



House of Commons
Procedure Committee

E-petitions: a collaborative system

Third Report of Session 2014–15



House of Commons
Procedure Committee

E-petitions: a collaborative system

Third Report of Session 2014–15

*Ordered by the House of Commons
to be 26 November 2014*

HC 235

Published on 4 December 2014
by authority of the House of Commons
London: The Stationery Office Limited
£0.00

Procedure Committee

The Procedure Committee is appointed by the House of Commons to consider the practice and procedure of the House in the conduct of public business, and to make recommendations.

Current membership

[Mr Charles Walker MP \(Conservative, Broxbourne\) \(Chair\)](#)
[Jenny Chapman MP \(Labour, Darlington\)](#)
[Nic Dakin MP \(Labour, Scunthorpe\)](#)
[Thomas Docherty MP \(Labour, Dunfermline and West Fife\)](#)
[Yvonne Fovargue MP \(Labour, Makerfield\)](#)
[Sir Roger Gale MP \(Conservative, North Thanet\)](#)
[Mr James Gray MP \(Conservative, North Wiltshire\)](#)
[Tom Greatrex MP \(Lab/Co-op, Rutherglen and Hamilton West\)](#)
[John Hemming MP \(Liberal Democrat, Birmingham Yardley\)](#)
[Mr David Nuttall MP \(Conservative, Bury North\)](#)
[Jacob Rees-Mogg MP \(Conservative, North East Somerset\)](#)
[Martin Vickers MP \(Conservative, Cleethorpes\)](#)

The following Members were also members of the Committee during the Parliament:

[Rt Hon Sir Greg Knight MP \(Conservative, Yorkshire East\) \(Chair until 6 September 2012\)](#)
[Karen Bradley MP \(Conservative, Staffordshire Moorlands\)](#)
[Helen Goodman MP \(Labour, Bishop Auckland\)](#)
[Andrew Percy MP \(Conservative, Brigg and Goole\)](#)
[Bridget Phillipson MP \(Labour, Houghton and Sunderland South\)](#)
[Angela Smith MP \(Labour, Penistone and Stocksbridge\)](#)
[Sir Peter Soulsby MP \(Labour, Leicester South\)](#)
[Mike Wood MP \(Labour, Batley and Spen\)](#)

Powers

The powers of the Committee are set out in House of Commons Standing Orders, principally in SO No 147. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [Procedure Committee \(Commons\) - UK Parliament](#).

Committee staff

The current staff of the Committee are Huw Yardley (Clerk), Danielle Nash (Second Clerk) and Jim Lawford (Committee Assistant).

Contacts

All correspondence should be addressed to the Clerk of the Procedure Committee, Journal Office, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3351; the Committee's email address is proccom@parliament.uk.

Contents

Report	<i>Page</i>
Summary	3
1 Introduction	5
Earlier reports	5
Proposal for a “collaborative” system	6
Our inquiry	7
2 A “collaborative” system?	8
3 The shape of a new system	11
Platform for a joint system	11
Petitions Committee	11
Role of the Committee	13
Chairing and membership	14
New committee, or allocate the responsibilities to an existing committee?	15
Relationship of the Committee with other committees and with the Government	16
Staff of the Committee	16
Engagement with petitioners and potential petitioners	17
Member involvement	20
Moderation of e-petitions	21
Threshold for publication	22
Terms and conditions for the submission of an e-petition	22
Duration on the site	25
Presentation to the House	25
Debates on petitions	26
Paper petitions	26
4 Costs	28
Technical infrastructure	28
Staff	28
Memorandum from the Accounting Officer	29
5 Conclusion	30
Annex: Draft Memorandum of Understanding between the Government and the Chair of the Petitions Committee, and draft terms and conditions of the e-petitions site	32
Draft Memorandum of Understanding (MoU) between the Leader of the House of Commons and the Petitions Committee relating to the submission and consideration of e-petitions	32
Ownership and management of technical infrastructure	32
Funding	32
Design	32

Handling of petitions	32
Review and future development of site	33
Paper petitions	34
Text of e-petition system terms and conditions	35
Submission conditions	35
E-petition guidelines	35
Opening of petitions for signature	37
E-petitions and the House of Commons	37
Paper based Parliamentary petitions	38
Conclusions and recommendations	39
Formal Minutes	42
Witnesses	43
Published written evidence	43
List of Reports from the Committee during the current Parliament	44

Summary

On 8 May 2014, the House agreed a motion supporting the establishment, at the start of the next Parliament, of a “collaborative” e-petition system which would enable members of the public to petition the House of Commons and press for action from Government. The motion called on the Procedure Committee to work with the Government and other interested parties on the development of detailed proposals.

This report presents our proposals for the collaborative e-petition system which the House requested. The system we recommend will be based on the existing Government e-petition site, redesigned and rebranded to show that it is jointly owned by the House and the Government. The terms and conditions of the site will be broadly the same as those of the existing Government site, revised only insofar as is necessary to reflect the fact that petitions submitted through the site will be presented to the House. Petitioners will be required to include a clear statement of the action which they want the Government, or the House, to take as a result of their petition. A petition will need to attract the support of at least six people before it is opened for signature on the site. Petitions will stay open for signature for six months, after which they will be presented formally to the House.

Oversight of the joint e-petition system will be undertaken on behalf of the House by a Petitions Committee, chaired by a member elected by the whole House. The Committee will also assume responsibility for oversight of the paper petitioning system. The Committee will be able to consider petitions submitted by either means, and as appropriate, and at its discretion:

- correspond with petitioners on their petition;
- call petitioners for oral evidence;
- refer a petition to the relevant select committee;
- seek further information from the Government, orally or in writing, on the subject of a petition; and
- put forward petitions for debate.

The Petitions Committee will be supported by a staff team with responsibility for moderating e-petitions, advising and supporting the Committee in its examination of petitions submitted, advising and assisting petitioners and providing information to petitioners on Parliamentary developments and activity relating to their petition.

Together with the rebranding and redesigning of the e-petition website, the establishment of a Petitions Committee with its own team of staff has the potential to produce a significant improvement in the information which is available to petitioners about what the House of Commons does and the many ways in which Members of Parliament use the opportunities the House offers them to respond to the public’s concerns. The proposals we set out in this report should bring about a significant enhancement of the relationship between the petitioning public and their elected representatives, and we commend them to the House.

1 Introduction

Earlier reports

1. Our predecessors in the last Parliament considered the potential for a House of Commons e-petition system in some depth, and produced two reports.¹ They recommended that the House establish a system hosted on the Parliamentary website and run entirely by the House, overseen by the Procedure Committee itself. The system would have retained many of the features of the existing paper petition system, translated to allow the collection of signatures electronically (and to provide a means of doing so).

2. Although they were initially accepted by the Government, our predecessors' recommendations later fell foul of a change of heart on its part, mainly because of the cost, and were never put to the House. Despite a further report from our predecessor Committee which took issue with the Government's view and urged it to move forward with the next stage of implementation of the scheme as originally proposed,² the Government continued to maintain that the system was too expensive. It proposed instead that the matter be considered by the Committee on Reform of the House of Commons (the "Wright Committee"), in the hope that "the new Committee will be able to draw on the Procedure Committee's findings in considering the role that a simpler, cheaper form of on-line communication might take, whether in the form of an e-Petitions system or something slightly different".³

3. The Wright Committee briefly discussed the pros and cons of the system our predecessors had recommended, but avoided making a decision itself about whether the scheme should be implemented. Instead it recommended "urgent discussions among all those involved in the e-petitions scheme, with a view to bringing to the House in the early part of 2010 a costed scheme which enjoys the support of the Member bodies engaged: that is, the Finance and Services and Procedure Committees, and the House of Commons Commission."⁴ Those discussions were not successful, and the 2005–2010 Parliament ended with no Parliamentary e-petition system in place.

4. Meanwhile the Government had continued to run an e-petition system of its own. At the end of the 2005–2010 Parliament, the then No. 10 e-petition site was shut down, awaiting a decision from the new Government about how it wished to proceed. The Coalition Agreement negotiated between the Conservative and Liberal Democrat parties following the 2010 election contained an undertaking that the Government would "ensure that any petition that secures 100,000 signatures will be eligible for formal debate in Parliament".⁵ The Government relaunched its e-petitions website—now run by the office of the Leader of

1 Procedure Committee, Second Report of 2006–07, [Public Petitions and Early Day Motions](#), HC 513, and First Report of Session 2007–08, [e-Petitions](#), HC 136.

2 Procedure Committee, Second Report of 2008–09, [e-Petitions: Call for Government Action](#), HC 493.

3 Procedure Committee, First Special Report of Session 2008–09, [e-Petitions: Call for Government Action: Government Response to the Committee's Second Report of Session 2008–09](#), HC 952.

4 Committee on Reform of the House of Commons, First Report of Session 2008–09, [Rebuilding the House](#), HC 1117, para 254.

5 HM Government, [The Coalition: our programme for government](#), p 26.

the House, rather than No. 10—on 29 July 2011. The Leader of the House announced in a press release that he would send to the Backbench Business Committee any petition signed by 100,000 people, and would ask that Committee to consider finding time for a debate on it.⁶

5. We considered the consequences of this announcement—which was subject to no debate in the House and on which neither the House nor the Backbench Business Committee was consulted—in our Seventh Report of 2010–12.⁷ As a result a new, occasional, sitting was established in Westminster Hall on Monday afternoons for the consideration of e-petitions referred to the Backbench Business Committee by the Leader of the House. If a Member picks up the e-petition and approaches the Backbench Business Committee to request a debate, that committee has been free either to determine that it should be debated on a Monday afternoon in Westminster Hall, or to allocate a time for debate on it at another time in Westminster Hall or in the Chamber.

6. In our Seventh Report we remarked upon the uneasy relationship between the House and the Government e-petition system which had arisen as a consequence of the Government's decision to refer petitions for debate in this way. In particular, the Chair of the Backbench Business Committee expressed her concerns about the consequences, not only for the work of her Committee, but also—and perhaps more importantly—for petitioners themselves. We summarised those concerns as follows:

We very much welcome the potential of the Government's e-petitions website to enhance public engagement in parliamentary proceedings. We do, however, agree with the Chair of the Backbench Business Committee that that engagement is at present “very one-sided” and, like her, regret that “when people sign an e-petition, they do not as a consequence learn more about how Parliament works”.⁸

Proposal for a “collaborative” system

7. Recognising the dissatisfaction with the way the system was operating, the Government eventually brought forward for debate, in May 2014, the following motion:

That this House supports the establishment, at the start of the next Parliament, of a collaborative e-petitions system, which enables members of the public to petition the House of Commons and press for action from Government; and calls on the Procedure Committee to work with the Government and other interested parties on the development of detailed proposals.

The motion was agreed to without division.⁹

6 “Public petitions website could lead way to Commons debates”, Leader of the House of Commons News Release [LHoc/11/ 02](#), 29 July 2011.

7 Procedure Committee, Seventh Report of Session 2010–12, [Debates on Government e-Petitions](#), HC 1706.

8 [Debates on Government e-Petitions](#), para 22.

9 Votes and Proceedings, [8 May 2014](#), p 1285.

Our inquiry

8. In the light of the House's agreement to that motion, and acknowledging that the system which has already been set up by the Government has a clear—if unsatisfactory in its current form—link to the House, we have not, as we might have done, simply returned to the system recommended by our predecessors in the last Parliament and pressed for its introduction in place of the current system. Instead, we have taken a pragmatic approach, working from where we are now and attempting to develop a system which does not start again from the beginning but rather moulds the existing process into something which better meets the needs of petitioners and of the House.

9. We took evidence from the then Clerk of the House and Clerk of Public Petitions; from a panel of experts on petitioning comprised of Professor Helen Margetts, Director of the Oxford Internet Institute, Catherine Bochel, Principal Lecturer in Policy Studies at the University of Lincoln, and Dr Ruth Fox, Director of the Hansard Society; from Natascha Engel, Chair of the Backbench Business Committee, and Graham Allen, Chair of the Political and Constitutional Reform Committee; and from the Leader of the House, Rt Hon William Hague. We also received a small amount of written evidence, which we have published. We have worked closely with officials from the Office of the Leader of the House and the Government Digital Service on the development of these proposals. We are grateful both to those who gave evidence to us and to those who have worked with us more informally on the scheme, including all those in the House Service who have helped—and continue to help—to work on the details of what we propose.

2 A “collaborative” system?

10. Proposing the motion debated in the House on 8 May 2014, the then Leader of the House said “I want Parliament to share in the ownership of a modern e-petitions system that allows people to petition their Parliament, engage their elected representatives and, where appropriate, get a response from their Government [...] This is [...] a paving motion, which will allow the House to agree on the principle that a new system should be jointly owned and run by the Government and the House of Commons.”¹⁰

11. Notwithstanding the unanimous agreement of the House to the motion, we acknowledge that there is concern about the notion of a system “jointly owned and run by the Government and the House of Commons”. Graham Allen, Chair of the Political and Constitutional Affairs Committee, tabled an amendment to the motion proposing that “the House of Commons should have its own e-petitions website, administered and controlled by this House and separate from that of the Government”.¹¹ The Political and Constitutional Affairs Committee itself argued in a report published in July 2013 that “There is too much confusion between the roles of Government and Parliament [...] We believe that there must be a clear separation between petitions intended to prompt action by Government and petitions aimed at Parliament.”¹² Mr Allen expanded on his concerns in oral evidence to us, saying

[...] from my point of view, Parliament should have its own separate independent petitioning system. There is hundreds of years of precedent for this. We, as Members of Parliament, in our little puny way, raise our own petitions and put them to the Floor of the House and we all stand on our hind legs [...] before the Adjournment debate and can make a petition and can put something to the House when we decide—not that it has been sent our way by Government, but when we decide—and that is really in a sense the other half of what I would want to say, would be about Parliament itself taking its role seriously and having Members of Parliament acting as independent, elected people rather than what we have at the moment if we accept this proposal, which will be a surrogate and a fall guy for a lot of stuff that is sent the way of the Executive, and which, frankly, we are powerless to change and will just damage our reputation.¹³

12. Nonetheless there are important arguments in favour of the establishment of a joint system. Even the Political and Constitutional Affairs Committee noted “the expectation of most petitioners [...] that their petition to Parliament, if it is supported by large numbers of people, will result in action by the Government, or at least that it will receive a response from Government”.¹⁴ In the 8 May debate the then Leader of the House, responding to Mr Allen’s amendment, commented “I cannot imagine what the public would make of our

10 HC Deb, 8 May 2014, [col 312](#).

11 House of Commons Order Paper [OP No. 158](#), 8 May 2014, p 8.

12 Political and Constitutional Reform Committee, Third Report of Session 2013–14, [Revisiting Rebuilding the House: the impact of the Wright reforms](#), HC 82, paras 130, 132.

13 Q52

14 [Revisiting Rebuilding the House: the impact of the Wright reforms](#), para 131.

establishing two competing and overlapping e-petition systems.”¹⁵ The merits from a petitioner’s point of view of a single system were also recognised by the panel of petitioning experts from whom we took evidence:

Q50 Chair: You are of the view that the e-petition system should reside in one place? There should not be a No. 10 prime ministerial system and a House of Commons system? What we need is a single system that is easy to access and easily navigable?

Catherine Bodiel: I think it would be much better to have a single system in one place. It would be much less confusing for people.

Professor Margetts: Yes, a single system.

Dr Fox: I agree. I agree with that.

13. It is reasonable for the House to ask why it should concern itself with petitions directed not to the House, but to Government. The first rule of a public petition submitted through the existing paper petition system is that it should address the House directly; amongst the House’s other rules for paper petitions is that they must make a clear request to the House which is within the House’s power to grant.¹⁶ Petitions submitted to a collaborative system allowing the public “to petition the House of Commons and press for action from Government” (our emphasis) will not necessarily meet those two fundamental rules.

14. The answer to that objection was provided by the Leader of the House in oral evidence to us:

I think that most people when they sign a petition on a particular issue are not distinguishing between Government and Parliament. They are looking for Parliament to discuss it and Government to do something about it, and the two are connected. In our system, they are connected since the Government sits in Parliament. We do not have a separation of executive and legislature, so the voters who think that are right partially. They should not have to raise two petitions, one to go to Ministers and one to go to Parliament. We ought to be capable of devising a system [...] which puts pressure on a Government to respond, to say what they are going to do about a particular issue, but also draws attention to the issue in Parliament.¹⁷

15. Whilst we regret the failure to establish the House of Commons e-petition system which our predecessors recommended in 2008, given where we are now—and in particular the link between the existing Government e-petition site and debates in the House, which is now well-established in the minds of the public—we **do not consider that it would be sensible to set up a separate House system. Rather, we believe that a better way for the House now to achieve the objective our predecessors set out of “reinforc[ing] [its] historic role as the proper and principal recipient of public petitions”¹⁸ will be for**

15 HC Deb, 8 May 2014, [col 313](#).

16 House of Commons, ‘[Public petitions to the House of Commons](#)’, accessed 28 November 2014.

17 Q96

18 [e-Petitions](#), para 34.

ownership of a joint system to be shared between the Government and a re-established Petitions Committee, on behalf of the House. We have more to say about the establishment and role of a Petitions Committee below.

3 The shape of a new system

Platform for a joint system

16. The existing Government e-petition system works, and has proved popular with the public. It is also reasonably economical to run, and though some development work will be needed to establish it as a jointly-owned system, using the existing site as a basis will avoid the need to spend money on designing a whole new system. **A joint system should be based on the existing Government e-petition site, redesigned and rebranded to show that it is owned by the House and the Government. To emphasise the Parliamentary oversight of the system, and in line with the House’s historic role as the principal recipient of public petitions, it should use the URL epetitions.parliament.uk. There should also be a clear link from the Parliament website www.parliament.uk to the e-petition site, including from the pages which explain the existing paper petitioning system.**

17. Changes will need to be made to the way the existing site works in accordance with the further recommendations we make below. The Government Digital Service, which runs the site (and will continue to do so, in collaboration with Parliamentary ICT (PICT) and its successor Digital Service), is also taking the opportunity to make other improvements to the site, both of a technical nature and relating to the way petitioners interact with the site. We have been shown a “mock-up” of how the site will look and are impressed with the work which has gone into it and the results which have been achieved. If the House assents to the establishment of the system which we recommend, we will continue to oversee its development on behalf of the House until the establishment of a Petitions Committee.

Petitions Committee

18. The House of Commons had a Petitions Committee from the early part of the nineteenth century until 1974. Its role was to sort out and classify petitions. It could report on whether petitions were in order under the rules of the House, but it had no power to look into the merits of petitions and it could not recommend remedies.¹⁹ Considerations of petitions procedures since its abolition have tended to shy away from the re-establishment of a committee of the House to consider petitions.²⁰ More recently, though, there has been a degree of recognition that the challenges presented by e-petitioning require a committee-based response.

19. In its 2008 report on e-petitions, our predecessor Procedure Committee said:

In this inquiry we have considered whether we should revisit the conclusion of our previous report that the House should not establish a Petitions Committee. The Hansard Society, who had recommended the establishment of such a committee in its memorandum to that inquiry, repeated their recommendation in their

¹⁹ [Public Petitions and Early Day Motions](#), Ev 16.

²⁰ See, for example, [Public Petitions and Early Day Motions](#), para 27.

memorandum to this inquiry. The International Teledemocracy Centre at Napier University argued that

a coordinating body is essential to support Members' involvement with petitions, including e-petitions, not just in terms of assisting Members, but to create an even and sustainable process that the public can have confidence in. We feel that some sort of Petitions Committee is the logical answer.

We agree that the functions which they identify are important. We believe that those functions, at least initially, go together with the provision of political authority and accountability for the development and implementation of e-petitioning. We do not, however, agree that the establishment of a new committee would necessarily be the best solution.²¹

Instead, the Committee concluded that the Procedure Committee itself should assume the "coordinating" role envisaged.²²

20. That conclusion was built on by the Wright Committee, which concluded in its report in 2009 that

The House cannot be satisfied with its current procedures for petitions. Whether electronic or paper-based, they should be scrutinised by some organ of the House capable of deciding two things: does the matter merit investigation by the House in some way, and does it now or in due course merit debate? Experience suggests that if this is not a duty of a single identified committee then it will not be done at all.²³

The Wright Committee was nonetheless "cautious about recommending a full-scale free-standing Petitions Committee at this time",²⁴ proposing that "the Procedure Committee's terms of reference be broadened, and its title changed to Procedure and Petitions Committee, so as to enable it to exercise scrutiny of the petitions process".²⁵

21. The Political and Constitutional Reform Committee, reviewing progress with the Wright recommendations in a report published in July 2013, concluded that "there is still a case for the establishment of a petitions committee, as considered by the Wright Committee".²⁶ Meanwhile a report of the Hansard Society, building on discussion in a seminar convened by the Backbench Business Committee, had concluded that

The House of Commons should create a Petitions Committee, supported by staff in a Petitions Office, to engage with petitioners, moderate the process and provide a single route for consideration of both paper and online petitions. The objective should be to provide greater interaction with petitioners and facilitate multiple possible outcomes for petitions. [...] The Petitions Committee and its staff should

21 [e-Petitions](#), para 147.

22 [e-Petitions](#), para 148.

23 [Rebuilding the House](#), para 260.

24 [Rebuilding the House](#), para 261.

25 [Rebuilding the House](#), para 263.

26 [Revisiting Rebuilding the House: the impact of the Wright reforms](#), para 133.

respond ambitiously and flexibly to petitions, embracing the full range of parliamentary processes for consideration of them.²⁷

22. In debate on the motion referring this matter to us, the then Leader of the House confessed himself “in favour of some form of petitions committee to act on behalf of the House, to develop engagement with the public on petitions, and in the longer term to liaise with Government on e-petitions and the system.”²⁸ Giving evidence to us in connection with the inquiry, the current Leader said he thought there was a “strong case” for a petitions committee:

I think it is important to have a committee in some form to highlight to the public that Parliament treats this seriously, to make sure that government departments respond properly and fully, and to be able to recommend debates when necessary.²⁹

23. Our predecessors had already accepted the case for a committee of the House to assume a role in the oversight of the petition system, and others considering the matter since have reached a similar conclusion. The potential role of such a committee in ensuring that the House takes petitions seriously, and the many possible ways in which it could exercise that role, are clearly set out in the preceding paragraphs. To those arguments for the establishment of a committee may be added the nature of the system which the House has asked us to design. In our view, the creation of a system which is owned jointly by the House and the Government makes the establishment of a Petitions Committee essential. Such a committee will not only deal with petitions on behalf of the House, but it will also deal with the Government on behalf of the House, ensuring that the interests both of the House and of the public are protected and that the Government does not again foist upon the House and the public a system which fails to communicate clearly and accurately with petitioners or to manage their expectations of the process effectively, as has been the case with the existing system.³⁰

Role of the Committee

24. **We are persuaded that, in a jointly-owned system, there should be a House of Commons Petitions Committee charged with oversight of the e-petitioning system on behalf of the House, liaising with the Government. The Committee should also assume responsibility for oversight of the paper petitioning system in the House of Commons.** The Committee should be able to consider petitions submitted by either means, and as appropriate, and at its discretion:

- correspond with petitioners on their petition;
- call petitioners for oral evidence;
- refer a petition to the relevant select committee (without obligation on that committee to take any further action);

27 Hansard Society, [What next for e-petitions?](#) (2012), pp 19, 20.

28 HC Deb, 8 May 2014, [col 313](#).

29 Q97

30 [Debates on Government e-Petitions](#), para 5.

- seek further information from the Government, orally or in writing, on the subject of a petition; and
- put forward petitions for debate.³¹

25. The Petitions Committee will decide for itself which petitions merit further action, and what action is appropriate in each case. It may decide to use thresholds for signatures to trigger certain action, such as putting forward a petition for debate, at its discretion. We expect the Petitions Committee to take the well-established and reasonably well-understood existing threshold of 100,000 signatures for a petition to be considered for debate in the House as a starting-point; but there may be occasions when a debate is not appropriate—such as when a debate has already taken place in the House on the subject—and the Petitions Committee may decide that a petition which has not reached that 100,000 threshold is nonetheless worthy of a debate in the House. The Committee might also decide to use signature thresholds as an indicator of whether other potential action—such as corresponding with or taking oral evidence from the petitioners—would be appropriate in a particular case; but again it need not bind itself to do so. The advantage of the establishment of a committee is that it will be able to exercise its judgement on whether a petition is worthy of further action, based not only on the number of people who have signed it but on the content of the petition itself. As the then Clerk of the House told us,

I think it is easy to get fazed by the 100,000, the 10,000, the 25,000 or whatever. If you have a threshold for further action—whether it is a debate or Government observations—of 100,000, it becomes a numbers game, not forgetting, of course, that it is much easier to rack up numbers for an e-petition than it is for people signing sheets of paper. Sheer numbers, I think, have their place, but if e-petitions are to be catered for, I think the other end of the scale needs to be catered for as well. If you have 200,000 people signing an e-petition condemning the annexation of Crimea, for example, in a sense that is a no-brainer—it may be quite an easy target to hit—but if you have Mrs Smith, one individual, who is having her life made a misery by some bizarre interpretation of a rule by officialdom, I see her as very much having equal rights in this.³²

Chairing and membership

26. **We consider that a committee charged with such responsibilities on behalf of the House should have a chair elected by the whole House and members elected by their parties, as with the majority of existing select committees.** It will be important that such a committee both be and be seen to be independent and impartial in the exercise of its judgement. The appointment or choice of a chair or members based on the old system of patronage would not inspire the confidence in the petitioning system either inside or outside the House which will be crucial if the committee is to perform its task effectively.

³¹ See para 63ff. below.

³² Q10

New committee, or allocate the responsibilities to an existing committee?

27. Our conclusion about chairing and membership leaves open the question of whether there should be a new committee established as a Petitions Committee, or whether the task should be taken on by an existing committee, or a sub-committee of an existing committee. As the Leader of the House told us, “One thing we would have to do if a standalone petitions committee were created, is to bear in mind that we cannot inflate indefinitely the number of committees”.³³ Whilst the staff resources necessary to support the responsibilities which we have set out for a petitions committee would be the same whether a stand-alone committee were established or the task given to an existing committee, if the number of committees continues to increase, it will be increasingly difficult to find the Member resources necessary for them to function effectively. If a new Committee is established, that Committee should replace an existing committee, so that its establishment does not lead to an increase in the overall number of select committees.

28. The alternatives to a stand-alone Petitions Committee suggested to us were for the task to be allocated either to the Backbench Business Committee, or to ourselves, the Procedure Committee.³⁴ Of those two alternatives, we consider that it would be better for the task to be given to us—as proposed in our predecessors’ report on e-petitions in the last Parliament and as suggested by the Wright Committee—than to the Backbench Business Committee. The role as we envisage it goes much further than the allocation of debating time for petitions and, as the Chair of that committee told us, that does not fit at all well with the current role of the Backbench Business Committee.³⁵

29. Our preference, however, is for a separate committee to be set up which can focus exclusively on the significant task of considering and responding to petitions. That is important not only from the point of view of the committee itself, which is likely to function most effectively if it has a single clear and identifiable role, but also from the point of view of the petitioning public. The Leader of the House told us that he tended to the view that

[...] there needs to be an identifiable committee for this purpose. From whatever group it is drawn or from whatever other committee or panel it is made up, people need to be able to see. We should be able to say on the relevant website there is a petitions committee there—a group of Members of Parliament across parties who are going to be able to look at this petition to make sure the Government responds, to refer it to a debate if necessary [...]³⁶

We consider that the best way to achieve the visibility to the petitioning public of a committee with the role we envisage for it will be to establish a separate Petitions Committee.

33 Q98

34 Q98

35 Q72

36 Q99

Relationship of the Committee with other committees and with the Government

30. The Leader of the House also drew attention to another concern about the establishment of a Petitions Committee. He told us

[...] I think we would have to make sure that it was not taking over the role of any other committees. There would have to be some demarcation to ensure it was not the committee inquiring into every subject that was raised in a petition [...]³⁷

We agree: it will be important that the Petitions Committee focuses on its role of enabling petitioners' concerns to be heard by the House and ensuring that the Government responds appropriately, and does not usurp the investigative role of the departmental select committees. To that end, we have agreed with the Government a draft Memorandum of Understanding between the Government and the Petitions Committee which sets out how the system will work: it is reproduced in the Annex. That memorandum makes clear that the Government will seek to meet reasonable requests for information from the Committee in relation to petitions; but that the committee will only seek oral evidence from Ministers on petitions in exceptional circumstances, for example in the event of a failure to respond to requests for written information or to fulfil an undertaking made in response to a petition. It will be for the Petitions Committee to decide for itself how it wishes to fulfil its responsibilities, but if the House agrees with this report, it will be indicating that it would expect both the committee and the Government to act within the terms of the memorandum which has been agreed.

31. The committee's relationship with other select committees will also be important. We have recommended above that the Petitions Committee have the ability to refer a petition to the relevant select committee; but also that there will be no obligation on that other committee to take any action. It will be for that committee to decide what the appropriate response will be. As the Liaison Committee has commented, "Select committees already receive petitions presented to the House, and use them to inform current business; not infrequently the subject-matter of a petition will coincide with issues the committee is already investigating."³⁸ The Liaison Committee reported in respect of the proposal of the Wright Committee to give the Procedure Committee a similar role that it was "confident that the Procedure Committee could exercise appropriate discretion";³⁹ we trust that it will have equal confidence in a new Petitions Committee. We would expect the chair of the Petitions Committee to be a member of the Liaison Committee, which should assist in resolving any difficulties.

Staff of the Committee

32. The Petitions Committee should be supported by a staff team with responsibility for:

- moderating e-petitions, assisted as necessary by Government officials;

37 Q97

38 Liaison Committee, First Report of Session 2009–10, [Rebuilding the House: Select Committee Issues](#), HC 272, para 38.

39 [Rebuilding the House: Select Committee Issues](#), para 38.

- advising and supporting the Committee in its examination of petitions submitted;
- advising petitioners on how to petition and assisting them with the process;
- keeping petitioners and signatories who have opted in to receiving further information informed of the progress of their petition, and (subject to the volume of petitions received and the resources available) informing them of other Parliamentary developments or activity touching the subject of their petition, and making such information available on the e-petitions website.

We have more to say about the role of that staff team in moderating petitions, advising and assisting petitioners and providing information on Parliamentary developments and activity below.

Engagement with petitioners and potential petitioners

33. The case for better engagement with petitioners was made very clearly in a number of responses from Natascha Engel, Chair of the Backbench Business Committee, when she gave evidence to our inquiry on debates on Government e-petitions in 2011:

[...] we need to do the public engagement bit better. At the moment the engagement is not engagement as I would understand it; it is very one-sided. [...] We should start by saying, “How can we better do that?” I think by engaging people at the point at which they want to table a petition would be a better way round. Have a unit, have somebody who takes people step by step through how to do it, what it is they are trying to achieve, whether this is the best way of doing it, and then the possible consequences of putting your signature on an e-petition. Possibly it is not to change the law; possibly it is. If it is to advance a campaign, then maybe putting an e-petition to a Select Committee, for example, might be a better way to do it. [...] ⁴⁰

If we are engaging people, engagement to me is a two-way process. We have e-petitions and we have parliamentarians, and if we are having a dialogue about how things work and how best to achieve things, when constituents come and see us in surgeries, we do not automatically just take on and do exactly what they say. We take them through how the system works and then discuss with them the best way of pursuing or dealing with their issue. It is a dialogue [...] ⁴¹

34. A report by the Hansard Society on e-petitions, which drew on the results of a seminar facilitated by our colleagues on the Backbench Business Committee, makes the same point:

An e-petition is certainly a way to get an issue on to or higher up on the political agenda; it is a means to attract public and media attention to the issue and can serve a useful ‘fire-alarm’ function, providing citizens with an opportunity to air their views on a national platform. If all that is sought is a ‘finger in the wind’ exercise to determine the depth of public feeling on a range of issues then the system meets this test. But it is not, in its current form, a means to empower them through greater

40 [Debates on Government e-Petitions](#), Q22.

41 [Debates on Government e-Petitions](#), Q29.

engagement in the political and specifically parliamentary process and it affords only limited opportunity for deliberation on the issues raised.

[...]

The government claims that the website ‘has connected with a remarkable number and range of people – for many of whom, this may have been their first experience of engaging with Parliament and Government.’ But the way the system currently works means that the engagement that takes place is primarily with the website rather than with government and Parliament. Consequently petitioners do not learn anything about how Parliament works.⁴²

35. The Hansard Society report makes the following recommendation:

Given the volume of e-petitions submitted each week it is not reasonable to believe that staff at Westminster could replicate the dedicated, personal engagement with individual petitioners undertaken in the devolved legislatures at the beginning of each petitioning process. However, a dedicated team of staff in a new Petitions Office could certainly help to enhance the approach to moderation, improve the communication with petitioners, and signpost petitions that are not eligible for consideration by the House of Commons elsewhere (e.g. to the National Assembly for Wales, the Scottish Parliament, local government or another public body). At present, e-petitions whose subject matter is not the responsibility of a government department are simply rejected; officials do not provide any advice or information to the petitioners to help them direct their concerns to the relevant institution. A Petitions Office could offer such enhanced support.⁴³

36. Catherine Bochel, a lecturer at the University of Lincoln who has been undertaking research into petitions systems in the UK for a number of years, including many interviews with petitioners, provided us with a little more detail about how that might work and the outcomes which might result:

First, I think you need a clear statement of purpose on the website: “If you submit a petition to this system, you can get this, this and this”. Then if people submit a petition and they get that or some of that, then they might feel that is okay. If they have the opportunity to speak to a clerk, to e-mail somebody to answer their questions, if there is information on the website that tells them about the process, then they are more likely to feel they are being treated with respect. [...]⁴⁴

When you submit a petition, it needs to be clear that it is not just about getting what you asked for at the end of the day. There are a whole series of other outcomes, all the sorts of things that have been mentioned here today. Getting your petition published on the website is an outcome in itself, because it is promoting it to a wider audience, raising its profile, and perhaps you will get some additional publicity for that, but that is an outcome in itself. All these other things that have been mentioned

42 [What next for e-petitions?](#), p 9.

43 [What next for e-petitions?](#), p 20.

44 Q26

are outcomes. I have interviewed petitioners and said to them, “Did you get what you wanted?” and some of them will say to me, “No, I didn't get what I wanted or what I started out asking for, but I got other things and I am satisfied with that”. It is important that, when they submit a petition, petitioners can see that it is not just about getting what you have asked for. There are other things you can achieve, too, and that is important.⁴⁵

Figure 1: response from the Department

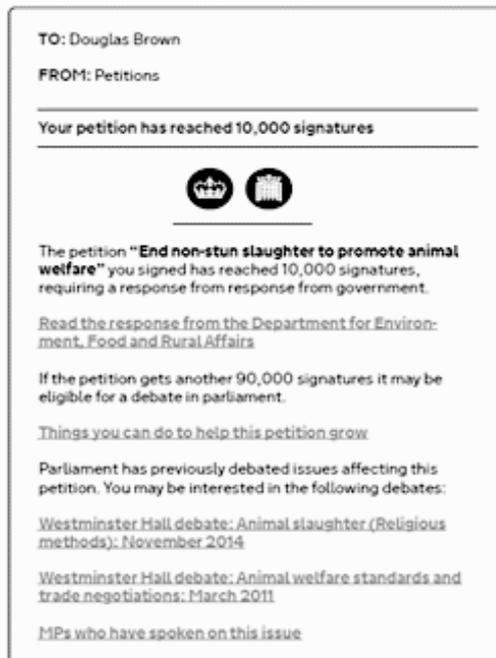


Figure 2: after a debate



37. In the debate on the motion referring the matter to us, the then Leader of the House expressed the hope that a new system could provide “better service and support for petitioners”.⁴⁶ Written evidence from Cristina Leston-Bandeira, a senior lecturer at the University of Hull, argued that

One of the most important aspects to consider in setting up the new petitions system is the way it provides information to citizens. One of the key criteria for effective parliamentary petition systems is the clarity, usefulness and transparency of the information given to the petitioner. The new system should be supported by a website that explains clearly and in an engaging manner (use of videos, examples, smart web design, integration with social media, etc.) not only the process to submit the petition, but also the process the petition will undergo for its consideration. The site can be used to clarify what the institution of parliament can realistically do and how the issue being raised in the petition may be dealt with.⁴⁷

38. Natascha Engel, giving evidence to us again on this inquiry, told us

45 Q43

46 HC Deb, 8 May 2014, [col 313](#).

47 Written evidence from [Cristina Leston-Bandeira](#), p 2.

[...] this is about how do individuals engage with Parliament so that every single time somebody signs either a paper petition or an e-petition, they should learn something about how this place works and learn about how better to influence what it is that we do.⁴⁸

39. We consider that the Hansard Society's suggestion of a "dedicated team of staff in a new Petitions Office [enhancing] the approach to moderation, improv[ing] communication with petitioners, and signpost[ing] petitions that are not eligible for consideration by the House of Commons elsewhere" offers the most practical and attractive picture of how engagement with petitioners and prospective petitioners could be improved in this new system. Together with the rebranding and redesigning of the e-petition website, the establishment of a Petitions Committee with its own team of staff could vastly improve the information which is available to petitioners about what the House of Commons does and the many ways in which Members of Parliament use the opportunities the House offers them to respond to the public's concerns.

40. There is much that Petitions Committee staff could do to enhance the information available to petitioners and prospective signatories to petitions once a petition has been submitted. In Figures 1 and 2 we reproduce examples we have been shown of the kind of work which might be done. In these examples links are provided to relevant Parliamentary material in emails informing a petitioner that his petition has reached 10,000 signatures and has therefore received a response from the Government, and that it has been debated after reaching 100,000 signatures; such links could equally be provided in the email inviting a signatory to confirm their support for a petition, or with the text of a petition on the site. It will in due course be for the Petitions Committee itself, in the light of the resources available to it, to decide how far this work goes; but **the potential is there, we believe, for the establishment of a new system overseen by a Petitions Committee to improve significantly the House's engagement with petitioners and prospective petitioners.**

Member involvement

41. The submission of an e-petition will not require the intervention of a Member of Parliament in the way that the paper petitioning system does. The essence of the system which has already been set up, and on which our proposed system is therefore based, is one of direct access to the institution to which the petition is directed, and we do not think it would be appropriate to retreat from that. Nor, given our recommendation of the establishment of a Petitions Committee, do we think it is necessary to do so in order to ensure the ownership of the system by Members of Parliament.

42. Nonetheless we consider that there would be considerable merit in the Petitions Committee establishing a system of informing Members about some or all of the petitions submitted by their constituents. Members might be told, for example, about petitions originating from or attracting a certain number of signatories from their constituency, or relating to a specific issue in the constituency, or petitions in either of those categories on which the Committee had decided to take further action. We were told that it should also be possible to make available aggregate information about the signatories to a petition (for

example in the form of postcode “heat maps”), which is likely to be of interest not only to Members but also to the general public.⁴⁹

43. We also consider that the e-petition site should offer creators and signatories of e-petitions a means of notifying their Member of Parliament that they had signed a petition. There are a number of ways in which that might be done. For example, a link could be provided on the site once a visitor had signed a petition saying Contact your MP to let them know you have signed this petition, which would automatically open an email to the petitioner’s constituency MP, based on the postcode they have entered as part of the signing process. Or a system could be established whereby petition signatories would be able to opt in to their email address being made available to their constituency MP, with lists of those who had done so, broken down by petition signed, being provided to MPs who request them on, say, a weekly basis. If the House approves the system we propose in this report, we will pursue the provision of these options in the redesigned e-petition site.

Moderation of e-petitions

44. The current e-petition system is moderated by officials of Government departments. Prospective petitioners must indicate when they submit an e-petition which department they think is responsible for the subject matter of the petition. The text of the petition is then forwarded to officials in that department, who consider whether it complies with the terms and conditions. If it does, it is published and opened for signature. If it does not, the prospective petitioner is informed of the reason or reasons why it has been rejected. The full text of rejected petitions is published on the site, unless the content is illegal or offensive.⁵⁰

45. **We recommend that moderation of the jointly-owned system—that is, examination of e-petitions submitted to ensure that they comply with the terms and conditions of the site—should be carried out by Petitions Committee staff, advised as necessary by officials of Government departments.** This will represent a significant transfer of responsibility—and therefore cost—from the Government to the House; but we consider it necessary to ensure that the House retains control of the petitions which are presented to it, not least because of the considerations of Parliamentary privilege which we discuss below. It is also appropriate that moderation of petitions should be carried out by the same team which is responsible for advising and supporting petitioners in the way we discuss above.

46. We would expect the Petitions Committee to monitor the way in which moderation was being conducted by Petitions Committee staff and ensure that it was being done appropriately. The Committee would, for example, have full access to the text of all rejected e-petitions.

49 See Q36 and slide “Petition Signatures by Postcode district” in [written evidence](#) from Professor Helen Margetts.

50 HM Government, E-petitions: [Terms and conditions](#), accessed 28 November 2014.

Threshold for publication

47. It was suggested to us that we might consider setting a threshold for the number of supporters of an e-petition before it will be published and opened for signature.⁵¹ Around one in five of the e-petitions which have been submitted through the current site have attracted fewer than three signatures, and as many as 42% fewer than six.

48. Since the purpose of an e-petition is to express a collective, rather than an individual, view on a particular matter, we agree that it would be appropriate to require a prospective petitioner to demonstrate a degree of support for his or her petition before it will be published and opened for signature on the site. Requiring an e-petition to attract a certain number of supporters before it is published has the additional advantage of reducing the burden of moderation, since it is only necessary to examine an e-petition for compliance with the terms and conditions if it is going to be published. That will leave more resources available to engage with those bringing forward well-supported petitions, and to ensure that as much information as possible is made available on the e-petitions website about what Parliament is doing in relation to the concerns raised. **We recommend that an e-petition be required to attract at least five signatures in addition to its creator before it will be submitted for moderation (and thereafter publication).** This can be done relatively simply through the site by allowing the petition creator to enter a number of e-mail addresses of those he or she thinks support the petition; those people will then be automatically e-mailed through the system and invited to confirm—by clicking a link in the e-mail, exactly as if they had gone to the site to sign a published e-petition—that they support it. Only when at least five people have done so will the text of the e-petition be forwarded for moderation.

Terms and conditions for the submission of an e-petition

49. We have considered the terms and conditions of the current e-petition site and are broadly content with them. We have no desire to make the collaborative system any more restrictive than is necessary. **The terms and conditions of the site which we consider appropriate to a jointly-owned system are published in the Annex to this report.**

50. We recommend only one significant change to the existing terms and conditions which is not a straightforward consequence of the transition to a jointly-owned system. That is that **petitioners should be required to include a clear statement of the action which they want the Government, or the House, to take as a result of their petition.** This change was recommended to us by those running the existing system and appears to be an obvious way of focussing a petition and ensuring that the Government and/or the House respond appropriately. As we note above, there is already an equivalent requirement for public petitions to the House submitted through the existing paper petition system.⁵²

51 Q21 (and see [written evidence](#) from Professor Helen Margetts), Qq31–33; Letter from the Leader of the House, [E-petitions: Outline Proposals](#).

52 Para 13.

Parliamentary privilege

51. Notwithstanding our desire not to restrict access to it, in a Parliamentary system there is an additional consideration which means that particular care will need to be taken in the moderation of prospective petitions. That is the potential scope of Parliamentary privilege applying to such petitions. The House will wish to satisfy itself that procedures are in place to ensure that no material is published which would be inappropriately protected from court action as result of the application of Parliamentary privilege.

52. Our assessment of how Parliamentary privilege would apply to the system we propose is as follows. This is a summary of how the system would work:

- A petitioner submits a petition to the site.
- The petitioner provides at least four additional e-mail addresses of people who support the petition.
- At least five of those people confirm that they support the petition.
- The petition is forwarded to Petitions Committee staff for moderation.
- Petitions Committee staff will consider the petition and assess whether it meets the terms and conditions set out on the site.
- If the petition meets the terms and conditions, it will be opened for signature, and will remain open for a period of six months.
- If the petition does not meet the terms and conditions, an e-mail will be sent to the petition creator informing them of the fact.
- Petitions which meet the terms and conditions will be considered by the Petitions Committee.
- Following closure of the petition for signature, the petition will be presented formally to the House.

53. A petition should not be privileged simply by virtue of having been approved by Petitions Committee staff. An analogy may be drawn with the role of the Clerk of Public Petitions in respect of the existing paper petition system. She may approve the wording of a proposed petition to the House, which is then prepared and circulated by the petitioner to collect signatures before being presented to the House. There is no implication that the petition is privileged whilst it is being circulated for signatures to be collected.

54. Neither should the fact that the House is publishing the petition, and providing the means by which signatures may be collected, mean that an e-petition would be privileged at this stage. The House publishes much material on its website (and indeed elsewhere) which is not a proceeding in Parliament and which is not therefore privileged.

55. The point at which an e-petition became a proceeding in Parliament would be the point at which it is considered by the Petitions Committee itself. The Petitions Committee should be given the explicit task, in its Standing Order, of considering whether an e-petition is fit for presentation to the House. Presentation to the House would not take place

until later in the process, at the end of the six-month signature period on the e-petition site.⁵³ Once the Petitions Committee had considered the petition and determined that it considered it fit for presentation to the House, it should constitute a proceeding in Parliament.

56. It is possible though that a petition published on an e-petition site endorsed and established by the House—as we hope this one will be—would attract the more limited protection of the Parliamentary Papers Act 1840. Petitions Committee staff will need to exercise care in the moderation of petitions to ensure that no potentially actionable material is published in an e-petition without the explicit authority of the Petitions Committee itself. Two things are worth bearing in mind here:

- House staff have long experience in assessing material provided by members of the public to ensure anything potentially actionable is not published under the House’s auspices. This experience includes not only evidence to select committees—where in difficult cases the committee itself will be invited to consider whether a submission should be accepted or not—but also web fora and the like, where the material concerned is not necessarily ever expected to constitute a formal submission to a committee.
- The terms and conditions have been couched in such a way as to ensure that any potentially actionable material should be immediately ruled out.

57. Cases in which a petition was accepted by Petitions Committee staff and published for signature, but later rejected by the Committee itself, might be expected to be rare. Nonetheless it could happen. In all cases there would in the process be the opportunity for elected Members to exercise the right which the House has asserted for itself “to judge and determine, touching the nature and matter of [...] petitions, how far they are fit and unfit to be received”.⁵⁴ That might include, for example, where there were active proceedings in the courts on the matters on which a petition touched.

Standing Order No. 48

58. Standing Order No. 48 (Recommendation from Crown required on application relating to public money) provides that “This House will receive no petition for any sum relating to public service [...] unless recommended from the Crown.” This rule derives from the principle that no charge on public funds or on the people can be incurred except on the initiative of the Crown.⁵⁵

59. On a strict construction, this standing order might appear to rule out the presentation to the House of any e-petition which would involve higher public spending on public services. In practice, as *Erskine May* records, “petitions seeking a change of policy, or asking for legislation, which might incidentally involve public expenditure [...] are usually

53 See para 61.

54 Quoted in *Erskine May’s Treatise on The Law, Privileges, Proceedings and Usage of Parliament*, 24th ed. (2011) (hereafter “*May*”), p.483.

55 *May*, p. 716

acceptable”.⁵⁶ In considering how this standing order should be applied to e-petitions, it will also be important to consider the nature and context of the system. The rule expressed in SO No. 48 is aimed at petitions addressed specifically to the House and requesting action directly from it. Clearly a petition to the House requesting a specific grant of public money would, if not recommended by the Crown, breach the principle relating to the incursion of charges on public funds mentioned above. The e-petition site, on the other hand, as we noted earlier in this report, is intended to allow the public “to petition the House of Commons and press for action from Government”.⁵⁷ An e-petition asking the Government (but not the House) to increase expenditure on some aspect of public service would not breach that principle and we see no reason why the House should not receive it.

Duration on the site

60. Currently, an e-petition remains open for signature on the site for twelve months from the date of its creation. **We recommend that the period for which a petition should be open for signature on the new site should be six months.** Professor Margetts showed us figures demonstrating that, with very few exceptions, an e-petition which is going to attract a significant number of signatures will do so within a matter of days, if not hours.⁵⁸ Reducing the period for which an e-petition remains open is therefore unlikely to have a significant effect on its ability to gather support, and will help to ensure that the site remains focussed on matters of current concern to the public.

Presentation to the House

61. When an e-petition reaches the end of its time open for signature on the site, we consider that it would be appropriate for it to be presented to the House, and entered on the formal record of its proceedings. For this to occur it will not be necessary for an e-petition to be presented on the floor of the House in the same way as a public petition brought through the paper petitioning system; nor for the full text of the petition to be republished, since arrangements will be made for an archive to be kept of the electronic version of all published e-petitions. Instead, **we recommend that, once it is closed for signature, the title of each e-petition be recorded in a list in the Votes and Proceedings (or elsewhere in the formal record of House proceedings), together with the number of signatures it has attracted.**

62. Should a Member wish to pursue it, the paper petition system will enable the formal presentation of the subject of an e-petition on the floor of the House. Although, as we note above, an e-petition may not meet the rules for paper petitions, in practice—as our predecessor committee noted in a report on public petitions in 2004—the same goes for many public petitions received by Members.⁵⁹ It is usually a relatively straightforward task for the petition to be redrafted so that it conforms to the rules for paper petitions. Whilst this petition is not the one which has attracted signatures on the e-petition site, it is

56 *May*, p. 486

57 Para 13.

58 Q21: see slide “Most petitions fail” in [written evidence](#) from Professor Helen Margetts.

59 Procedure Committee, Fifth Report of Session 2003–04, [Public petitions](#), HC 1248, para 7.

unlikely that the chair would object to a Member drawing attention, when presenting such a petition, to the number of signatures attracted by an e-petition in similar terms. In practice this is what happens in the case of a substantial proportion of the paper petitions presented to the House.

Debates on petitions

63. At present, the Backbench Business Committee is responsible for determining whether, and if so where, an e-petition referred to it by the Leader of the House once it has attained 100,000 signatures is debated by the House. BBCom decides whether a debate should take place in Westminster Hall on a Monday afternoon, or whether some of the time allocated for backbench business on the floor of the House or on Thursdays in Westminster Hall should be used for debate on the subject raised by the e-petition.

64. **We recommend that the Petitions Committee should assume responsibility from BBCom for determining debates on petitions in Westminster Hall.** The Chair of BBCom has explained to us how that responsibility never really sat well with her committee:⁶⁰ the Petitions Committee, on the other hand, should consider it central to its responsibility to decide whether a petition—whether an e-petition or a petition presented through the traditional paper route—should be debated by the House. The Petitions Committee should not, however, be able to cut across the existing responsibility of the Backbench Business Committee to decide that a petition should be debated other than in the dedicated slot for petition debates in Westminster Hall. **If the Petitions Committee decides that a petition deserves a debate on the floor of the House, it would take that request to the Backbench Business Committee, which could (but would not be obliged to) allocate backbench time for it.** If BBCom were unable to prioritise a debate on the petition over the matters brought before it by other Members, it would be for the Petitions Committee to decide whether to have the matter debated in Westminster Hall, or whether to return to BBCom with a renewed request at a time which it judged more propitious.

65. The Petitions Committee could also recommend that a petition be “tagged” to a debate taking place on the floor of the House or in Westminster Hall (subject to the agreement of the Member in charge of that debate).

66. As we have noted above, it would be for the Petitions Committee to judge the extent to which the number of signatures should affect its decision about whether a petition should be debated.⁶¹ We would expect the number of signatures to be a very significant factor in the Committee’s decision, but not necessarily determinative in cases where other factors—such as a debate on the subject having already taken place, or the salience of the subject matter—weigh heavier in the Committee’s judgement.

Paper petitions

67. The traditional system of petitioning the House—by means of paper petitions—is of very long standing, and has evolved through time and a number of examinations by our

60 Q77

61 Para 25

predecessor Procedure Committees and others. We have considered carefully the implications of the introduction of a means of petitioning the House electronically for the paper petitioning system, especially given that the rules for e-petitions are to be to some degree less stringent than those for paper petitions.

68. **We have concluded that the rules and procedures for paper petitions should remain as they are.** The e-petition system which we recommend here is designed to build on the existing Government system: it will enable people to petition the House electronically, but its chief merit will be in enabling the House to hear and respond to petitions pressing for action from the Government. The paper petition system, on the other hand, is designed specifically for petitions addressed to the House of Commons. As such it is a route directly to the floor of the House, via a particular Member of Parliament—usually the lead petitioner’s constituency MP—and retains that important link with an individual Member which we have concluded is not appropriate for the “collaborative” jointly-owned House and Government e-petition system which the House has asked us to design. We think those features of the paper petitioning system are valuable and worth retaining notwithstanding the introduction of a new way of petitioning the House.

69. The only change which we recommend is the ability of the Petitions Committee to consider paper petitions, and take action on them as it considers appropriate, alongside petitions coming through the e-petition system. As a continued incentive to the presentation of paper petitions, **we recommend that the Government should retain its practice of responding to every paper petition presented to the House** (as opposed to the 10,000 signature threshold for a Government response to an e-petition). Since every paper petition will be subject to consideration by the Petitions Committee, however, **we recommend that the requirement that all paper petitions should be referred to the relevant select committee, and formally placed on their agenda, should be removed.** The Liaison Committee has commented that “it does not appear that many committees take specific action in response to petitions” as a result of this requirement.⁶² As we note above, it will be open to the Petitions Committee to draw the attention of a select committee to any petition it considers appropriate: we hope that such improved targeting of the referral of petitions to select committees might encourage those committees to take them up.

70. We expect the Petitions Committee to maintain oversight of the paper petitioning system as well as the e-petition system, and to recommend any changes to the paper petitioning system which might appear to it to be necessary in the light of experience of running alongside a new e-petition system.

62 Liaison Committee, Second Report of Session 2009–10, *The Work of Committees in Session 2008–09*, para 127.

4 Costs

71. The costs of the system can be broadly divided between the costs of setting up and running the technical infrastructure, on the one hand, and of providing the staff to support the Petitions Committee, moderate e-petitions, and support petitioners, on the other.

Technical infrastructure

72. The cost of the technical infrastructure can be further divided between the initial development costs to establish the new system, and the ongoing running costs. The best estimate we have seen so far of the one-off cost of establishing the new system—that is, redesigning and rebranding the existing Government e-petition system so that it reflects the fact that it is now jointly owned by the House and Government, and making the changes and improvements to the site necessary to implement the system which we have recommended above—is £188,000. The estimate of the ongoing annual cost of running the system is £115,000.

73. These costs would be shared between the House and the Government. Discussions about the most appropriate split are ongoing but our view is that a 50:50 division of these costs would be an appropriate starting-point.

74. There could also be an additional cost of up to £39k to enable data from the site to be made available through data.parliament.uk. This cost would be borne by the House but the Finance and Services Committee would have to make a decision on whether it was appropriate to do so.

Staff

75. As will be apparent from the explanation we have given above of the role we envisage for Petitions Committee staff, the size—and cost—of staffing the system we envisage is potentially unlimited. The extent of engagement with petitioners and prospective petitioners will depend on the resources available to the Committee: the more staff it has, the better it will be able to serve the public and respond to the petitions which are submitted. The extent of what the Committee's staff can achieve will also be affected by the number of petitions which are received and the burden of moderating them, which is uncertain. For the purposes of this report, we think it sensible to focus on the minimum which we judge would be necessary from the outset to support the system we have proposed.

76. We think that the minimum staffing which would be necessary to support the Petitions Committee and the e-petition system which we recommend is a team of four full-time equivalent people. A team of that size at appropriate levels of seniority would cost around £200,000 a year. That cost, since these will be House staff, would be borne entirely by the House.

Memorandum from the Accounting Officer

77. These are at present only indicative estimated costs. When, as will need to be the case early in 2015 if the system is to be established from the start of the new Parliament, a motion is considered by the House approving the scheme we propose, the memorandum from the Accounting Officer required under Standing Order No. 22C might be expected to provide a firmer idea of the likely cost.

5 Conclusion

78. The then Clerk of the House, Sir Robert Rogers, began his evidence to us by placing petitioning the House in its historical perspective, noting that the concept of petitioning for redress of grievance was “there in the earliest days and [...] is at the heart of the petitioning process we have now”.⁶³ He went on to emphasise its continuing importance, telling us

I think it is highly relevant and, indeed, in many ways central to the sort of business that Parliament should be doing. This House is the central institution in our democracy. It is owned not by its Members, I would suggest, but by the people whom its Members serve, and it seems to me of fundamental importance that our citizens have a way of bringing their issues to Parliament directly.⁶⁴

79. Dr Ruth Fox of the Hansard Society developed that thought by placing petitioning into the modern context:

I would simply add from our “Audit of Political Engagement”—which many of you will be familiar with—that petitioning is the third highest form of participation that people say they are most likely to do, after voting and contacting an elected representative. Support for both e-petitioning and paper petitions is relatively high compared to other forms of activity and, therefore, that reflects the desire and demand. Petitioning is an ancient right and e-petitions are simply the technology to facilitate that right in the modern day.⁶⁵

80. Our report on *Debates on Government e-petitions* noted that the e-petition scheme introduced by the Government had proved very popular with the public, and warmly welcomed the level of public interest. Nonetheless it also noted the view of the Chair of the Backbench Business Committee, Natascha Engel, that “a lot of the problems that have arisen [in the interface between that scheme and the work of the House] were perfectly foreseeable and had there been a debate, and perhaps even a vote, they would have been highlighted”. We regretted that the Government did not see fit to refer its proposals for its e-petitions system to us or to place its plans formally before the House for debate and decision before the scheme was introduced.⁶⁶

81. By bringing forward the motion which was debated and passed on 8 May the Government has corrected that error. We have now had the opportunity, working with the Government, to develop an e-petition system which can meet the needs of both the executive and the legislature—but more importantly, also of petitioners themselves. The proposals we set out in this report will enable the public to petition the House and press for action from Government; they will establish a Petitions Committee which can consider and respond to their concerns; and they will improve the support and advice which is available for those who wish to petition the House and Government. They have the

63 Q2

64 Q3

65 Q23

66 [Debates on Government e-Petitions](#), para 2.

potential to bring about a significant enhancement of the relationship between the petitioning public and their elected representatives, and we commend them to the House.

Annex: Draft Memorandum of Understanding between the Government and the Chair of the Petitions Committee, and draft terms and conditions of the e-petitions site

Draft Memorandum of Understanding (MoU) between the Leader of the House of Commons and the Petitions Committee relating to the submission and consideration of e-petitions

This MoU is agreed between the Leader of the House of Commons, on behalf of the Government, and the Petitions Committee, on behalf of the House of Commons, and relates to the submission and consideration of e-petitions.

Ownership and management of technical infrastructure

1. The Government will own and manage the technical infrastructure to deliver the e-petitions system, including the website, which will be managed through the Office of the Leader of the House of Commons.
2. Government Digital Services (GDS) will provide hosting services and technical support, in cooperation and consultation with Parliamentary ICT (PICT).

Funding

3. The cost of running, maintaining and developing the technical infrastructure will be shared between the Government and the House of Commons. The precise division of costs will be agreed between the Government and the House authorities.

Design

4. The publically accessible website text and overall design is to be agreed between both parties to the MoU, subject to consideration of relevant guidelines, including on accessibility. The Government will agree links between the e-petitions and Parliamentary websites in consultation with the Petitions Committee agents acting on its behalf.

Handling of petitions

5. All e-petitions will be subject to terms and conditions and must adhere to set criteria for acceptance. The text and content of these conditions will be agreed between the Government and the Petitions Committee. The form in which they appear on the website, which has been agreed initially between the Government and the Procedure Committee, is attached as an annex to this MoU.

6. Before being opened publicly to signature on the site, an e-petition must be approved as having met the terms and conditions. Petitions will be moderated by Petitions Committee staff, advised as necessary by officials of Government departments. The target for moderating e-petitions will be seven days following their submission.
7. There will be a minimum threshold of 5 signatures for a petition to be submitted for moderation.
8. Petitions Committee staff will be available to advise prospective petitioners and those whose petitions have been rejected on how to bring their petition into order, but will not enter into correspondence about whether a petition ought to have been rejected.
9. E-petitions which are approved as meeting the terms and conditions of the site will stay 'open' for a period of 6 months from their creation.
10. All e-petitions that reach 10 000 signatures will receive a response from Government.
11. The Petitions Committee will consider all petitions submitted through the e-petitions site (as well as all paper petitions presented to the House) and, at its discretion, may:
 - Correspond with petitioners on their petition;
 - Call petitioners for oral evidence;
 - Refer a petition to the relevant select committee (without obligation on that committee to take any further action);
 - Seek further information from the Government, orally or in writing, on the subject of a petition;
 - Put forward petitions for debate.

The Petitions Committee will not be able to take action on every petition submitted through the site, but will take decisions on which petitions to pursue based on factors including the subject of the petition, the number of signatories, the Parliamentary activity which has already taken place on the subject and any response by the Government.

12. The Government will seek to meet reasonable requests for information from the Committee in relation to petitions. The Committee will only seek oral evidence from Ministers on petitions in exceptional circumstances, for example in the event of a failure to respond to requests for written information or to fulfil an undertaking made in response to a petition.

Review and future development of site

13. The Government and the Petitions Committee will review this agreement annually.
14. Any proposed change to the system that may impact upon the terms of this agreement will be agreed between the Government and the Petitions Committee.

Paper petitions

15. Except as specifically mentioned, this agreement does not relate to the House of Commons paper petition system.

Signed: (Leader of the House of Commons)

Date:

Signed: (Chair of the Petitions Committee)

Date:

Text of e-petition system terms and conditions

The purpose of e-petitions is to provide an easy way for you to make sure your concerns are heard by Government and Parliament. All e-petitions will be accepted and published on this website providing they:

- call on the government and/or the House of Commons for a specific action
- do not substantially duplicate an existing open e-petition
- meet the further criteria below.

Submission conditions

An e-petition may freely disagree with the government or call for changes of policy. There will be no attempt to exclude critical views. Decisions to accept or reject will be made on an impartial basis.

However, to protect this service from abuse, e-petitions must satisfy some basic conditions.

To create or sign an e-petition, you must be either:

- a British citizen, or
- a resident in the UK (you normally live in the UK).

To submit an e-petition, you must use the online form to provide:

- the title or subject of the e-petition
- a clear statement that covers the subject of the e-petition and what action you want the government and/or the House of Commons to take
- the name of the person submitting the e-petition (the 'petitioner') —names of organisations cannot be accepted
- the petitioner's email address (this will not be published on the website)
- the petitioner's home address (this will not be published on the website)

You must also provide up to [ten] e-mail addresses of people who wish to sign your petition. An e-mail will be sent to each of these people inviting them to confirm that they wish to sign it. At least **four** of them must respond by clicking the link in the email to confirm that they wish to sign the petition before it can be published and opened for further signatures on the site.

E-petition guidelines

All e-petitions must call for a specific action from the government or the House of Commons.

If an e-petition does not include a clear statement explaining what action you want the government or the House to take, it will be rejected.

When submitting an e-petition, you may not include the following:

Confidential, libellous, false or defamatory statements, or matters subject to active legal proceedings

- Information which may be protected by an injunction or court order
- Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss
- Names of individuals if they have been accused of a crime or information that may identify them
- Names of individual officials of public bodies, unless they are part of the senior management of those organisations
- Names of family members of elected representatives, eg MPs, or officials of public bodies
- References to cases in which proceedings are active in UK courts.

Offensive, joke or nonsense e-petitions

- Language that may cause offence, is provocative or extreme in its views
- Wording that is impossible to understand
- Statements that amount to advertisements
- Joke or nonsense content

Matters which are not the responsibility of HM Government or of the House of Commons

- Party political material
- Commercial endorsements including the promotion of any product, service or publication
- Issues that are dealt with by devolved bodies, eg The Scottish Parliament
- Correspondence on personal issues
- Freedom of Information requests

Matters relating to honours or appointments

- Nominations for honours. Find out how to submit nominations for honours at: www.gov.uk/honours *This link opens in a new window*

E-petitions that do not follow these guidelines cannot be accepted. In these cases, you will be informed by email of the reason(s) your e-petition has been refused.

We will publish the full text of rejected e-petitions, unless the content is illegal, offensive or confidential. The text of petitions which do not receive the support of at least four additional signatories will not be published.

It is not possible to alter a rejected e-petition, and no correspondence will be entered into regarding rejected e-petitions. Rejection of an e-petition does not stop you from submitting a new e-petition which meets the terms and conditions of the site. Advice on petitioning is available from the House of Commons Petitions Office [*insert link and phone no.*].

Opening of petitions for signature

It will usually take up to seven days from the time the first four signatories are confirmed following the submission of an e-petition for it to appear on the website. During busy periods it may take longer.

Once accepted, e-petitions will be made available on this website for anyone to sign. Anyone signing the e-petition must provide their name, home address and email address. No personal details will be published on the site. This information will not be used for any purpose other than in relation to the e-petition.

The government or the House of Commons may contact you by email to:

- confirm you have submitted an e-petition
- confirm you have signed an e-petition
- provide updates about the e-petition.

If you sign an e-petition (are a 'signatory'), you will only receive updates if you choose this option when you sign it.

All petitioners and signatories will receive a first email that asks you to confirm your email address.

E-petitions and the House of Commons

The Petitions Committee of the House of Commons will consider the petitions submitted through the site and will have responsibility for confirming that they are suitable for presentation to the House. The Committee may also:

- Correspond with petitioners on their petition;
- Call petitioners for oral evidence;
- Draw a petition to the attention of the relevant select committee;
- Seek further information from the Government, orally or in writing, on the subject of a petition;
- Put forward a petition for debate, or draw the attention of the House to a petition which is relevant to a debate already taking place.

If the Petitions Committee decides to take further action in respect of a petition, the creator of the petition will be notified, along with any signatories to the petition who have chosen to receive updates. Information on the action taken by the Committee, and as appropriate links to information on other Parliamentary activity relating to the subject of the petition, will be published with the petition on the website.

Paper based Parliamentary petitions

The e-petitions system is not intended to replace the current paper based system of public petitions in the House of Commons.

For more information about the paper based Parliamentary petitions, you can visit the [UK Parliament website](#) *This link opens in a new window.*

Conclusions and recommendations

A “collaborative” system?

1. We do not consider that it would be sensible to set up a separate House system. Rather, we believe that a better way for the House now to achieve the objective our predecessors set out of “reinforc[ing] [its] historic role as the proper and principal recipient of public petitions” will be for ownership of a joint system to be shared between the Government and a re-established Petitions Committee, on behalf of the House. (Paragraph 19)

Platform for a joint system

2. A joint system should be based on the existing Government e-petition site, redesigned and rebranded to show that it is owned by the House and the Government. To emphasise the Parliamentary oversight of the system, and in line with the House’s historic role as the principal recipient of public petitions, it should use the URL epetitions.parliament.uk. There should also be a clear link from the Parliament website www.parliament.uk to the e-petition site, including from the pages which explain the existing paper petitioning system. (Paragraph 20)

Role of the Committee

3. We are persuaded that, in a jointly-owned system, there should be a House of Commons Petitions Committee charged with oversight of the e-petitioning system on behalf of the House, liaising with the Government. The Committee should also assume responsibility for oversight of the paper petitioning system in the House of Commons. (Paragraph 28)

Chairing and membership

4. We consider that a committee charged with such responsibilities on behalf of the House should have a chair elected by the whole House and members elected by their parties, as with the majority of existing select committees. (Paragraph 30)

New committee, or allocate the responsibilities to an existing committee?

5. Our preference is for a separate committee to be set up which can focus exclusively on the significant task of considering and responding to petitions. (Paragraph 33)

Engagement with petitioners and potential petitioners

6. The potential is there, we believe, for the establishment of a new system overseen by a Petitions Committee to improve significantly the House’s engagement with petitioners and prospective petitioners. (Paragraph 44)

Moderation of e-petitions

7. We recommend that moderation of the jointly-owned system—that is, examination of e-petitions submitted to ensure that they comply with the terms and conditions of the site—should be carried out by Petitions Committee staff, advised as necessary by officials of Government departments. (Paragraph 49)

Threshold for publication

8. We recommend that an e-petition be required to attract at least five signatures in addition to its creator before it will be submitted for moderation (and thereafter publication). (Paragraph 52)

Terms and conditions of the submission of an e-petition

9. The terms and conditions of the site which we consider appropriate to a jointly-owned system are published in the Annex to this report. (Paragraph 53)
10. Petitioners should be required to include a clear statement of the action which they want the Government, or the House, to take as a result of their petition. (Paragraph 54)

Duration on the site

11. We recommend that the period for which a petition should be open for signature on the new site should be six months. (Paragraph 64)

Presentation to the House

12. We recommend that, once it is closed for signature, the title of each e-petition be recorded in a list in the Votes and Proceedings (or elsewhere in the formal record of House proceedings), together with the number of signatures it has attracted. (Paragraph 65)

Debates on petitions

13. We recommend that the Petitions Committee should assume responsibility from BBCom for determining debates on petitions in Westminster Hall. If the Petitions Committee decides that a petition deserves a debate on the floor of the House, it would take that request to the Backbench Business Committee, which could (but would not be obliged to) allocate backbench time for it. (Paragraph 68)

Paper petitions

14. We have concluded that the rules and procedures for paper petitions should remain as they are. (Paragraph 72)
15. We recommend that the Government should retain its practice of responding to every paper petition presented to the House. We recommend that the requirement

that all paper petitions should be referred to the relevant select committee, and formally placed on their agenda, should be removed. (Paragraph 73)

Formal Minutes

Wednesday 26 November 2014

Members present:

Mr Charles Walker, in the Chair

Nic Dakin
Thomas Docherty
Sir Roger Gale
Tom Greatrex

John Hemming
Jacob Rees-Mogg
Martin Vickers

Draft Report (*E-petitions: a collaborative system*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 81 read and agreed to.

Annex and Summary agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence from Rt Hon Andrew Lansley MP, then Leader of the House, (P 20) was ordered to be reported to the House for publishing on the internet.

[Adjourned till Wednesday 3 December at 3.00 pm]

Witnesses

Wednesday 11 June 2014

Question number

Sir Robert Rogers KCB, Clerk of the House of Commons, and **Danielle Nash**, Clerk of Public Petitions, House of Commons

[Q1–20](#)

Wednesday 25 June 2014

Catherine Bochel, Principal Lecturer in Policy Studies, University of Lincoln, **Dr Ruth Fox**, Director and Head of Research, Hansard Society, and **Professor Helen Margetts**, Director, Oxford Internet Institute

[Q21–51](#)

Wednesday 15 October 2014

Mr Graham Allen MP, Chair of the Political and Constitutional Reform Committee, and **Natascha Engel MP**, Chair of the Backbench Business Committee

[Q52–94](#)

Wednesday 5 November 2014

Rt Hon William Hague MP, Leader of the House of Commons

[Q95–118](#)

Published written evidence

The following written evidence was received and can be viewed on the Committee's inquiry page at [E-petitions](#)

- 1 [Professor Helen Margetts, Director of the Oxford Internet Institute](#)
- 2 [Cristina Leston-Bandeira, University of Hull](#)
- 3 [Leader of the House of Commons](#)

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2014–15

Second Report	Motions "That the House sit in private"	HC 753
First Report	Business in Westminster Hall	HC 236

Session 2013–14

First Report	Early Day Motions	HC 189
Second Report	Private Members' Bills	HC 188
Third Report	Programming	HC 767
Fourth Report	Written Parliamentary questions: monitoring report	HC 1046
Fifth Report	Private Members' bills: Government response and revised proposals	HC 1171
Sixth Report	Programming: proposal for a trial of new arrangements for the tabling of amendments to bills at report stage	HC 1220

Session 2012–13

First Report	Sitting hours and the Parliamentary calendar	HC 330
First Special Report	Reasoned opinions on subsidiarity under the Lisbon Treaty: Government Response to the Committee's Fourth Report of Session 2010–12	HC 712
Second Report	Review of the Backbench Business Committee	HC 168
Second Special Report	Sitting hours and the Parliamentary calendar: Government Response to the Committee's Fourth Report of Session 2010–12	HC 790
Third Report	E-tabling of written questions	HC 775
Third Special Report	Review of the Backbench Business Committee– Government Response to the Committee's Second Report of Session 2012–13	HC 978
Fourth Report	Explanatory statements on amendments	HC 979
Fifth Report	Statements by Members who answer on behalf of statutory bodies	HC 1017
Sixth Report	Debates on Government e-Petitions in Westminster Hall	HC 1094
Seventh Report	Monitoring written Parliamentary questions	HC 1095

Session 2010–12

First Report	Ministerial Statements	HC 602
First Special Report	Ministerial Statements: Government Response to the Committee's First Report of Session 2010–12	HC 1062
Second Report	Improving the effectiveness of parliamentary scrutiny:	HC 800

	(a) Select committee amendments	
	(b) Explanatory statements on amendments	
	(c) Written parliamentary questions	
Second Special Report	Improving the effectiveness of parliamentary scrutiny: (a) Select committee amendments; (b) Explanatory statements on amendments; (c) Written parliamentary questions—Government Response to the Committee’s Second Report of Session 2010–11	HC 1063
Third Report	Use of hand-held electronic devices in the Chamber and committees	HC 889
Fourth Report	Reasoned opinions on subsidiarity under the Lisbon Treaty	HC 1440
Fifth Report	2010 elections for positions in the House	HC 1573
Sixth Report	Lay membership of the Committee on Standards and Privileges	HC 1606
Third Special Report	Lay membership of the Committee on Standards and Privileges: Government Response to the Committee’s Sixth Report of Session 2010–12	HC 1869
Seventh Report	Debates on Government e-Petitions	HC 1706
Fourth Special Report	Debates on Government e-Petitions: Government Response to the Committee’s Sixth Report of Session 2010–12	HC 1902
Eighth Report	E-tabling of parliamentary questions for written answer	HC 1823
Ninth Report	2010 elections for positions in the House: Government Response to the Committee’s Fifth Report of Session 2010–12	HC 1824