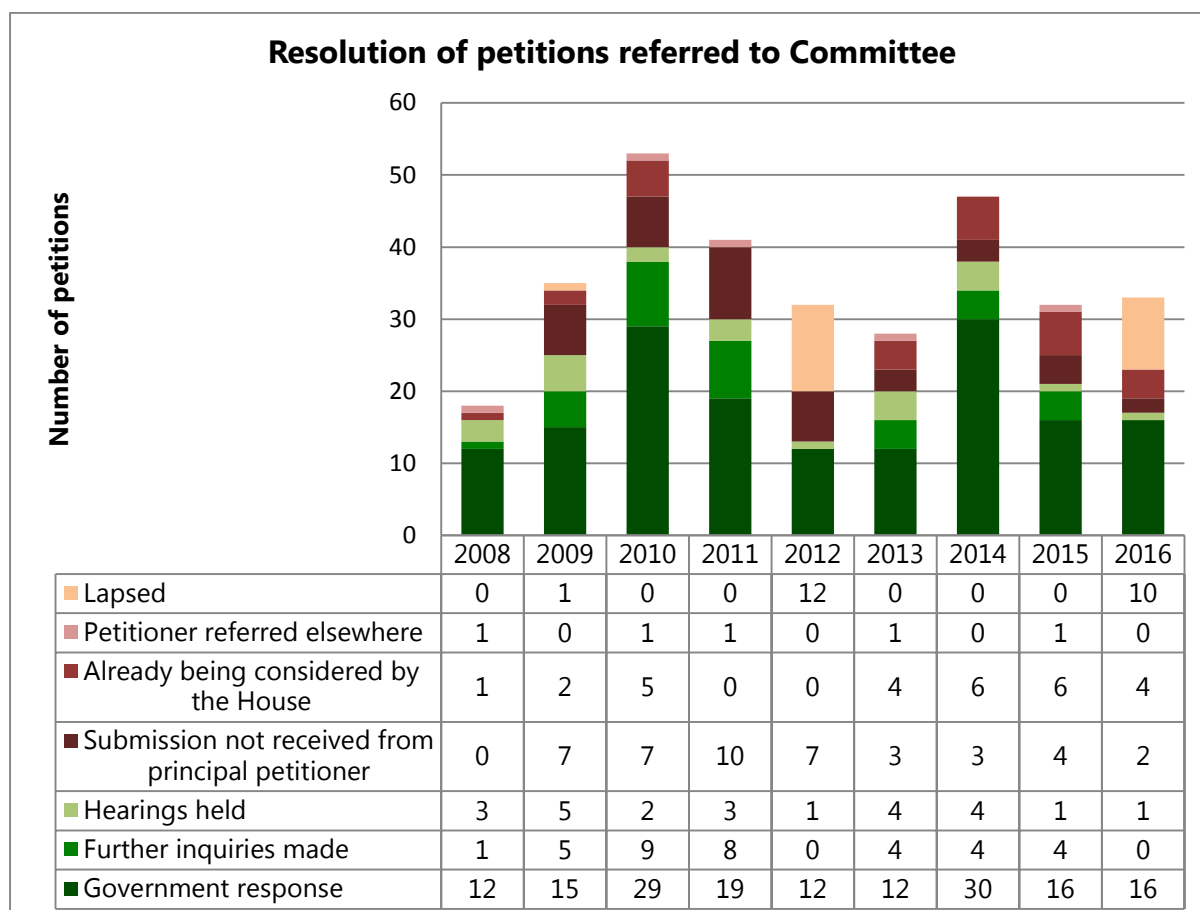
Petitions with over 10,000 Signatures				
Parliament	House	Date Tabled	Number of Signatures	Subject
38 <sup>th</sup>	Legislative Assembly	17 Nov 10	23,401	No Privatisation of Hospitals and Schools Bill 2010
38 <sup>th</sup>	Legislative Council	5 Apr 11	13,436	Cottesloe Local Planning Scheme 3
38 <sup>th</sup>	Legislative Assembly	24 Nov 09	12,720	Low Paid Workers
38 <sup>th</sup>	Legislative Assembly	8 Nov 12	12,392	Uranium Mining in Western Australia
38 <sup>th</sup>	Legislative Council	6 Mar 12	11,696	Perth Waterfront Project
39 <sup>th</sup>	Legislative Assembly	24 Mar 16	11,333	Preservation of South Beach
38 <sup>th</sup>	Legislative Assembly	25 May 10	11,172	Shack Site Communities
39 <sup>th</sup>	Legislative Assembly	11 Mar 14	10,687	Restricted Dog Breed Regulations in Western Australian Laws
38 <sup>th</sup>	Legislative Assembly	17 May 12	10,152	New 24 Hour Police Station for Armadale

## Petitions Tabled in the Legislative Council

### How the Committee Resolved Petitions

Petitions tabled in the Legislative Council that conformed with Standing Orders are referred to the Committee for consideration. The breakdown of how the Committee resolved the petitions during the period is shown in Figure 7.

Figure 7 Resolution of petitions referred to Committee



Petitions referred to the Committee are resolved immediately under the following circumstances:

- Lapsed – if the Committee is still considering a petition when Parliament prorogues, the petition lapses and must be resubmitted to Parliament when Parliament resumes.
- Petitioner referred elsewhere – if the Committee determines that a petitioner should direct their matter to a more appropriate body, for example to a Coroner's Court, Ombudsman, Corruption and Crime Commission, State Administrative Tribunal or the WA Electoral Commissioner, then the Committee will resolve the petition by referring the petitioner to the relevant body.
- Already being considered by the House – often, petitions relating to Bills are already before the House and on that basis, the Committee deems that the subject matter of the petition is already being adequately debated and considered.

Occasionally, principal petitioners do not provide a submission on request by the Committee and on that basis, the Committee resolves the petition by taking no further action.

Most petitions are resolved by way of government response or occasionally the response of a private body which provides a satisfactory explanation for the matters raised in the petition and the Committee concludes its inquiries. A small proportion of petitions lead to further inquiries being made by the Committee and on occasion, hearings are held to obtain more detailed information to clarify the issues or form the basis for recommendations to the government.

The number of signatories to a petition has no bearing on the Committee's decision to conduct further inquiries or proceed to holding hearings. For example, of the 35 occasions when further inquiries were made during the period, the number of signatories to the petitions ranged from 5 to 5,144, with a median of 257 signatures. Of the 24 occasions where petitions led to hearings being held by the Committee, the number of signatories to these petitions ranged from 1 to 4,940 with a median of 630 signatures.

## **Are Petitions Effective?**

The effectiveness of petitions is difficult to measure in an objective manner. Petitions raise awareness of issues and the number of signatories to a petition demonstrates public support. However, even significant public support does not always generate the desired outcome. For example, the petition that demonstrated the most public support by number of signatories was the petition tabled in the Legislative Assembly requesting the House pass the *No Privatisation of Hospitals and Schools Bill 2010*. This Bill had been tabled by a Member of the Opposition and was subsequently not passed by the House.

The petitions process may be used for ostensibly party political purposes that may not properly reflect genuine community concern. This is indicated by the disproportionate number of opposition party Members (predominantly Labor) tabling petitions over the period compared to other parties. The more complex or esoteric the process, the more likely it is that only the politically sophisticated can use it effectively.

Matters raised in petitions became the subject of election promises in the 2017 State Election. For example, a petition regarding halting works on Roe 8, a controversial road infrastructure project in Perth's south, was first tabled in the Legislative Assembly in 2009,

again in 2010 and 2016. Likewise, similar petitions were tabled in the Legislative Council in 2009, 2013 and 2015. Following the 2017 State election, works on the project were halted by the new Labor government<sup>8</sup>.

Likewise, a petition requesting a ban on uranium mining was tabled in the Legislative Assembly in 2010, 2012 and 2015 and was also tabled in the Legislative Council in 2010. Following the 2017 State election, the new Labor government banned uranium mining on all future granted mining leases<sup>9</sup>.

These petitions arguably played a role in raising awareness of these issues and demonstrated the extent of public support for a particular position. They also provided a useful political tool to promote a clear distinction between the policies of the incumbent government and the opposition as the alternative government.

The unique function of the Legislative Council Committee tasked with inquiring into petitions demonstrates that petitions can provide a mechanism for achieving community objectives through Committee inquiry. The petition raises awareness about a matter that may not otherwise be addressed; such as maladministration in a government agency.

An example of the Committee's effectiveness was its inquiry into environmental contamination by a company operating a composting facility in Oakford, an outer suburb of Perth. The inquiry was prompted by a petition containing 569 signatures tabled in the Legislative Council on 16 September 2014<sup>10</sup>. After considering the matter, the Committee proceeded to make further inquiries and progress to formal hearings. The Committee's inquiry uncovered serious deficiencies in the Department of Environment Regulation's monitoring and regulation of Bio-Organics' compliance with legislative and licensing requirements.

This petition resulted in regulatory and administrative improvements within the Department of Environment Regulation and stronger regulatory oversight for all composting facilities in Western Australia. Bio-Organics had their license to operate on the site revoked in June 2014, and there was an increased regulatory presence on the site. The inquiry maintained pressure on the Department to understand the extent of contamination on the site and the required remediation. Since the inquiry, the Department has released a draft Environmental Standard for Composting, which stipulates the location and standards for composting facilities. The Department has also audited other sites and improved processes for compliance and regulation of similar facilities.

Sometimes a petition inquiry alone can prompt government action. For example, a petition concerning Shack Site Communities was tabled in the Legislative Council in 2009 and led to a public hearing and formal inquiry by the Committee. The government was considering a shack policy at the time and undertook to consider the Committee's findings in formulating any policy<sup>11</sup>.

Government action may also occur at a remarkably similar time to an inquiry being undertaken by a Committee. However, the government may not acknowledge that its action was linked to these Committee inquiries. For example, in 2010 and 2011 petitions were tabled in the Legislative Council regarding the proposed closure of privatised Tier 3 rail lines in the Wheatbelt. These rail lines were predominately used by farmers to transport their grain harvest. The Committee inquiry recommended that any proposed closure be delayed until such time as the commercial viability of maintaining the lines or alternatively making

new freight arrangements could be reviewed<sup>12</sup>. During the inquiry, the federal government provided funding to upgrade the rail lines and the issue raised by the petition was resolved.

Similarly, in 2009 a petition was tabled in the Legislative Council regarding the transportation of detained persons following the death in custody of Mr Ward, who was being transported in a prison vehicle in the North West. The Committee inquired further into the matter and held hearings. During the inquiry, the Committee noted that there were significant improvements in the vehicle fleet used to transport detained persons since the incident occurred<sup>13</sup>. On that basis, the Committee held a hearing after the new vehicles were rolled out to assess their effectiveness in addressing the issues raised in the petition. While the petition inquiry may not be directly linked to the improvement of the fleet, the petition and Committee review process assisted in creating political pressure to quickly resolve community concerns arising from the tragic death.

While the focus is on contemporary petitions, it should be noted that petitions have long been used in the Western Australian Parliament as a method for the people to communicate with Parliament. For the period 1890 to 1989, the number of petitions tabled in Parliament per annum ranged from nil to 245<sup>14</sup>. During this time, there was a notorious petition in 1979 that drew over 106,000 signatures to stop the abolition of the Perth-Fremantle railway line that was ultimately effective.

## **Are Petitions still relevant**

Since the right of the people to submit a petition to Parliament was legislated in the *Bill of Rights 1689*, the methods of communication available to the people have increased dramatically. If citizens have an issue with government today, they have a myriad of ways to communicate their concerns including emailing, tweeting, facebooking, calling their local Member or the Minister responsible for their area of concern, or visiting electorate offices.

By contrast, raising an issue by way of petitioning the Legislative Assembly or Legislative Council requires the person to comply with the petition requirements of either House. The requirements are stipulated on the Parliament of Western Australia website and include rules around the procedure for lodgement and presentation and content of submissions. A petition template is also available for use. Aside from compliance hurdles, the paper format of these petitions is a challenge for petitioners. It reduces their ability to secure public support for their petition by promoting it through social media channels and other modern forms of communication.

At the same time, there has been a proliferation of e-petitioning platforms such as Change.org and GoPetition. The popularity of e-petitions continues to increase as they are more accessible for the people, easier to circulate to the masses to generate public awareness and support for an issue, and present lower hurdles for compliance, with pre-fillable form fields. Moreover, studies show that signatories to e-petitions are younger and attract a higher participation rate from women and other under-represented groups.<sup>15</sup>

Arguably if Parliament does not occupy the e-petitions space, the existing petitioning process is at risk of becoming irrelevant over time. The House of Representatives of the Australian Federal Parliament has recognised this risk and moved to complement their petition process with an e-petition system in 2016. Likewise, the Queensland Parliament introduced an e-petitions system in 2002, the Legislative Council of Tasmania followed suit in 2004, the Legislative Assembly of the Australian Capital Territory adopted a system in 2013

and recently the Legislative Council of Victoria implemented an e-petition system. Research suggests that introducing an e-petitions system leads to increased engagement with Parliament, with an increase in petitions being lodged in Queensland in both electronic and paper format since the introduction of the system<sup>16</sup>.

## **Conclusion**

A review of petitions during the 38<sup>th</sup> and 39<sup>th</sup> Parliaments demonstrates that petitions are still very much a popular method of raising concerns with government. Moreover, petitioners are able to show the level of public support through the volume of signatories of other individuals who share their views.

However, it is clear that the number of petitions tabled and the number of signatories to petitions during the period are declining when compared to the adult population of Western Australia. If the method of petitioning doesn't continue to evolve to meet the requirements of the people, petitioning Parliament runs the risk of becoming irrelevant, other than perhaps to political elites. If Parliaments fail to keep up with the community's realistic expectations for access, are not willing to embrace new methods of modern communication and allow others to fill the petitioning space, they will likely contribute to the growing discontent and malaise affecting modern politics.

Given the increasing popularity of e-petition platforms and their attraction for under-represented groups, it may be well worth considering the introduction of an e-petition platform in the Western Australian Parliament to reinvigorate the petitions process and ensure petitions remain relevant in our increasingly tech-savvy society.

## **Appendix A: Acceptable Form of Petition**



## Legislative Council Requirements

### Standing Order 101: Form and Contents of Petitions

- 1) A petition shall –
  - a) be addressed to the President and Members of the Council;
  - b) state the action or remedy sought from the Council, which must be repeated at the top of every page of the petition;
  - c) be legible and unamended whether by insertion or deletion or inter-lineation;
  - d) be couched in reasonable language;
  - e) be in the English language, or be accompanied by a certified English translation;
  - f) contain the name, address, and original signature or mark of the petitioners;
  - g) be signed by the person or persons promoting the petition, who must reside in Western Australia or, if a corporation, have its registered office in Western Australia; and
  - h) if from a corporation, be made under its common seal or, if the corporation does not have a common seal, a copy of the corporation's articles of incorporation must be attached to the petition.
  
- 2) A petition shall not –
  - a) have any documents attached to it;
  - b) be presented by a Member who has signed the petition as a petitioner;
  - c) reflect upon a vote of the Council in the same calendar year;
  - d) seek a direct grant of public money from the Council;
  - e) contain statements adverse to, or make allegations of improper, corrupt or illegal conduct against, a person whether by name or office; or
  - f) contain or disclose a matter in breach of a secrecy provision of, or order imposed or made under the authority of, a written law.
  
- 3) The Member presenting the petition shall sign the petition at the top of the front page of the petition.
  
- 4) The total number of petitioners shall be stated at the top of the front page of the petition.
  
- 5) The petition must be certified to conform with the Standing Orders by the Clerk before it may be presented to the Council.

## Legislative Assembly Requirements

### Standing Orders

#### Contents of petitions:

64. A petition will –
- 1) Be legible.
  - 2) Be addressed to the Speaker and the Assembly.
  - 3) State the action or remedy sought from the Assembly.
  - 4) Be in English or be accompanied by a translation certified to be correct by the lodging member.
  - 5) Contain at least one signature.
  - 6) Contain the action or remedy sought on the top of every sheet.
  - 7) Contain the names and addresses of the petitioners and their own signatures or marks, except in case of incapacity or sickness where someone else may sign on their behalf.
  - 8) Not contain signatures pasted or otherwise transferred to the petition.
  - 9) Be respectful and temperate in its language.
  - 10) If from a corporation, be made under its common seal.

#### Petitions will not contain:

65. A petition will not –
- 1) Have letters, affidavits, or other documents attached to it.
  - 2) Be lodged by a member who has signed the petition as a petitioner.
  - 3) Make an application for direct grant of public money to be paid to an individual.

#### Procedure for lodgement and presentation

66. The procedure for the lodging and presentation of a petition will be -
- 1) The member must write the number of signatures contained in the petition on the front sheet and sign the front sheet.
  - 2) The Clerk will certify on the petition that it is in conformity with the Standing Orders.

- 3) The member presenting the petition will read the prayer, announce the subject matter of the petition and the number of signatures attached to it unless the Speaker determines otherwise.
- 4) The petition will be received unless the Assembly or the Speaker determine otherwise.
- 5) No discussion of the subject matter is allowed.

Petition referred to committee

67. A petition may be referred by motion to a committee.

## Endnotes

- <sup>1</sup> Article 5, *Bill of Rights 1689*. Right to Petition.
- <sup>2</sup> Legislative Council of Western Australia, Standing Committee on Procedure and Privileges. (2016, June). *Report 40 Standing Committee on Procedure and Privileges E-Petitions*. Retrieved from: [http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3914241c06d95798b9a918d648257fe1000663f3/\\$file/tp-4241.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3914241c06d95798b9a918d648257fe1000663f3/$file/tp-4241.pdf)
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- <sup>3</sup> Legislative Council of Western Australia, Standing Committee on Environment and Public Affairs. (2016). *Report 46 Standing Committee on Environment and Public Affairs Overview of Petitions 1 January 2016 to 30 September 2016*. Retrieved from [http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3914850c05d601f9252f17a7482580670008038e/\\$file/tp-4850.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3914850c05d601f9252f17a7482580670008038e/$file/tp-4850.pdf)
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- <sup>8</sup> AAP, Perth Now. (2017, March 13). Perth Freight Link: Main Roads WA agrees to suspend Roe 8 project. *PerthNow*. Retrieved from <http://www.perthnow.com.au/news/western-australia/perth-freight-link-main-roads-wa-agrees-to-suspend-roe-8-project/news-story/0bdc76893796a894a257c00a6493951d>
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- <sup>11</sup> Legislative Council of Western Australia, Standing Committee on Environment and Public Affairs. (2011). *Report 21 Standing Committee on Environment and Public Affairs Shack Sites in Western Australia*. Retrieved from [http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3813248cd0587361e06f5049482578730011a632/\\$file/3248-14.04.11.pdf](http://www.parliament.wa.gov.au/publications/tailedpapers.nsf/displaypaper/3813248cd0587361e06f5049482578730011a632/$file/3248-14.04.11.pdf)
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