

16th Legislative Assembly of the Northwest Territories

Standing Committee on Rules and Procedures

Report on On-Line Petitions

Chair: Mr. Robert Hawkins, MLA

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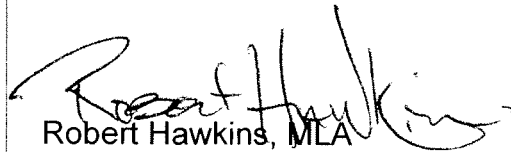


May 19, 2010

SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Rules and Procedures is pleased to provide its Report on On-Line Petitions and commends it to the House.


Robert Hawkins, MLA
Chairperson

**STANDING COMMITTEE ON
RULES AND PROCEDURES**

REPORT ON ON-LINE PETITIONS

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**STANDING COMMITTEE ON
RULES AND PROCEDURES**

REPORT ON ON-LINE PETITIONS

INTRODUCTION

A petition is a formal written request from one or more people to the Sovereign, the Government or to Parliament. The right of the subject to petition the Monarch for redress of personal grievances has probably been exercised since Saxon times. It was recognised in the Magna Carta. The Bill of Rights of 1688 restated that right in unambiguous terms: "...it is the right of the subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal". In times of limited political rights, the public petition was an important way for those who had little parliamentary representation to have their complaints heard. Today, public complaints can be brought to the attention of Members through the media and questions asked in Parliament. Petitions are usually a part of a broader campaign used by community groups to raise public awareness. Petitioning may not result in immediate action, but it can help to form a public opinion which may ultimately bring about change.

The Rules of the Legislative Assembly in the NWT identify the formal requirements for petitions. The Rules related to Petitions are attached in Appendix A. These rules indicate that the signatures of at least three petitioners are needed on a page containing the petition statement. This has been interpreted to mean handwritten signatures. A Member presents the petition with a brief statement. The Government tables its written response to a petition within a set time period.

Petitioning is also an activity associated with many nations and institutions, not just Legislatures. Petitioning has also moved to the Internet, Facebook and other new media. Petitioning has become global, collaborative and not exclusively directed at Parliaments. Across the NWT, the use of computer and communication technologies has expanded significantly. Students text and blog from the Arctic Winter Games and northerners use satellite telephones to report emergencies. Use of new technologies and new media are part of everyday life in the NWT. Petitioning, even in the NWT, has new possibilities.

In May 2009, the MLA for Yellowknife Centre made a Member's Statement about on-line petitions. In that statement, he advocated for the consideration of on-line petitions by the Legislative Assembly. On June 4, 2009, Motion 23-16 (3) was proposed by the MLA for Yellowknife Centre. During the debate on that motion, an amendment was proposed and carried. The motion was also carried. The following is the final wording of the amended and adopted motion:

Referral of On-line Petitions Issue to the Rules and Procedures Committee:

WHEREAS the Rules and practices of the Legislative Assembly do not allow the presentation of on-line petitions;

AND WHEREAS the population of the Northwest Territories is spread over a vast geographic area;

AND WHEREAS in this day and age many people are using on-line and electronic means for communications;

NOW THEREFORE I MOVE, seconded by the honourable Member for Great Slave, that this Assembly directs the Standing Committee on Rules and Procedures to undertake research in order to determine the consequences of allowing on-line petitions to be used in its parliamentary process;

AND FURTHER, that the research and analysis pay particular attention to the concerns regarding security issues and identification challenges.

This report is in response to from that motion and the subsequent discussion among Committee members. The review that our Committee undertook was not a “technical” review. It was not a formal “needs assessment” or a “business case” analysis, or an evaluation of website applications. It was a review by non-technical people, who know how to use their Blackberries and navigate the Internet and were asked to examine the use of on-line petitions by the Legislative Assembly.

BASIC FEATURES OF ON-LINE PETITIONS AT OTHER LEGISLATURES

There are many on-line services and internet websites supporting petitions. This review examined how other Legislatures support on-line petitions. Many Legislative Assemblies now include on-line petitions among their supported activities. This includes some of the state Assemblies in Australia and in a couple of jurisdictions in the United Kingdom (Wales, Scotland). The British Prime Minister’s website (10 Downing Street) is a very active on-line petition site.

The common features of the legislatures and their inclusion of on-line petitions were identified, as follows:

- The petition is closely associated with the Legislative Assembly website;
- The service allows individuals to start and encourage a petition that could be presented by a Member of the Legislative Assembly;

- The service provides support and monitoring to the petition so that the petition wording meets the requirements of the Legislature;
- Often there are flexible timelines associated with the length of time a petition can be shown on the website;
- Often there are more options available for reviewers and signees, such as providing comments and feedback to the petitioners;
- The websites provide easy-to use instruction and information about petitions; and
- Members then respond to these petitions in their normal manner for that legislature, as if the petition were completed with original signatures on paper.

SECURITY AND PRIVACY

On-line petitions differ from a hard copy petition because of their ability to connect with many more people, including many people from outside of the NWT. The Rules of the Legislative Assembly do not indicate any residency requirement, however, it is understood that the needs and wants of residents of the NWT would be most important to the MLAs.

- The website would provide information that Northerners are the primary, but not the exclusive audience of a petition;
- The website would require the name and address of every person who "signs" the petition. Only the name and community (if northern) or country (if outside of the NWT) would be displayed;
- A limited number of entries for each "IP" address would be permitted. This would prevent one person from signing the petition many times. "IP" stands for Internet Protocol. A computer's numeric address on the Internet is referred to as an "IP" address;
- The support service to the petitions website would review the signatures in order to eliminate obviously false names and multiple entries; and
- For the purposes of presentation in the House, only the number of northern "signatures" would be identified.

TECHNOLOGY AND SUPPORT

The Committee members learned that the technology used to support an on-line petition seems to be standard technology, included in many website applications. The Committee members understand that the set-up of an e-petition structure could be managed by existing in-house skills. The function is not highly specialized

and will not require substantial new investment. Committee members have not discussed this activity with any representatives of the GNWT Technology Service Centre.

Some employees' functions and assignments, such as the website administrator, may have to be modified. Some tasks might be managed in-house or some might be managed through a contract with a service provider. Legislative Assembly staff would have to develop some information material about the use of the website, such as how long a petition remains on the website and authorization and monitoring procedures. It should be noted that there is very little staff time assigned to the support of petitions at the present time.

RECOMMENDATIONS

Committee members cannot predict whether access to on-line petitions would create a significant increase in the number of petitions. This could result in a significant increase in the volume of work required to support petitions. There may be technical glitches that Committee members cannot predict. For those reasons, Committee members recommend the implementation of a pilot program to test the use of on-line petitions for the Legislative Assembly. This would allow staff to identify work changes, costs and implications for existing Rules. There would also be time to implement some communications efforts to promote the awareness of the on-line petitions function. An evaluation prior to the 2011 General Election would be ready for the new Members of the 17th Legislative Assembly so that they could determine whether to continue with this practice. Throughout the period of the pilot project, the normal Rules of the Legislative Assembly would remain in effect and Members would continue to be able to present petitions that include handwritten signatures.

Recommendation 1

The Standing Committee on Rules and Procedures recommends that the Legislative Assembly approve the implementation of an On-Line Petitions Pilot Program to allow for the presentation of petitions from the on-line petitions' website associated with the Legislative Assembly website to be operational during the period of October 1, 2010 to June 30, 2011.

Recommendation 2

The Standing Committee on Rules and Procedures recommends that the Clerk's Office undertake an evaluation of the Pilot Program after June 30, 2011.

And further, that the evaluation be provided to the Members of the 17th Legislative Assembly.

APPENDIX A

RULES OF THE LEGISLATIVE ASSEMBLY PETITIONS

Petition presented

42 (1) A petition to the Assembly may be presented by a Member at any time during a sitting of the Assembly by filing it with the Clerk, or in the manner set out in Rule 42(2).

Procedure for petitions

(2) A Member may present a petition from his or her place in the House under the item "Petitions". The Member shall endorse his or her name on the petition and shall confine the presentation to a statement of the petition, the number of signatures and the material allegations. A Member shall not exceed five minutes in presenting a petition.

Reported by Clerk

(3) Every petition presented under Rule 42(1) shall be reported to the House by the Clerk under the item "Petitions".

No debate on presentation

(4) No debate shall be allowed on the presentation of a petition.

Member is answerable for petition

(5) A Member presenting a petition shall be answerable for any impertinent or improper matter that it contains.

Form of petition

(6) Petitions may be either written or printed. When there are three or more petitioners, the signature of at least three petitioners shall be set on the sheet containing the body of the petition.

Immediate debate

(7) A petition that complains of some present personal grievance requiring an immediate remedy may be debated immediately.

Petition referred to committee

(8) A Member may, after notice, move that a petition be referred to a Standing or Special Committee which shall report its recommendations to the Assembly.

Clerk delivers petitions

(9) The Clerk shall deliver copies of all petitions presented to either the Speaker or the Minister responsible.

Response to petitions

(10) The Speaker or the Minister responsible shall provide a response to a petition within 60 calendar days of its presentation. The response shall be tabled at the earliest opportunity.