

**Submission to the Inquiry into Electronic  
Democracy**

**Scrutiny of Acts and Regulations Committee**

**2002**

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## Summation

This submission provides a broad and general response to the issues raised by the Scrutiny of Acts and Regulations Committee. The key general points of the submission are:

1. eDemocracy is only one element of the wider question surrounding the health of the democratic system of Victoria. The separation of eDemocracy from a wider context is problematic.
2. There is potential value in utilising eDemocracy in Victoria, as additions to existing democratic practices and in stimulating a review of the current democratic practices in this state.
3. eDemocracy is not an end in itself. The current "digital divide" limits the ability for "online only" democratic practices.
4. eDemocracy is too new a concept with too little application for a definitive whole of government strategy or policy for Victoria. Problems with current democratic practice should be identified, and initiatives developed to address these problems.
5. We need to learn a lot more about the value of eDemocracy initiatives and the difficulties and implications for implementation of these approaches in practice – it is inevitable that a range of new approaches may be developed over the coming years, and current approaches that are "in vogue" may turn out to be ineffective.
6. Rather than a single government policy, it is suggested that eDemocracy be introduced as an ongoing series of projects or initiatives.
7. The potential effectiveness of eDemocracy relies on government and non-government organizations and institutions, and capacity building and links between organizations will be required to successfully implement initiatives.
8. At the end of the day, eDemocracy – based on the mutability of technologies like the Internet – invariably entails a loss of control (by government) over the democratic process. This outcome, however, is inevitable and should be embraced – rather than moderated to limit or minimise the impacts of information technologies on existing political process.

From these general remarks, sections 3 through 8 of this submission look at possible initiatives or points of concern that apply to different organisational types. Some of the discussions contained within each section, however, may be generalised between different organisational structures. Many of the suggestions (as summarised below) are within the power of government and the parliament to initiate, but some require the collaboration of other levels of government and the community as a whole.

## Responses and Suggestions

The submission makes a range of suggestions and response to points raised within the discussion paper. These are summarised by section:

### General

Response p.6 - The distinction between "democratic institutions" and "democratic entities" within the discussion paper is somewhat artificial. These organizations and groups form part of the interlocking network of activities that makes up democratic governance. This submission is structured around "touch points" – points of access into the democratic processes of the State of Victoria

Suggestion 1.1 - All eDemocracy initiatives should have a multidisciplinary research component built into their basic design, to enhance understanding and develop best practice case examples. Where initiatives are undertaken outside of the direct control of the Government, lesson learning should be facilitated through an appropriate government agency or collaborating body. Complete research findings from eDemocracy initiatives should be available for public display, including (as per suggestion 2.9) the technical information necessary for other organizations to duplicate these processes

Suggestion 1.2 - There is little value in "bolting on" a range of ICTs to existing democratic practices if these simply further institutionalise executive authoritarianism. The eDemocracy Inquiry should examine the quality of existing offline democratic practices in Victoria, with the objective of enhancing the participatory nature of government in this State

Suggestion 1.3 - The "winner takes all" nature of incumbent government needs to be moderated with resource sharing to minority and alternative political views who do not have access to the significant resources of government or the commercial sector of the political economy

Suggestion 1.4 - No eDemocracy initiative should be developed without a specified objective or objectives. Objectives should be imbedded in performance indicators, to be collected and reported upon

Response p.25 - There appears to be little scope for the development of a holistic "eDemocracy" policy or strategy for Victoria that is prescriptive and comprehensive. Focus should be placed on "initiatives" tailored to specific policy areas, institutions, target groups, or problems

Response p.25 - eDemocracy fundamentally entails a loss of control over democratic participation by Government through the potential for greater participation by the public, and the formation of new types of political organization. Acceptance of the mutability of the participatory process is an essential element in "riding the wave" of change and development of democratic participation over the coming decades

Response p.8 - The mutability of interactive forms presented by ICTs has been overstated in academic and popular literature. While increased flexibility and customisation of service delivery is desirable in government, the expectations of "perfectly customisable" interactions between the public and government are unrealistic. Any eDemocracy initiative should clearly recognise that processes remain structured in some form, either:

- Institutionally (by virtue of the hosting organizations history, legislative base, capacities, or culture),
- Culturally (dominant cultural values are expressed in virtual environments),
- Practically (through management of discussion spaces), and/or
- Politically (through deliberate political attempts to constrain engagement and decision outcomes).

Suggestion 2.1 - Cost savings should not be an objective of democratic processes: on- or offline. eDemocracy initiatives should have the core objectives to enhance the democratic process in some way, for example (example only)

- Increasing public confidence and awareness of the democratic process
- Increasing access to the democratic process
- Improving policy outcomes through consultation
- Enhancing citizen oversight of government (elected and bureaucratic)

- Building social capital
- Rather than a core objective of cost-reduction
- Suggestion 2.2 - eDemocracy initiatives should make a distinction between unnecessary costs that inhibit participation and necessary costs that ensure ownership and engagement. Only the former should be minimised or eliminated. Democracy is a right and a responsibility
- Suggestion 2.3 - The greater the change to an existing democratic process, the more cautious government should be in implementing change. Transformative, novel, and revolutionary changes should be undertaken as pilot projects prior to wholesale implementation. Legislative changes to facilitate pilots should have clear sunset clauses to ensure reviews of eDemocracy initiatives are undertaken
- Suggestion 2.4 - Any process or initiative implemented under the rubric of eDemocracy must be open to all. This may require that offline processes be adjusted (if the eDemocracy initiative is transformative or novel) or developed (if the online process is revolutionary)
- Suggestion 2.5 - An eDemocracy unit or agency (such as that used in Queensland) may be beneficial in co-ordinating initiatives and strategic direction. Multimedia Victoria currently maintain a "watching brief" on this topic and may be a potential candidate for increased oversight and project development
- Suggestion 2.6 - The State Government should continue to monitor the total costs associated with Internet access (hardware, software, ISP fees, and network costs) and take / encourage corrective action (at either the local, state, or federal level) to ensure equitable access to these technologies
- Suggestion 2.7 - No eDemocracy process can be developed without consideration of the offline processes that match or support it. Government projects in this area should be integrated with the 'Restoring Democracy' policy and wider initiatives to enhance Victoria's democratic values
- Suggestion 2.8 - The digital divide prohibits the development of self-determination models of participation as a realistic component of eDemocracy in the near term
- Response p.20 - eDemocracy initiatives should be undertaken where these technologies can:
- Support existing democratic activities and intuitions,
  - Overcome unnecessary costs associated with political participation, and/or
  - Reach segments of the community that are unable or unwilling to utilise other means to access government
- Suggestion 2.9 - Any Government program to develop or implement eDemocracy initiatives should either:
- Ensure the technology is an open source product, or
  - Retain legal rights to reverse engineer the product,
- And have sufficient contractual power to guarantee democratic technologies can not be withdrawn by the vendor or their partner organizations while the product is being used for democratic functions
- Suggestion 2.10 - Any eDemocracy project or initiative implemented should ensure sufficient information transfer from the private to the public sector to:
- Safeguard the security and integrity of democratic systems,
  - Allow public officials to understand and explain the workings of these systems to the public to ensure confidence in the democratic process, and

- Correct or develop the capabilities of these systems in the event that the initial vendor fails in the marketplace

### Elected Representatives and the Parliament

- Suggestion 3.1 - Electronic mail processing and archiving systems should be implemented for parliamentarians before problems emerge with the amount of material being forwarded to them
- Suggestion 3.2 - The parliament investigate and implement a range of online consultation and discussion approaches that could be implemented for use by members
- Suggestion 3.3 - Online consultation and discussion forums established through the parliament must be secure to prevent tampering by other parties, including representatives or their staff
- Suggestion 3.4 - The announcement and development of parliamentary inquiries need not be pre-structured. ICTs could be used to:
- Publish submissions online as they are provided (increasing information on the subject prior to hearings, stimulating alternative/countervailing views), and
  - Provide an online discussion space for participants (chat or email list facilities) during and after the conclusion of the inquiry process
- Suggestion 3.5 - Victorian Parliamentary Committees should accept electronic provision of submissions
- Suggestion 3.6 - ICTs could be used to take parliament to regional and remote Victorian communities
- Suggestion 3.7 - A "citizens" question time be added to Parliamentary process, whereby questions from the public (from phone, mail, online sources, and in-person) are asked of members and ministers
- Suggestion 3.8 - ePetitions should be added to the Victorian Parliamentary Website
- Suggestion 3.9 - Development of an interactive parliament would require redevelopment of the existing parliamentary website. The Parliament will need to determine if the site should be *a* or *the* "democratic portal" (linking citizens to all eDemocracy initiatives) or hang off another portal site (such as the [www.vic.gov.au](http://www.vic.gov.au) website). This decision revolves around the question:
- How central to the overarching democratic process will the parliamentary intuition be in the future? and
  - How does the Parliament wish to position itself online?
- Response p.33 - Technologies like electronic polling booths are limited in their scalability into the online environment. This approach is not a "transition" technology to full online voting and should not be seen as such
- Suggestion 3.10 - Overall, the balance of probability would indicate that Internet voting cannot be made sufficiently secure to ensure public confidence in the electoral process. And that the reduced ability to scrutinise electronic and online voting systems limits their democratic value. The more significant the electoral decision (Federal or State elections), the more cautious Government should be in considering online voting
- Suggestion 3.11 - Internet voting should be rejected as an option in the near term
- Response p.33 - The Australian Electoral Commission's proposed online voting trial for the coming federal election should be closely monitored by the Victorian Electoral Commission for consideration for Victorian State Elections

Suggestion 3.12 - Given the wider penetration of telephones (both landline and mobile), telephone voting technology should be considered as part of any electronic and online voting trial for Victoria should this development be considered

Suggestion 3.13 - Regardless of decisions to utilise electronic or online voting in Victoria, more needs to be done to increase the participation of younger voters.

This may include:

- Education,
- Advertising, and
- Encouraging political parties to pre-select candidates with specific experience with, or policy interest in, issues affecting younger Victorians

Suggestion 3.14 - Any online voting system implemented in Victoria should provide a "lobby" space with links to candidates' nominated webpages or election statements

### Political Parties

Suggestion 4.1 - Parties should develop greater interactivity in their websites, and the capacity for local branch pages, discussion groups, and mailing lists to be developed and maintained in support of branch activities

Suggestion 4.2 - Parties should maintain and update their online information on a regular basis, rather than during election periods only

Suggestion 4.3 - Parties should actively develop their networking with other social movements and interest groups via their websites

Suggestion 4.4 - Parliament should actively encourage members to provide Internet links to online information about their electorates – including local party branch pages and other consultative fora

Suggestion 4.5 - Online information contained in any Government website about policy issues and consultative fora should provide links to relevant policy deliberation fora within Victorian political parties

Suggestion 4.6 - The Victorian Electoral Commission should provide links to registered parties' webpages from their site

Suggestion 4.7 - Advice about using the Internet to provide political information and interactivity to the electorate (including lists of free online services to public information) should be provided as part of the Candidates Manual issued to all nominating candidates in elections

### Community Organizations and Interest Groups

Suggestion 5.1 - The MC<sup>2</sup> initiative should be developed in a number of ways to facilitate democratic participation:

- Increased advertising of the service,
- Enhancements to the site for more flexibility in the online toolset to increase the range of democratic deliberation forms available within the virtual communities, and
- Allow the site operators to better index available communities to increase the online discovery of these groups – both within the site itself, and in popular search engines (including the official Victorian government portal sites)

These developments would require a greater commitment of government funding to the project

- Suggestion 5.2 - The success or failure of communitybuilder.nsw should be examined by the Victorian government for possible emulation
- Suggestion 5.3 - Promoting a range of participatory, free virtual community environments to the non-government sector and public should be part of any eDemocracy initiative
- Suggestion 5.4 - VicNet, through the MC<sup>2</sup> initiative should be funded to develop and maintain a free, flexible suite of online news publishing tools for alternative media – the Indymedia initiative provides a number of particularly interesting approaches to structuring collaborative publishing online and should be investigated as one model for emulation
- Suggestion 5.5 - Government websites that contain policy-related information should include links to relevant interest groups, social movements, alternative media, and MC<sup>2</sup> (and other) online communities to provide avenues for policy interested citizens to identify and join policy-oriented discussion groups. Submission of relevant links should be open to users of government websites
- Suggestion 5.6 - Inclusion of links to other groups and individuals should be based on the relevance to the topic – rather than the perceived "quality" of content by public servants. The public should have a right of appeal if linkage requests are rejected by the agency or body maintaining the page

### The Victorian Public Service

- Suggestion 6.1 - All significant (critical to mission) electronic and online service delivery initiatives should capture relevant performance and citizen satisfaction measures as part of their core functionality. These measures should be:
- Quantitative (i.e. demand assessment),
  - Diagnostic (i.e. of managerial value), and
  - Of policy development value
- Suggestion 6.2 - Performance and policy-oriented data collection should be implemented with reference to existing information privacy principles developed by the Commonwealth and the Victorian Parliament. Government departments working with private sector providers should ensure that outsourced and contracted services also meet the spirit as well as the letter of the law with regards to information privacy
- Suggestion 6.3 - All service and policy-oriented information should be publicly available in a manner that upholds the principle of democratic transparency and ensures effective anonymity for respondents. Contracts with private sector providers of eGovernment solutions should include explicit requirements for complete disclosure of this information in a timely manner as not to benefit incumbent administrations
- Suggestion 6.4 - The current use of structured eConsultation processes should be extended with semi-structured online consultations across a range of types. Internal eConsultation types may be trialed within government departments before "going live" with wider community consultations to develop best practice models for ongoing development
- Suggestion 6.5 - Deliberative methods of consultation should be considered for Victoria that incorporate some elements conducted online, on a trial basis
- Suggestion 6.6 - Victoria should liaise with the Western Australian government to co-ordinate the development of experience in administering citizens' juries

- Suggestion 6.7 - The Macintosh and Whyte criteria for consultation should be developed and adapted for reviewing eConsultation and eDeliberation processes in Victoria
- Suggestion 6.8 - The State Government should mandate online accessibility, either by law or make accessibility reporting a KPA for all government agencies, corporations, and departments
- Suggestion 6.9 - Evaluation of new software and content contracts should include criteria for accessibility against a minimum standard (such as W3C level AA). These standards should increase over time (continual improvement) and be included in contracts with organizations who provide information on behalf of government
- Suggestion 6.10 - A "two step" FoI process be introduced – the first step allowing the requesting party to search electronic databases for the existence of documentation relevant to their inquiry, and a second step where the information is vetted and released by the relevant public officials
- Suggestion 6.11 - FoI release be accessible in electronic format upon request of the initiator where this does not place unreasonable costs on the agency. This may require amendment to the Freedom of Information Act 1982
- Suggestion 6.12 - All government documents released under an FoI request be placed into an online public archive, such as through VERS, for multiple use and discovery
- Suggestion 6.13 - The Committee should monitor the outcomes of the VERS review of document management standards compliance and practice in the VPS to determine if corrective action is required to ensure agencies have systems in place to encourage greater transparency of information
- Suggestion 6.14 - Greater publication of all government documentation online must be vetted to prevent personal or identifying information being released – metadata standards must ensure that documents containing personal information are flagged
- Suggestion 6.15 - At minimum, policy units within the public service should identify existing policy-oriented lists associated with their responsibilities and nominate "liaisons" to join and participate in these lists
- Suggestion 6.16 - Point a of Section 95(1) of the Victorian Constitution Act should be deleted to facilitate participation in informal policy-oriented discussion lists without fear that general discussion is a violation of the Code of Conduct. This subsection should be replaced with words to the effect of:
- (a) publicly comment upon the administration of any department of the State of Victoria that they are not employed by;
  - (b) publicly comment upon the administration of the department of the State they are employed by without a written or oral disclaimer that the statement is not a reflection of official government policy."

### The Executive

- Suggestion 7.1 - Cabinet should consider if they are willing to engage genuinely in Open Cabinet processes and undertake the Welsh model on a trial basis

### Local Government

- Suggestion 8.1 - The Local Government sector should be considered as a fertile test bed for small and medium scale eDemocracy initiatives within and between municipalities. These projects should be facilitated and funded by the State



government in conjunction with representative bodies such as the Municipal Association of Victoria and the Victorian Local Governance Association. These test projects would require:

- Financial assistance for local government based on their capacity to self-fund projects (with larger or complete subsidy to rural and regional municipalities carrying larger debt), and
- Development of detailed reporting (lesson drawing and knowledge sharing) through a centralised repository of case studies (such as the Department of Infrastructure webpage and printed publications)

Suggestion 8.2 - Local government projects are unlikely to succeed without financial support for both technology acquisition and project officer positions

Suggestion 8.3 - Local governments lacking the capacity to cross link with community groups should be supported in developing the underlying technological capability to achieve this outcome

Suggestion 8.4 - The Victorian government may need to develop a dialogue with the sector to consider the relationship between eDemocracy and Best Value

Suggestion 8.5 - The MC<sup>2</sup> initiative may be a cost-effective adjunct to wider community consultation on Best Value and other local government initiatives, the Local Government unit of the Department of Infrastructure, municipalities, and the Best Value Commission should consider how this existing initiative could be used to enhance Best Value implementation and policy outcomes

Suggestion 8.6 - The Government should consider online voting pilots for local government elections in Victoria

Suggestion 8.7 - While local government elections are seen as having lower levels of security risk, local government electronic and online voting should have the same level of security and scrutiny afforded to systems that would be used for federal or state elections. These trials would therefore provide greater levels of understanding about security implications associated with these systems before wider adoption of the technology should be considered

Suggestion 8.8 - Targeted funding should be made available for local councillors to develop and utilise online consultation in a variety of forms

Suggestion 8.9 - These initiatives should be co-ordinated through a centralised body (such as the DOI or MAV) to ensure funds are directed to:

- Areas of need (smaller municipalities with limited IT budgets), and
- Localities where these initiatives can develop capacity within the region for civil society initiatives

## Statement of Authorship

This documents has been written by Peter Chen, Winsome Roberts, and Rachel Gibson. Because of the timeframe for submission, the authors of this document have contributed to different parts of the submission and have not had the time to review and approve of the submission as a whole.

In reading this submission, therefore, please note that:

- The section "1.1 If eDemocracy is the Solution, What is the Problem?" was written by Winsome Roberts.
- The section "4.0 Political Parties " was written by Rachel Gibson, based on material prepared by Gibson and Ward.
- The remainder of this document was written by Peter Chen.

If further information is required from the submitters, please refer to the relevant author of the section in question, or Peter Chen if the question is generalised across a number of authors' contributions to co-ordinate a response.

Signed by \_\_\_\_\_ on behalf of the authors.  
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## 1.0 Introduction

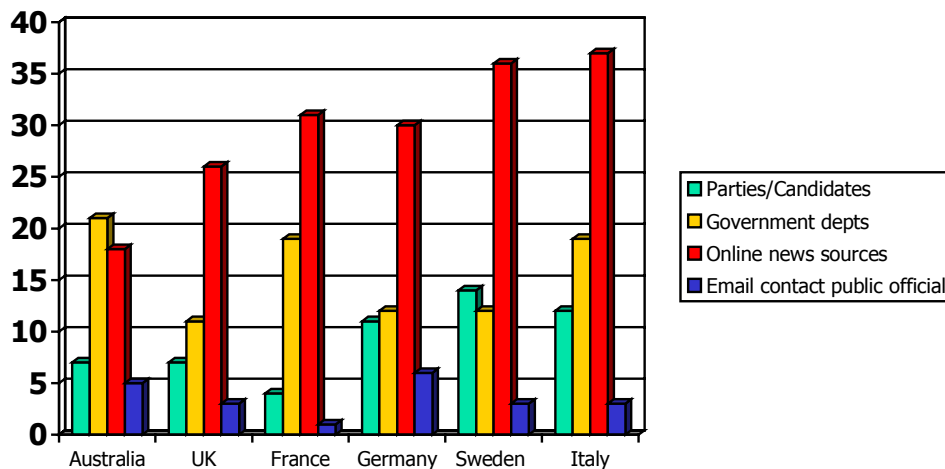
This submission is made in response to the discussion paper prepared by Trinitas Pty Ltd on behalf of the Scrutiny of Acts and Regulations Committee ("the Committee"). The objective of this submission is:

1. To respond to the questions raised within the discussion paper (these responses are flagged by the letter **R** and the page number of the original question or point raised in the discussion paper);
2. To highlight some of the research findings in the area of electronic democracy, both domestic and international; and
3. To add some additional suggestions and observations drawn from the current state of research in this field. These are delineated in the report in boxes marked with an **S** and are numbered consecutively by section.

### 1.01 Holistic Impact of New Media on Democratic Life in Australia

Research into the sources of political information online (figure 1, below), illustrates that Australian Internet users tend to be more pluralistic in their selection of political and policy information online when compared with their European peers. In addition, as policy and public programs of action are increasingly delivered through interorganisational networks, there is an increasing need to co-ordinate eDemocratic processes (Government Online International Network, 2001) between different levels of government or hierarchically or structurally delineated bodies (between departments, between government and non-government organizations). This highlights the need to consider eDemocracy in Victoria across the range of formal and informal institutions that mediate or funnel political activity.

Figure 1: Pluralistic New Media Use in Australian Political Life



Sources: Australian Election Study, 2001; Eurobarometer 53.0 April/May 2000.  
(compiled by Gibson)

*The distinction between "democratic institutions" and "democratic entities" within the discussion paper is somewhat artificial. These organizations and groups form part of the interlocking network of activities that makes up democratic governance. This submission is structured around "touch points" – points of access into the democratic processes of the State of Victoria*

The submission attempts to provide a broad overview of the issues presented in the discussion paper, and is divided into a number of sections pertaining to institutional and quasi-institutional touch points within the governance system where eDemocracy might be applied to enhance public

- understanding of the political and policy process,
- participation in policy development,
- partaking in decision making, and
- response to government (in)actions.

Subject to section 1.02 (below), the submission is a summation only. Further information (if available) can be provided upon request.

## **1.02 The State of Current Research**

It should be noted that the concept of electronic democracy, while not new<sup>1</sup>, has attracted increased attention over the last fifteen to twenty years because of the increased diffusion of, lower costs associated with, and decreasing educational barriers to information and communications technologies (ICTs). The concept of eDemocracy, however, has been largely motivated by the development and popularisation of the Internet and its associated technologies over the last five to ten years. Because of this relatively new technological development, the extent of academic theorising and case analysis remains somewhat limited. While a range of researchers from diverse academic and practice-related fields<sup>2</sup> have begun to examine this important *potential* area of democratic life, research remains formative. Policy recommendations and suggestions should be read with caution.

At the risk of appearing rent seeking, a general recommendation to the Committee is that any eDemocracy projects or initiatives undertaken by the State of Victoria ("the Government") have as a core objective the development and refinement of our understanding (theoretical, technological, and practice-oriented) of the application of ICTs to the democratic process – its outcomes, barriers, and enablers. This may involve active research elements by academic and community-based researchers, or Performance Management and reporting by implementing agencies and organizations.

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<sup>1</sup> The concept of "teledemocracy" has routes back to the development of electrical communications technologies in the 19<sup>th</sup> century (London, 1995).

<sup>2</sup> Including (but not exclusive to): commerce, political science, public policy, political and general sociology, economics, law, gender and critical theory disciplines, computing and information technology.

S  
1.1

*All eDemocracy initiatives should have a multidisciplinary research component built into their basic design, to enhance understanding and develop best practice case examples. Where initiatives are undertaken outside of the direct control of the Government, lesson learning should be facilitated through an appropriate government agency or collaborating body. Complete research findings from eDemocracy initiatives should be available for public display, including (as per suggestion 2.9) the technical information necessary for other organizations to duplicate these processes<sup>3</sup>*

### **1.1 If eDemocracy is the Solution, What is the Problem?**

A democracy is a political regime where the people take part in ruling as well as being ruled, as opposed to an authoritarian regime where they are simply ruled.

Democracies around the world are under pressure from increasing public dissatisfaction and disinterest because they have been seen to neglect the defining element of democratic government: the need for people to play an active role in the process of governing. This is particularly true of representative democracies, where, considering the practical limitations of direct democracy, it has become accepted practice for the active part of citizenship to be construed as merely voting for a candidate who will then take on the responsibility of ruling on their behalf. Politicians are considered to be the professionals of politics, who are assigned the responsibility of ruling and citizens become mere subjects, providing legitimacy through the ballot box and used to being ruled.

There is an attraction about governing in this manner. All political regimes need *stability* and *order* and this manner of governing smoothes the process. However, as representative democracy has become increasingly professionalised, the process of ruling has become more and more narrowly defined. Instead of parliamentarians undertaking to debate issues and form fluid coalitions on matters of importance to their constituents, parliamentarians have become aligned with disciplined party machines, organizations who see their role as reducing uncertainty by structuring political processes, pre-determining positions prior to parliamentary debate, and whom, by and large, determine the political agenda, prior to voting. While this development may be acceptable if parties themselves are aligned with the views of their broader constituency, this has not happened. Instead, parties have become increasingly hierarchical, and controlled by centralised committees. Stability is assured, but at the expense of participatory democracy. It has also become accepted practice for the government of the day, to take on 'a right to rule' on electoral success, without significant opposition within the house.

The professionalisation of politics has further increased the degree of consensus. Whereas, in the past, most politicians had previously established themselves in other occupations, prior to entering parliament, increasing numbers today have limited experience beyond politics. Seen as a career choice, politicians need to be adroit at working party machines and networking fellow politicians. There is very limited incentive to work with outside groups or their constituencies.

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<sup>3</sup> With thanks to Dr Karin Geiselhart for input into this point.

Our political culture tends to legitimise this disconnection of elected representatives from community participation. The ascendancy of the neoliberal perspective, with its emphasis on efficiency and individualism, has downgraded the political. The streamlined democracy of executive authoritarianism is regarded as preferable because it does not involve protracted consultations and negotiations. Democratic government is then reduced to contestation between parties for leadership on issues that, according to the information of pollsters, have majoritarian support, and attention is confined, at elections, to those constituencies where party allegiance is in the balance.

Democratic governments across the globe have regarded consensus as a virtue, and turned it into a desirable end in itself. Good government should be stable, but not at the expense of failing to adjust to changing social conditions. Conservative institutionalism and culture handicap responsiveness by oversimplifying the complexity of what it means to govern an increasingly complex and differentiated society. Democratic government requires that stability and order should be achieved by responding appropriately to widely different groups and changing and differing social conditions, otherwise it risks becoming irrelevant to large sections and tyrannical to others.

Neoliberalism and consensus politics, by denying, rather than addressing political difference, short-change democracy. Rule by the people is problematic because although in some sense the people are one, the fact is that they are different in terms of gender, ethnicity, age, status, ability, and class. Moreover these differences are more pronounced with the differentiation that is encouraged by the market segmentation and the intellectual fashions of postmodernism that have extolled difference. Unfortunately, increasing differentiation is combined with a narrowness of political information acquisition that grossly distorts understanding of the body politic.

Business leaders and elites are privileged with face-to-face interaction, whereas broad consultation on policy is viewed as expensive and time wasting. Government policy work is contracted out only to consultants whose findings can be relied upon to provide agreeably orthodox advice and recommendations. Gaining feedback from a broader constituency is limited to polling on agendas that have already been determined. Processes of government are less transparent because access to information is restricted by caveats of commercial confidentiality. Decision-making is done behind closed doors and with limited or no documentation except as to outcomes. The media, governed by the market imperatives of profitability, is less questioning and tends to reproduce media releases, rather than sponsor investigative journalism. Protesters and protests, such as they are, are discounted and dealt with by community relations experts.

These tendencies have also created a standoff between politicians and ordinary citizens. The rational response of even the most dissatisfied of citizens in such circumstances is to withdraw. Such alienation, is regularly (mis-) interpreted as 'voter apathy' a judgment that is as ill informed as it is inappropriate. By focusing on outcomes, rather than processes, politics becomes debauched and there is limited good will to salve the inevitable acrimony of agonistic politics. Politicians are typecast as greedy, power-obsessed, self-interested and self-promoting individuals



who, whenever it suits them will lie and buy their way out of trouble. Politicians for their part, justify a lack of direct engagement with the differences of their constituents by citing apathy, ignorance.

### 1.11 What Needs to be Considered in Democratic Reform?

This submission takes the view that the current eDemocracy Inquiry has the potential to review the range of problems affecting democratic practice in Victoria, and add to enhanced political engagement and ownership by the public over public life.

**S**  
**1.2** *There is little value in "bolting on" a range of ICTs to existing democratic practices if these simply further institutionalise executive authoritarianism. The eDemocracy Inquiry should examine the quality of existing offline democratic practices in Victoria, with the objective of enhancing the participatory nature of government in this State*

Democracy, apart from outward form, is severely constricted by the way the new political economy has shaped social relations so that some have become vastly more powerful, and secure, than others. For the people to share in ruling, democracy requires endorsement of the radical ideals of equality and fraternity so that there is greater opportunity for those who are concerned to speak up, and a greater preparedness to listen, with fairness and goodwill, to the position of others. This requires greater recognition that democratic rule is not simple and straightforward and may require protracted debate and argument to reconcile differences. Politicians have to learn to listen, not just lead. For democracy to succeed, all politicians need to be reminded and give allegiance to the principle that they are parliamentarians who are representatives of, and accountable to, the people in their constituency who elect them. Political agendas need to be driven from the grass roots up, not imposed from the top, down. Politics needs to be made simple, but no simpler. People need to matter again. Not just those who are important because of their privilege and status, but the most dispossessed and disadvantaged. Democracy is inclusive, not exclusive.

The government of the day has seemingly endless resources to devote on its politicians and senior public servants. They can hire media consultants who will promote their image and script their speeches as well as engaging advertising agencies who can package and sell policies. So do the party machines. Politicians need to be accorded some of these resources as a right, not a privilege.

**S**  
**1.3** *The "winner takes all" nature of incumbent government needs to be moderated with resource sharing to minority and alternative political views who do not have access to the significant resources of government or the commercial sector of the political economy*

Politicians need to stop the closed shop practices. They must address all the key stakeholders. In a democracy, politics is too important to be left to politicians. Members of Parliament need to place renewed emphasis on directly listening to what their constituents are saying in vastly differing political territories. If politicians don't live in their electorate, then they should have the resources to make sure that they visit those constituencies regularly and have electoral assistants working there who are geared not simply to fielding service complaints and enquiries but to intelligencing

the impact of current policies and the broader direction of the political economy on local households. The determination, implementation and evaluation of policies of a democratic government should start and end with how they reconcile with the daily lives of a broad cross section of Australians, living in vastly different circumstances, not just the most privileged and most easily accessible.

Only participation can solve democracy's problem of reconciling the unity of the polity with the needs of its many sub-constituencies and communities. Denying this problem and ignoring it, will not make it go away. Indeed, particularly in the current neoliberal environment it will only worsen. Email and the Internet, like talkback radio, have the potential to create a political space for public debate and deliberation that is attractive, because interactive. Governments, government departments and instrumentalities, party organizations, and members of parliament all would need to use these technologies to promote greater organizational learning. Members of the public are not fools, they will only participate if they see value in it. Citizens only become active if they think the matter important and they can make a difference. If the desire for participation is genuine, it will mean consulting citizens about agenda setting, not just relegation to providing feedback about policies that have already been decided.

If governments are serious about reforming their political practices, to make politics more democratic, they need to invest substantial resources in ensuring greater face-to-face interaction with a broader constituency backed up by communication technologies that enable interaction. They need to listen less to the orthodoxies of technical specialists and intellectuals, who have conveniently carved up lived reality into manageable abstractions. These abstract simplifications may be attractive in their simplicity but they usually provide totally misleading accounts of lived reality. Politicians need to start to talk to ordinary people again in a way that respects their humanity: their joys and their sorrows. Democracy depends for its lifeblood on a political process that will read the passions of various communities of people and take account of the 'quarrels' that may be engendered. Democracy requires a culture of political liberalism to affirm the legitimacy of hearing the many different voices and a political process that is just because it reconciles these views.

**If there is the political will, democracy can be reformed, with the assistance of interactive technologies. Technology can serve these purposes, but it cannot direct them. The Internet opens up exciting possibilities for democratic enhancement but it is not, by itself, sufficient to ensure it.**

At present, the State Government is considering the development of an enhanced set of Social Benchmarks and Indicators for Victoria (Salvaris, et al., 2000) that may include measures of the democratic health of the state (based on a triple bottom line accounting approach). Any eDemocracy initiative should be conducted in partnership with these (or similar) indicators to determine the "democratic dividend" (if any) of government initiatives.

<b>S</b> 1.4	<i>No eDemocracy initiative should be developed without a specified objective or objectives. Objectives should be imbedded in performance indicators, to be collected and reported upon</i>
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## 2.0 Conceptualising eDemocracy

Electronic or Online Democracy has been variously defined as:

[A]ny democratic political system in which computers and computer networks are used to carry out crucial functions of the democratic process – such as information and communications, interest articulation and aggregation, and decision making.

- Hagan, 1997

e-governance is really about choice. It is about providing citizens with the ability to choose the manner in which they wish to interact with their governments

- Commonwealth Centre for Electronic Governance, 2001

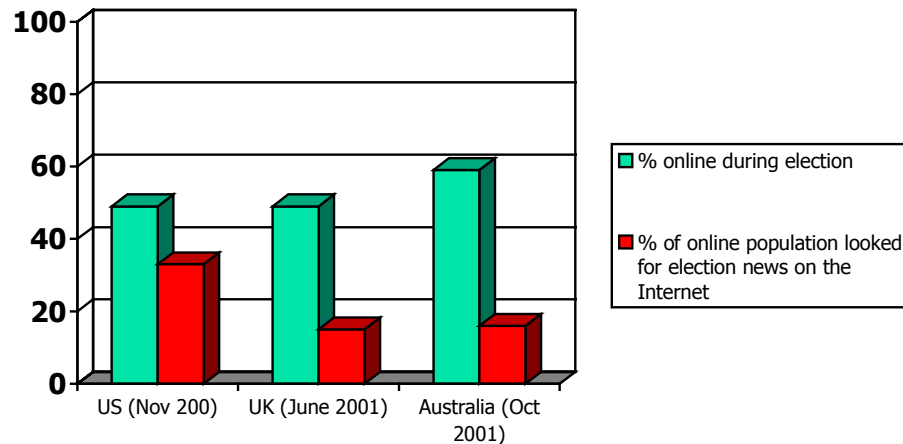
E-democracy represents the use of information and communication technologies and strategies by democratic actors (governments, elected officials, the media, political organizations, citizen/voters) within political and governance processes of local communities, nations and on the international stage. To many, e-democracy suggests greater and more active citizen participation enabled by the Internet, mobile communications, and other technologies in today's representative democracy as well as through more participatory or direct forms of citizen involvement in addressing public challenges.

- Clift, 2002a

Overall, the difficulties associated with eDemocracy lie in application, rather than theoretical basis. While many definitions exist, most focus on the use of ICTs to facilitate or enrich the democratic process, practical examples of eDemocracy remain somewhat limited in form and scope.

At the most basic level, the Internet can be seen as one important tool for the spread of political information. Figure 2, page over, illustrates that, while only a small percentage of the online population used the Internet for political information during recent significant elections, comparisons with the United States indicate there is potential for the medium to become a significant source of political and policy oriented information.

Figure 2: Use of Internet for Political Information Gathering During Elections



Sources: Pew Internet & American Life Project, 2000; James Crabtree, 2001; Australian Election Study, 2001. (compiled by Gibson)

This submission takes the view that eDemocracy is both wide and narrow in scope:

- *Wide*, in that eDemocracy can be applied in a variety of social and institutional settings (as indicated by the structure of this report). This width is a function of the flexibility and mutability of the underlying driving technologies, and
- *Narrow*, in that eDemocracy is, at best, an interlocking technology only. Any democratic system depends on the robust character of a range of institutions (parties, bureaucracy, civil society organizations, intellectuals, the media) and social characteristics (openness to alternative points of view, willingness to participation, tolerance and *acceptance* of dissent).

The discussion paper highlights a range of issues pertaining to eDemocracy and its potential to change the nature of participation (pp. 21-31). Overall, the discussion paper asks:

- Is the form valid (*i.e.* is it democratic in character)?
- Does it allow for participation by the public, or only select elements of the community (the "digital elite")? and
- Can government control, mediate, or influence the process to ensure positive policy making outcomes (avoidance of "capture", over-emphasis on detail, *etc.*)?

These are excellent questions, and remain (as identified in section 1.02) largely unresolved. Overall, the Committee must recognise that the evolving nature of the technology and application to democratic use require that:

- The Government recognise that the basic technology remains democratic, in that Internet users actively attempt to influence the medium and its functionality to purposes of interest to them,
- The medium is lopsided in its pluralistic value (see section 2.5, below), and
- The range and scope of change negate the possibility for a short-term *comprehensive* policy for eDemocracy.

**R**  
**25** *There appears to be little scope for the development of a holistic "eDemocracy" policy or strategy for Victoria that is prescriptive and comprehensive. Focus should be placed on "initiatives" tailored to specific policy areas, institutions, target groups, or problems*

Inherently, as indicated by our situating position outlined in section 1.1, we see the technology as having the *potential* to disrupt current political practices and the distribution of power in our society. While some might see this as problematic – in reality the disruptive capacity of the technology contains significant opportunities.

**R**  
**25** *eDemocracy fundamentally entails a loss of control over democratic participation by Government through the potential for greater participation by the public, and the formation of new types of political organization. Acceptance of the mutability of the participatory process is an essential element in "riding the wave" of change and development of democratic participation over the coming decades*

## **2.1 Digital Utopias and the Citizen Centric View**

The discussion paper raises the concept of "citizen centricity" as a normative good. This view is motivated by the flexibility of ICTs to deliver unique, customised experiences and interactions to target groups (customers for eCommerce, citizens for eDemocracy, stakeholders for eConsultation). While there is limited value in this statement, this view is based within the tradition of technological determinism and the inevitability of progress and improvement (May, 2001:24): that modern social problems will inevitably be solved by technological developments (Purcell, 1994:38).

This approach has clear limitations, and when applied to developments in the "new economy", has been criticised as a utopian view with limited foundation (Perkins, 1997). While eDemocracy has scope for radical change to existing democratic practices (see section 2.3), no ability exists for current or near future technologies to provide perfect mutability based on citizen demand. While this may change in the medium to long term, two factors will continue to impede this development:

- The limited ability for members of the public to be fully appraised of what they require from government and democratic interactive technologies, and
- Time delay built into the adoption curves for new technology diffusion.

R  
8

*The mutability of interactive forms presented by ICTs has been overstated in academic and popular literature. While increased flexibility and customisation of service delivery is desirable in government, the expectations of "perfectly customisable" interactions between the public and government are unrealistic<sup>4</sup>. Any eDemocracy initiative should clearly recognise that processes remain structured in some form, either:*

- *Institutionally (by virtue of the hosting organizations history, legislative base, capacities, or culture),*
- *Culturally (dominant cultural values are expressed in virtual environments),*
- *Practically (through management of discussion spaces), and/or*
- *Politically (through deliberate political attempts to constrain engagement and decision outcomes).*

## **2.2 Over-emphasis on Costs**

Democracy is an expensive form of government. There is an emphasis on costs within section 3 of the discussion paper, reflecting real concerns about:

- Financial and other costs placed on the public in accessing the political system (limiting participation), and
- Financial and other costs associated with the delivery of government and democratic access points and information (limiting government outreach to the community).

While cost reduction can be presented as a normative value, this can be overstated. If eDemocracy initiatives simply attempt to save money, there is likely to be limited democratic dividends from these activities. This would be especially problematic if existing offline initiatives are discontinued in favour of online-only activities.

S  
2.1

*Cost savings should not be an objective of democratic processes: on- or offline. eDemocracy initiatives should have the core objectives to enhance the democratic process in some way, for example (example only)*

- *Increasing public confidence and awareness of the democratic process*
- *Increasing access to the democratic process*
- *Improving policy outcomes through consultation*
- *Enhancing citizen oversight of government (elected and bureaucratic)*
- *Building social capital*

*Rather than a core objective of cost-reduction*

In addition to the point above, there needs to be a distinction between *necessary* and *unnecessary* costs associated with democratic participation. There is a tendency for board-based consultative processes (both on- and off-line) to be low involvement activities. That is, activities where the level of input, participation, and effort by the citizen is limited. In the online environment, a number of examples of this form of low effort activity exist, such as:

- Simple polling on websites ("tick and flick" surveys),
- "Virtual sit-in" (Meikle, 2002), and

<sup>4</sup> This comment can also be equally applied to electronic and online service delivery initiatives.

- Email and web-based petitions.

Low involvement democratic activities often have low levels of associated *ownership* (responsibility for one's participation) and *commitment* (ongoing engagement).

Attempting to simply lower the overall costs associated with eDemocracy activities may negate the value of these practices in connecting citizens with government in a genuine partnership. In reducing the level of effort required to participate, citizens may:

- Develop limited understanding of the issue or process,
- Provide meaningless responses (the "garbage in, garbage out" problem),
- Develop "deniability" views of the impact of their participation, and/or
- Lose interest in future participation (the "switch off" factor).

**S**  
**2.2** *eDemocracy initiatives should make a distinction between unnecessary costs that inhibit participation and necessary costs that ensure ownership and engagement. Only the former should be minimised or eliminated. Democracy is a right and a responsibility*

### **2.3 eDemocracy: The Potential Scope of Change**

The discussion paper (p21) identifies that ICTs will change the way politics is undertaken. This statement is correct. We can currently see numerous examples of formal and informal eDemocracy initiatives altering the political and policy process, for example:

- Experiments with electronic voting (such as the ACT government trial),
- Political activism and organization online (such as the S11 protests), and
- Direct, interaction between representatives and the public (such as Wellington Shire's interactive council meetings).

Overall, a framework is needed to conceptualise the nature and extent of potential change. A proposed model (figure 3, page over) categorises change as either *facilitative*, *transformative*, *novel*, or *revolutionary* depending on the level of change to an existing democratic process and the anticipated extent that change can be implemented immediately.

Figure 3: A Framework of Electronic Democracy Developments

	Change Type	Democratic Activity	Example
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Change magnitude / complexity</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Low / Simple (fastest diffusion)</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">High / Complex (slowest diffusion)</p>	<p><i>Facilitative:</i> The use of new media simply expedites, cheapens, or speeds an existing political process</p>	Constituents consultation	Electronic mail SMS messaging
		"Town meetings"	Internet relay chat Newsgroups
		Information distribution	Websites ("brochureware") Streaming video / audio
		Voting	Direct email Electronic Voting Booths
	<p><i>Transformative:</i> The use of new media expedites an existing political process, which is altered in an essential characteristic because of the impact of the technology</p>	Consultation with interests	Online conferencing Newsgroups
		Voting	Email list participation Internet-based voting
		Public Polling	Internet-based polling
		Working parties / committees	Virtual workspaces "Groupware" Online conferencing
	<p><i>Novel:</i> The use of new media specifically to replace an existing political process with a new one</p>	Environmental scanning	Comprehensive, organised electronic mailing list "lurking"
		Voting	Internet-based citizen initiated referenda
	<p><i>Revolutionary:</i> The use of new media technology causes the development or invention of a new political process</p>	Autonomy	Self-regulating, non-geographic communities of interest
		Environmental scanning	Political information agents <sup>5</sup> – Artificial Intelligence in political activism

In using this framework, we can identify a number of important considerations:

- There are basic limitations to the extent that eDemocracy can be implemented via incremental means,
- While *facilitative* and *transformative* changes can be implemented relatively simply, *novel* and *revolutionary* change is likely to require substantial alteration to existing legislative arrangements governing the political process,
- eDemocracy initiatives that substantially enhance the quality of democratic processes online need to have similar matching developments in offline processes, and
- Some eDemocracy initiatives may require substantial policy, technical, and practice-based co-ordination across levels of government (state-local, for example), between departments and agencies, or between government and the non-government sector.

**S**  
2.3  
*The greater the change to an existing democratic process, the more cautious government should be in implementing change. Transformative, novel, and revolutionary changes should be undertaken as pilot projects prior to wholesale implementation. Legislative changes to facilitate pilots should have clear sunset clauses to ensure reviews of eDemocracy initiatives are undertaken*

<sup>5</sup> Based on Sau's (1999:137-55) view of intelligent agents as co-operatives, autonomous, learning programs.



**S**  
**2.4** *Any process or initiative implemented under the rubric of eDemocracy must be open to all. This may require that offline processes be adjusted (if the eDemocracy initiative is transformative or novel) or developed (if the online process is revolutionary)*

**S**  
**2.5** *An eDemocracy unit or agency (such as that used in Queensland) may be beneficial in co-ordinating initiatives and strategic direction. Multimedia Victoria currently maintain a "watching brief" on this topic and may be a potential candidate for increased oversight and project development*

## 2.4 eDemocracy and eGovernment: Some distinctions

This submission makes a distinction between electronic and online service delivery, and electronic democracy (in two forms). These distinctions affect:

- Who is responsible / can initiate the activity,
- What form the activity takes, and
- The level of executive influence over the activity.

However, while terms like eDemocracy and eGovernment are often used interchangeably, it is important to keep a distinction between online service delivery and participation distinct. While government eCommerce models have potential for increased democratic participation (see section 6.1) and may utilise similar basic technologies (such as Customer Relationship Management software), the fundamental objectives of eCommerce and eDemocracy may be incompatible, and a clear distinction (definitional, and structural) should be maintained between the two activities.

In addition, a clear distinction is made between individual and institutional forms of democracy, in that, sections 3 and 8 contain recommendations for both institutional innovation and assistance to elected representatives as individuals.

Figure 4: Electronic Service Delivery and Democracy – Analytical Variations

	Electronic and Online Service Delivery	Electronic Democracy	
		Institutional	Individual
<i>Unit of analysis</i>	Institutions: departments or whole-of-government portals (business units)	Parties (federal / state), "governments" (Ministerial), pressure groups	Elected representatives, political candidates, and policy activists
<i>Focus of activity (motivation and application)</i>	New public management: customer service and satisfaction / resource control	Election campaigning, agenda setting, community consultation, and lobbying	Election campaigning, community consultation, complaints, and agenda setting
<i>Target Audience</i>	General or functional	General or functional	Territorial or functional
<i>Examples</i>	Online bill payment / presentment, book-a-service	Party election websites, "have your say" citizen feedback	Discussion lists, online chats, issue polling, online consultation

## 2.5 Comments on the "Digital Divide"

One of the most basic barriers to electronic democracy is the "digital divide": the comparatively low level of Internet use by Australians when compared with other

"established" media and communications forms (*i.e.* television, radio, telephone, etc.).

Limited use of ICTs is caused by factors such as:

- Lack of interest in the technology or its use,
- Socio-economic barriers to participation (including language and educational barriers), and
- Technological barriers (such as limited bandwidth in rural and remote areas).

Unlike in other nations, gender does not appear to substantially affect Internet use in raw terms (NOIE, 2002).

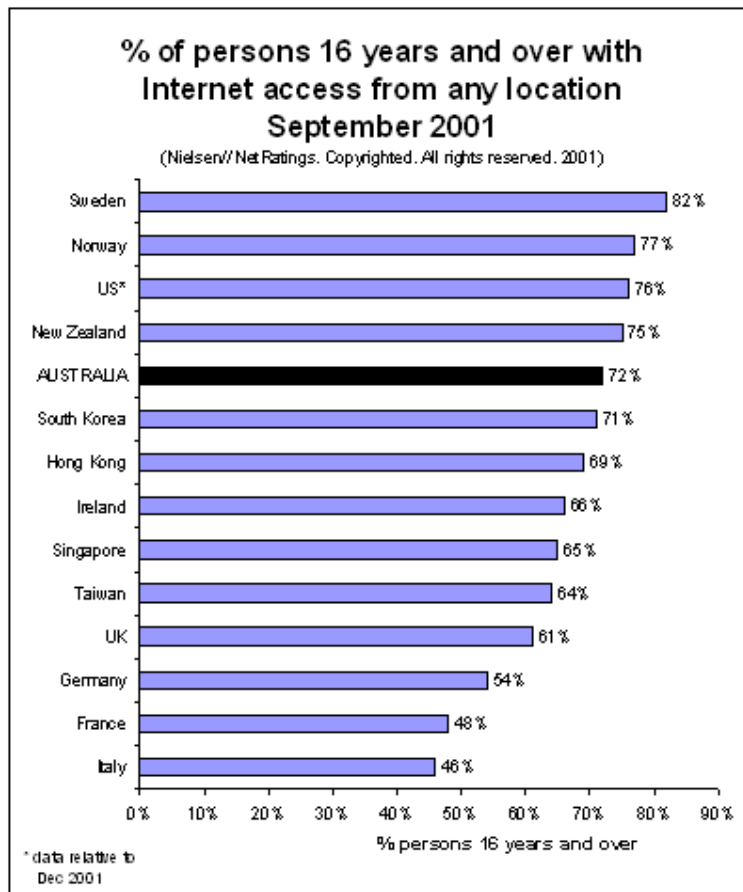
The Victorian government has undertaken a number of projects aimed at reducing the digital divide, such as attempts to increase access to the Internet through schools, libraries, and community centres, as well as training programs. Overall, some of the costs associated with using the Internet (computer costs, ISP fees, *etc.*) have declined over the last 10 years, however, there is no reason to expect that this will continue. Potential changes in the current market for Internet connections and associated telecommunications services (such as the consolidation of ISPs and privatisation of regional and rural telecommunications carriers) may negatively effect the end-cost for consumers and limit further take up of ICTs. If Internet access is becoming an essential activity for economic, educational, and democratic participation, the Government must ensure access costs remain low, or continue to decline.

<b>S</b> <b>2.6</b>	<i>The State Government should continue to monitor the total costs associated with Internet access (hardware, software, ISP fees, and network costs) and take / encourage corrective action (at either the local, state, or federal level) to ensure equitable access to these technologies</i>
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### **2.51 Current Usage Rates: Risks**

Currently, the National Office for the Information Economy place Australia fifth in the world take up on Internet technology, citing 72% of Australians over the age of 16 having access to the Internet from any one location (work, home, school, community centre, etc.).

Figure 5: Internet Access – Australia Compared, 2001<sup>6</sup>



Source: National Office for the Information Economy, 2002

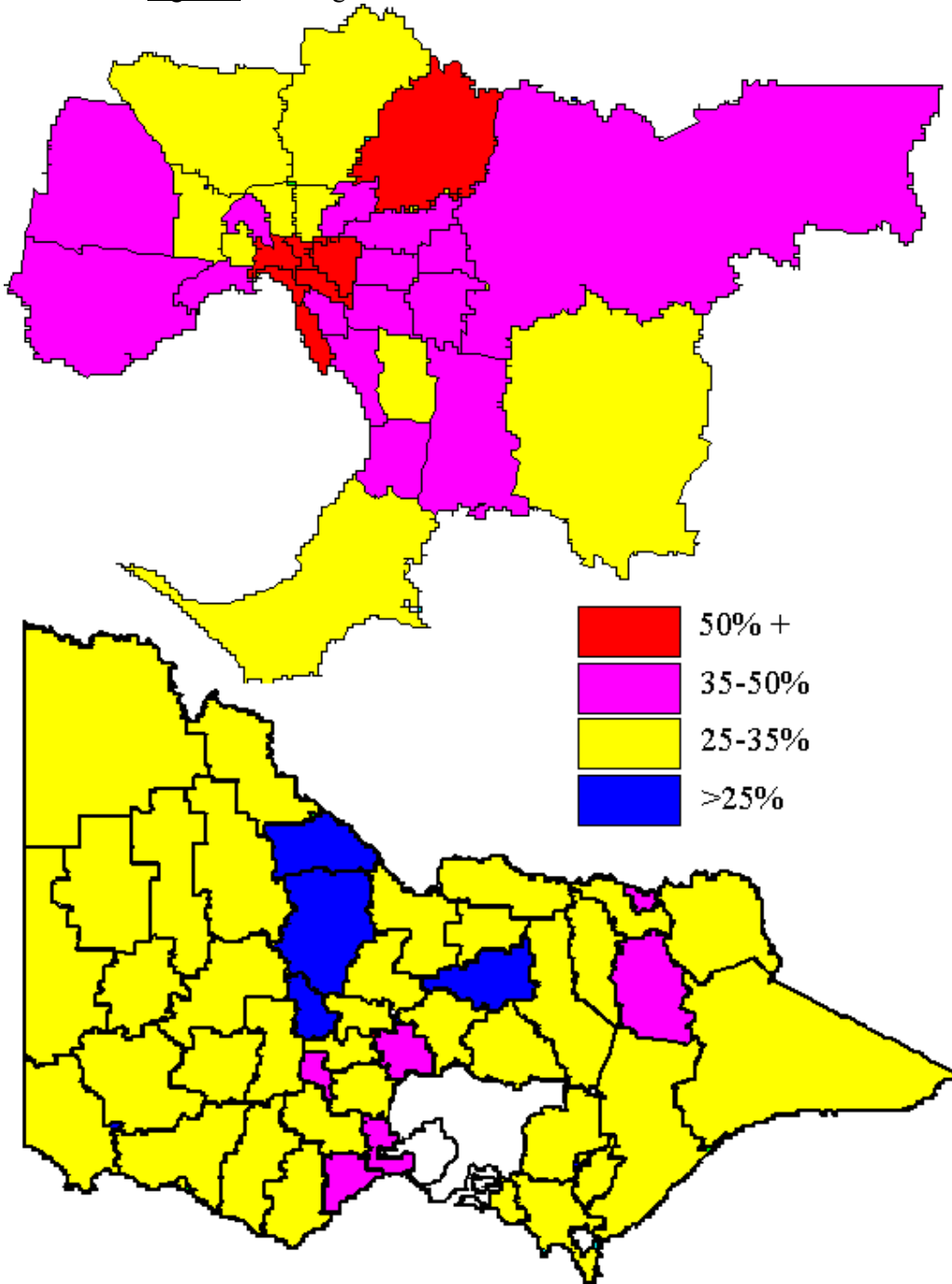
More comprehensive information is provided by the most recent Australian census. This shows that total population *use of* (as opposed to *access to*) the Internet ranges between 22% to 56% of the population of this state, with the national average cited at about fifty percent. Highest use of the Internet can be found in Melbourne and its surrounds, with rural Victoria having the lowest uptake of the technology.

Despite the economic downturn affecting the IT industry, Internet use among Australians continues to climb. With respect to use from home, Roy Morgan Research (2002) state that:

For the three months to March 2000, 32% of all Australians aged 14 and over had used the Internet from home in the last 3 months. For the three months to March 2002 the proportion had grown to 49%.

<sup>6</sup> These figures, collected by the Nielsen market research group, are based on a small sample only.

Figure 6: The Digital Divide: Victorians' Internet Use 2001<sup>7</sup>



Source: compiled from Australian Bureau of Statistics, 2002

### 2.52 Implications for Proposed eDemocracy Initiatives: Benefits

The problem of the digital divide means that no eDemocracy initiative can be undertaken that does not have an equivalent offline version or access point. Under the principle of equality (Mayo, 1960) any initiative that substantially favoured political

<sup>7</sup> For a complete breakdown, see Appendix 1.

access to the online community would be undemocratic and undermine the representative nature of governance in Victoria.

**S**  
**2.7** *No eDemocracy process can be developed without consideration of the offline processes that match or support it. Government projects in this area should be integrated with the 'Restoring Democracy' policy and wider initiatives to enhance Victoria's democratic values*

**S**  
**2.8** *The digital divide prohibits the development of self-determination models of participation as a realistic component of eDemocracy in the near term*

Alternatively, ICTs have the advantage of increasing political equality for some members of the community. Survey research from the United Kingdom during this year highlights that, rather than favouring groups traditionally well connected to the policy and political processes, ICTs do engage disenfranchised members of the community with the political process. Gibson, Lusoli, and Ward (2002) state that:

- While only 10% of those aged 15-24 years old are engaged in 'realworld' politics, 30% have been active via the Internet (i.e. emailed organisations, searched for political information, sent political epostcards).
- There is a small but notable group that engages only in virtual politics, eschewing entirely the traditional offline options. Rather than being a privileged elite, however, these people are more likely to be recent recruits to the Internet and of lower socio-economic status than those engaging in traditional politics

Thus, while the digital divide limits participation of members of the community in absolute terms, ICTs do have potential advantages in reaching members of the community who are excluded from political participation for a variety of reasons. These groups include people with:

- Restricted mobility (the aged, infirm, or carers),
- Limited time to engage in public affairs during "normal" business hours (shift workers, parents with childcare responsibilities, long hours workers),
- Reduced access to transport, and
- Those in remote communities.

eDemocracy, therefore, presents the possibility for increased democratic participation among specific segments of the community who are disenfranchised by circumstance. As Internet use increases, some of the problems associated with differential usage rates will be moderated.

**R**  
**20** *eDemocracy initiatives should be undertaken where these technologies can:*

- *Support existing democratic activities and intuitions,*
- *Overcome unnecessary costs associated with political participation, and/or*
- *Reach segments of the community that are unable or unwilling to utilise other means to access government*

## **2.6 Democratic Technologies and Intellectual Property**

The ICT commercial sector is currently experiencing a significant economic downturn. As such, this presents opportunities for governments to draw upon commercial technology partners for a range of "solutions" (products) for eDemocracy, eGovernment (service delivery), and business unit activities at substantially lower cost than during the height of the technology "bubble" in the late 1990s. For the ICT sector, government interest in eDemocracy and online service delivery provides the opportunities for medium- and long-term recession-proof contracts.

Governments have traditionally invested large sums of public money in the purchase, development, and maintenance of Information Technology hardware and software. While this approach has been beneficial in developing effective and efficient service delivery and information management in the public sector, the Intellectual Property (IP)<sup>8</sup> underpinning these systems have been largely developed by, and remain within, the private sector, and multinational organizations in general. In thinking about the processes and practices that drive the democratic system, governments of the past have been cautious to ensure that:

- They have sufficient understanding of the technologies that drive voting and other democratic processes to regulate these systems for the public interest,
- The public has sufficient understanding of these systems to have confidence in their effective (fair, open, honest) operations, and
- The systems are not held in private hands and thus cannot be "withdrawn" for economic or strategic purposes.

**Government processes that are not transparent to the public, regardless of the fact that they may be fair and have high standards of probity, will inevitably come under criticism from a sceptical public.**

In considering eDemocracy initiatives (especially voting and other "direct" decision-making approaches), the Committee should be cautious in recommending private providers access to Government contracts that leave the IP for the democratic process in private hands. This opens three core risks:

- The product may be withdrawn or unsupported because of economic factors outside the Governments' control,
- The product may be susceptible to attack ("cracking", virus) of which
  - the Government is not aware, and/or which
  - the vendor (for commercial reasons) is reluctant to publicise / correct
- The lack of transparency may limit public confidence in the democratic system.

This problem is not unique to eDemocracy processes, around the world governments are increasingly concerned about the quality and cost of many commercial solutions selected for a range of administrative functions. A number of responses have been made to these potential problems:

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<sup>8</sup> IP Australia define "Intellectual property represents the property of your mind or intellect. In business terms, this also means your proprietary knowledge."

- Governments have begun actively exploring the use of open source<sup>9</sup> technology for some of their core platforms (and the platforms themselves),
- Governments have specified that software providers share ownership of intellectual property, and
- Governments have actively pursued legal action against software vendors who have acted in an anticompetitive manner.

**S**  
**2.9** *Any Government program to develop or implement eDemocracy initiatives should either:*

- *Ensure the technology is an open source product, or*
- *Retain legal rights to reverse engineer the product,*

*And have sufficient contractual power to guarantee democratic technologies can not be withdrawn by the vendor or their partner organizations while the product is being used for democratic functions*

**S**  
**2.10** *Any eDemocracy project or initiative implemented should ensure sufficient information transfer from the private to the public sector to:*

- *Safeguard the security and integrity of democratic systems,*
- *Allow public officials to understand and explain the workings of these systems to the public to ensure confidence in the democratic process, and*
- *Correct or develop the capabilities of these systems in the event that the initial vendor fails in the marketplace*

An example of shared ownership of IP can be found in the development of a new Content Management System (CMS) for the City of Port Phillip, where the Council and vendor developed the solution collaboratively allowing for the Council to own the IP of the product. It should be noted, however, that this was not cost neutral, the final product was more expensive than similar "off the shelf" propriety systems.

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<sup>9</sup> Stoltz (1995) defines open source software as "software for which the source code is distributed along with the executable program, and which includes a license allowing anyone to modify and redistribute the software."

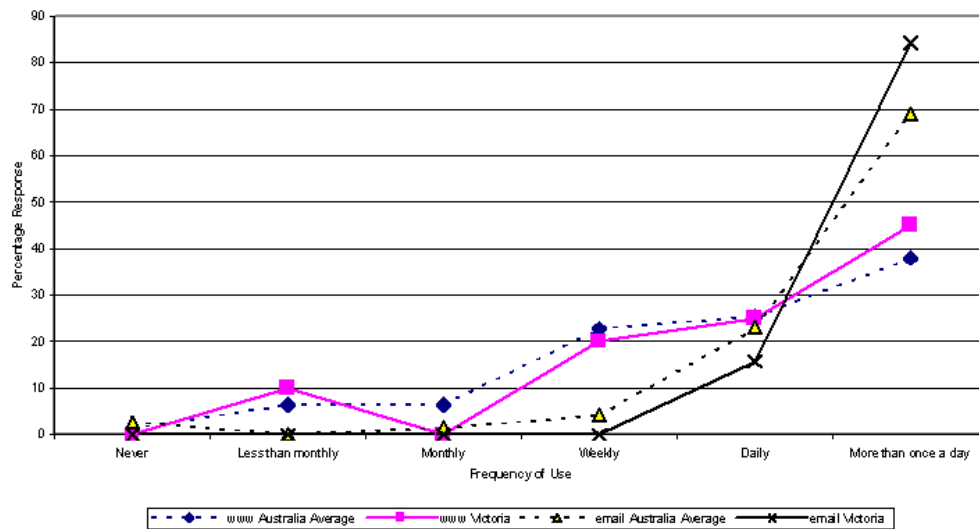
### 3.0 Elected Representatives and the Parliament

This section examines issues surrounding the use of ICTs by the Parliament as an institution and parliamentarians as individual political actors. Some additional comments are made regarding online and electronic voting.

#### 3.1 Representatives as individuals

The use of ICTs by Victorian parliamentarians compares favourably with other Australian jurisdictions, with Victorian members of parliament using electronic mail and the World Wide Web more frequently than their colleagues in other states and territories.

Figure 7: State Parliamentarians In Australia: Use of WWW and Email 2002

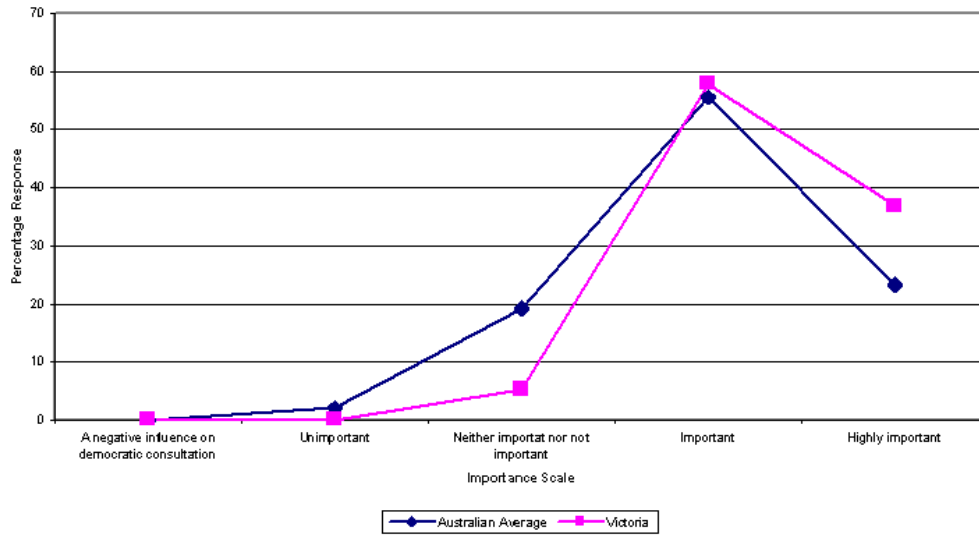


Source: Chen, 2002a (recompiled data)

As a related function of this relatively high level of use, Victorian parliamentarians have recognised the democratic value of ICTs, and the majority see the technology as either important, or very important in facilitating contact with their constituencies. As a result of this, an overwhelming proportion of parliamentarians use new media as a means of communicating with their respective stakeholders.

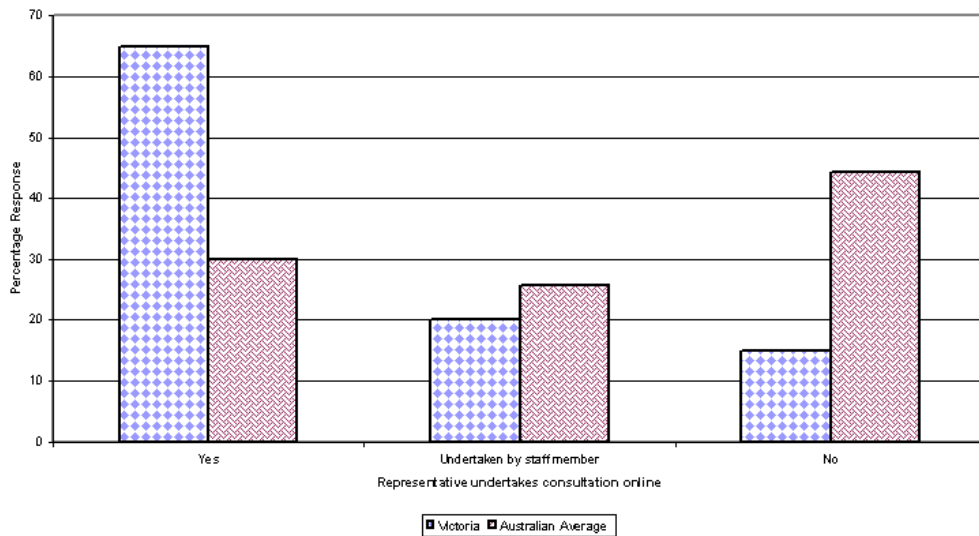


**Figure 8:** State Parliamentarians in Australia: Importance of New Media for Communication with Constituents 2002



Source: Chen, 2002a (recompiled data)

**Figure 9:** State Parliamentarians in Australia: Consultation Online 2002



Source: Chen, 2002a (recompiled data)

While this level of adoption shows clearly the acceptance of ICTs as a means of facilitating their representative role, it is clear that the bulk of these interactions remain relatively low level or unstructured – such as simple correspondence with constituents via email or the electronic distribution of local updates and bulletins about members' activities and performance. This current level of uptake is problematic for a number of reasons:

- The one-to-one model of email communication and the "push" model of information dissemination limits the amount of citizen-representative interaction, either by:
  - Pre-structuring content delivered to the citizen, or

- Limiting the total amount of citizen contacts possible.
- In addition, these activities make limited use of mediation technologies available to host one-to-many or one-to-few interactions, limited input to singular discourses between two people, without the synergy and input of a wider discussion with other stakeholders, and
- Finally, this survey data also indicates that Victorian parliamentarians significantly lag behind other jurisdictions in using correspondence management software to store, archive, and control the amount of electronic communication they receive. As a general principle, electronic communication should be subject to the same workflow handling as other communications (letters to members, for example, being regularly recorded in a correspondence register to ensure that accurate records are kept and appropriate replies are provided). In the United States, Goldschmidt (2001) has observed how the publication of congressional email addresses led to periods of "inundation" of email requests, statements, and questions from the public, that congressional staffers were unable to process. The response of some US representatives was the removal of their electronic mailing addresses online, creating concerns about alienating them from segments of their constituency who preferred the medium to traditional methods. While Victorian parliamentarians report only neutral or positive views about interacting with stakeholders online, greater uptake of the Internet and orchestrated email campaigns by activists will invariably place pressures on their capacity to deal with increasing amounts of electronic mail.

Thus, as a basic precaution, the increasing traffic online needs to be managed to prevent elected representatives withdrawing from the online community.

<b>S</b> 3.1	<i>Electronic mail processing and archiving systems should be implemented for parliamentarians before problems emerge with the amount of material being forwarded to them</i>
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One of the reasons representatives use basic interaction approaches, such as email, is because of relative simplicity and inclusion of this software in the standard desktop environment provided in electorate and parliamentary offices. Overcoming the limited scalability of the existing approaches either requires that representatives be given additional resources to select or design eConsultation systems (such as chat facilities or mailing list packages – see section 6 for a more detailed discussion) at the electorate level, or developing systems within the parliament that can be used by individual representatives. The latter option would appear more cost effective, also allowing a degree of transparency for lesson drawing and the encouragement of other representatives who utilise these approaches. Existing IT support and training services offered through the parliament would need to be extended to support these activities – as at present, Victorian parliamentarians only receive basic IT support services (mainly helpdesk services). These techniques would also have value for other parliamentary activities (internal decision making among staff, use for committees, see section 3.21).

One concern, however, is that these systems need to be secure within the political climate of the parliament. Accusations of tampering with computer systems in the NSW parliament in 2001, and the hacking of the Liberal Party website in the 1998

election indicate concern about the security of these systems in the hothouse environment of party politics.

**S**  
**3.2** *The parliament investigate and implement a range of online consultation and discussion approaches that could be implemented for use by members*

**S**  
**3.3** *Online consultation and discussion forums established through the parliament must be secure to prevent tampering by other parties, including representatives or their staff*

### **3.2 Representatives as Institutional Members**

Parliament is a central feature of democratic life in government. As such, the parliamentary system has been subject to a number of changes over the last two hundred years<sup>10</sup>. However, as a democratic institution, the Victorian Parliament remains embedded in the communications technologies of the 17<sup>th</sup> century – the need for political representatives to travel to a centralised location, share information, and make decisions on behalf of their constituents face to face.

With the industrial and post-industrial revolutions, this institution has been placed under a number of strains, and subject to changing communications technology. Printed and electronic media have increased reporting of parliamentary deliberations, and the separation of representatives from the views their communities while in session has declined. In addition, the homogenous nature of local electorates has been broken down by changing economic and social factors:

- Multiculturalism (ethnic, religious, linguistic, cultural mix of Victoria),
- Growth/active encouragement of mixed economic production (both in metropolitan and regional areas),
- Growth of "single" interest political perspectives, and
- Internationalisation of the Victorian economy.

#### **3.21 Parliamentary and Other Inquiries**

Because of the historical development of representative parliamentary systems Parliamentary inquiries function as if bound by traditional constraints on communication: Committees are announced, issue discussion papers, receive written and oral submissions in pre-determined timeframes, synthesise views and engage in power disputation (internally, and between the committee and external actors), and issue final reports. This process, while highly beneficial in providing citizen input, oversight, and the development of new policy options, can be described as a *passive-reactive* model of participation<sup>11</sup>: issues and topics are initiated by government and consultation structured prior to citizen participation.

ICTs have the potential to shift the passive-reactive approach into less structured, more "discussional" form of democratic participation. As inquiries stimulate policy interest (*political mobilisation*) in the community, there is limited justification for

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<sup>10</sup> Increased use of committees, wider representation (for example, women), broadcasting of sessions, etc.

<sup>11</sup> With thanks to Dr Michael Crozier of the Department of Political Science for this idea.

strict control over informational inputs into these processes. As inquiries stimulate interest and activity in policy development, ICTs may be useful in providing a means for potential submitters and interested parties to discuss the issues surrounding the terms of reference as the process progresses. In addition, pre-submission discussions with potential submitters may be useful in:

- Clarifying the objectives of the inquiry prior to formal hearings, and
- Adding to the terms of reference of the inquiry, if important issues have been omitted from the initial terms of reference.

This would require increased participation in public debate during the "discovery process" by committee members.

**S**  
**3.4** *The announcement and development of parliamentary inquiries need not be pre-structured. ICTs could be used to:*

- *Publish submissions online as they are provided (increasing information on the subject prior to hearings, stimulating alternative/countervailing views), and*
- *Provide an online discussion space for participants (chat or email list facilities) during and after the conclusion of the inquiry process*

In addition to the point made above (and facilitative of it) there appears limited reason why original submissions to inquiries should be received as signed hard copies. The Parliament of NSW permits (encourages) the electronic submission of submissions – allowing for greater distribution of the document and online publication<sup>12</sup>.

**S**  
**3.5** *Victorian Parliamentary Committees should accept electronic provision of submissions*

### **3.22 Is an Institution Simply a Building? A Response to Streaming**

One proposed method of opening the parliamentary process to external observation (increasing public knowledge of policy issues and the governance structure) has been the broadcasting of Parliament. In basic terms, this takes three forms:

- Radio broadcasting (advantageous because of the high penetration and low cost of receivers for the public),
- Television broadcasting, or
- Internet "streaming" (advantageous because of the low cost to government).

Alternatively, another option is possible:

- Telephone audio (combining low cost to government, and the consumer<sup>13</sup>).

Overall, however, it is questionable if the use of ICTs in this area has great benefit. This is because:

- There is doubt about the degree of interest in "general" (i.e. non-question time) parliamentary discussion<sup>14</sup>,

<sup>12</sup> The submission script also provides the facility for the submitter to write a brief summary of the submission (which used an piece of java script to limit the summary to 1,000 characters) and provide contact information.

<sup>13</sup> Telephone penetration in Australian households is high – 97.5% of Australian households have a telephone (ABS, 1997).

- There are practical limitations on the ability of the public to listen to the range of debate of relevance/interest to them,
- Digital divide problems (exacerbated by language barriers<sup>15</sup> and the lower uptake of streaming among the online community<sup>16</sup>), and
- Streaming is effectively a cost shifting exercise, placing the burden of the cost onto the receiver (*i.e.* the costs of radio versus an Internet-capable computer for the listener are one hundred times cheaper).

Should the Parliament identify that public observation of their activities is beneficial (either in terms of oversight or understanding of the political process), the Parliament can either undertake one of the methods listed above (which, it is suggested, have limited value and would likely require that the digital divide problem be overcome in the short term) or provide greater access to the Parliamentary process for Victorians with limited ability to observe Parliament directly.

Parliamentarians have already, though to a limited degree, begun using "telecommuting" to undertake their representational work. This approach need not be confined to representatives as individuals, but can also be applied to the parliamentary institution. Rather than "wire" the whole state to view parliament online, it is suggested that the parliament be "wired" so that parliamentary work can be conducted remotely from the physical building. Parliaments sitting on a periodic basis in locations such as Ouyen, Hopetoun, Horsham, Hamilton, Ballarat, Charlton, Wodonga, Benalla, Sale, and Morewell (for example) may attract significant community interest in observing the Parliamentary process, increase knowledge of parliamentary processes, and engage the community with the democratic house.

**S** *ICTs could be used to take parliament to regional and remote Victorian communities*  
**3.6**

### 3.23 Interactive Parliament

If communications barriers that necessitated indirect representation have declined, but the practical value of representational democracy remains – does the Parliament need to remain the exclusive domain of elected members? A number of options are available to increase direct citizen participation in the parliamentary process. These include:

- Citizens' question time, and
- ePetitions.

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<sup>14</sup> The ABC Newsradio Service report limited interest in the broadcasting of Federal Parliamentary proceedings (Personal Correspondence: Andrew Patterson, Marketing Manager, ABC NewsRadio). The Commonwealth parliamentary webmaster reports between 20,000 – 30,000 hits per month to the Commonwealths parliamentary stream (Personal Correspondence: Leang Ly).

<sup>15</sup> The current reporting of parliament in newspapers overcomes this problem to some degree. While media coverage tends to selectivity and summation, the range of Victorian non-English newspapers (Greek, Italian, Chinese, *etc.*) provide a similar "baseline" coverage of parliamentary debate across significant language groupings. This remains problematic, however, because of the declining circulation of newspapers, as well as limited coverage to small language segments of the community, and emerging linguistic groupings (who, theoretically, require more political information to develop an understanding of the local political system).

<sup>16</sup> apStream corporation report that 32% of Internet users utilise streaming.

Given developments in communications technology, there are few reasons why the representative form of responsible government should not be altered to allow for direct interaction between citizens and members *in* parliament. The current method of representative government requires citizens to feed concerns and queries through their local members. However, as noted, strong party discipline acts as a filter on this communication chain, limiting the representative function of members to some degree (more or less depending on the personal political orientation of the individual representative). Modern communications technologies can negate this need, allowing for a limited direct questioning of members and ministers by citizens when in session. This "citizens' question time" is simply the application of practices used in local government to include additional business and civic oversight to the formal legislative process.

In considering this option, however, the Committee would need to determine:

- How questions would be received and processed (should there be specified deadlines for citizens' questions),
- If anonymous questions should be permitted<sup>17</sup>,
- How much time should be allotted in proceedings for this interactive element,
- How to communicate answers back to the public (printed in Hansard, online, published in newspapers),
- On what basis should questions be selected (purely random, stratified samples, *etc.*),
- Should questions be vetted (*i.e.* screened for offensive language, or personal information about 3<sup>rd</sup> parties),
- Requirements on members to respond to questions taken on notice, and
- Should the questions be subject to Parliamentary privilege?

<b>S</b> 3.7	<i>A "citizens" question time be added to Parliamentary process, whereby questions from the public (from phone, mail, online sources, and in-person) are asked of members and ministers</i>
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In addition, the current direct involvement of citizens with the Parliament can be extended using ICTs. Petitions are currently lodged with the Parliament through members, using paper based forms. However, many parliaments have elected to receive these electronically. ePetitions are currently being utilised in the United Kingdom (<http://www.e-petitioner.org.uk/>) and are proposed for development as part of the Queensland government eDemocracy policy, and the Commonwealth accepts petitions lodged via electronic mail. The UK model appears valuable, using a web-interface to present information about the petition, and allowing citizens to sign the petition electronically. An alternative model is provided by [www.petitiononline.com](http://www.petitiononline.com) that hosts public petitions outside of government<sup>18</sup>.

If implemented, the procedures governing the lodgement and acceptance of petitions would need to be altered to either:

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<sup>17</sup> If not, then how the questioners' identity would be determined or should an "honour system" be used.

<sup>18</sup> This approach is interesting because it allows petitions to be developed aimed at any organization, and not simply government. This clearly has some application to concerns about corporate governance.

- Allow citizen-initiated petitions to be presented to parliament without the endorsement of a presenting member, or
- Link the ePetition with a "sponsoring" member through an Expression of Interest process

It should be noted that, like with paper petitions, the ability to confirm the accuracy and honesty of signatories is limited. The possibility of "phantom" signatories is exacerbated in the online environment (where a script could be used to generate and submit multiple signers). Techniques to overcome this problem should be considered, such as:

- A multistep signing process to evade simple scripting,
- Signing requiring the response to a confirming e-mail<sup>19</sup>, or
- Simple recognition of the limitations of the petition<sup>20</sup>.

**S**  
3.8 *ePetitions should be added to the Victorian Parliamentary Website*

Undertaking any of these developments requires the parliament to consider its position as the centre or periphery of democratic activity in Victoria. At present there are a number of competing "hubs" or "portal sites" that lead citizens into the information provided by government, such as the [www.vic.gov.au](http://www.vic.gov.au) website (currently being redeveloped) and the various "channels" offered by government. There is, however, no central portal for democratic participation in Victoria, unlike in the United Kingdom.

**S**  
3.9 *Development of an interactive parliament would require redevelopment of the existing parliamentary website. The Parliament will need to determine if the site should be a or the "democratic portal" (linking citizens to all eDemocracy initiatives) or hang off another portal site (such as the www.vic.gov.au website). This decision revolves around the question:*

- *How central to the overarching democratic process will the parliamentary intuition be in the future? and*
- *How does the Parliament wish to position itself online?*

### **3.3 Electronic and Online Voting**

The advantages and issues surrounding electronic and online voting are clearly expressed in the discussion paper, and need little elaboration. The question surrounding the use of these voting methods does specifically pertain to the democratic benefit any technological adaptation would have in the voting system. At present, the Victorian Electoral Commission notes that voter turnout in the last state election in Victoria was 93.2%, a robust figure of participation, but one that needs substantial improvement.

There are indications, however, that the use of postal voting for local government elections elicits a higher voter participation rate than traditional methods. This would indicate that the additional use of online voting (in particular), may have benefits in

<sup>19</sup> This would make the ePetition different to the written petition and may discriminate against people who do not have an e-mail account.

<sup>20</sup> As petitions are not representative by nature, this may not be problematic.

increasing the total participation rate in the electoral process. In addition, the ACT experience with electronic voting observed a reduction in informal votes cast using the system<sup>21</sup>.

With specific reference to electronic voting using touch screens installed at polling booths, in the United Kingdom, a number of pilot projects have shown that the potential benefits of eVoting may be limited. In a research report delivered by the E-Voting Research Team (2002), the conclusion was reached that:

While no major problems were encountered with these pilots, they appear to have not offered any great benefits to voters. Indeed, the evaluation report of these pilots suggest that the advantage of these experiments is that the[y] might allow a faster declaration of the result.

In the ACT trial, Elections ACT report satisfaction with the technology adopted, and highlight the ability to provide ballot forms in multiple languages – an innovation of high potential value to Victoria<sup>22</sup>, however, they also note that (Elections ACT, 2002):

- The cost of outfitting all polling stations with the technology is prohibitive, and
- The emphasis of the report is on benefits to the counting and processing of votes, rather than overall impacts increasing participation<sup>23</sup>.

**R**  
33 *Technologies like electronic polling booths are limited in their scalability into the online environment. This approach is not a "transition" technology to full online voting and should not be seen as such*

Given the complexities associated with developing a secure and scrutinisable online voting system, moves to online voting should be taken with caution, if not rejected outright for the foreseeable future. While electronic voting booths are of limited value to people with reduced mobility or willingness to travel, they offer a high level of system integrity because they are not connected to the Internet. Online security and the ability of "crackers" is an ongoing concern, with the ability of security of any online transactional system to resist sustained attack likely to be limited. The United States has rejected online voting as an option for reform of their electoral system because of security concerns (Goetzl, 2002). The security issue presents a paradox for the implementation of online voting: **The greater the use of online voting (from pilot projects to full implementation), the greater the need for disclosure about the underlying processes driving the systems (for oversight) and electoral advantage for perpetrators of system penetration<sup>24</sup>, and therefore the greater the probability of attack and successful penetration of the system.**

<sup>21</sup> However, from a research perspective, this may be a function of the type of citizen who nominated to participate, rather than a benefit of the system itself. One could reasonably anticipate that participants were more interested in the electoral process and therefore less likely to cast an informal vote.

<sup>22</sup> This, however, might be mitigated by registration processes involved in establishing a secure identity for electronic voting and the availability of this information in languages other than English.

<sup>23</sup> Though reference is made to the value of the approach in assisting disabled people in voting. Online voting systems would be beneficial in this area.

<sup>24</sup> Or the greater the prestige of crackers who successfully violate the system.

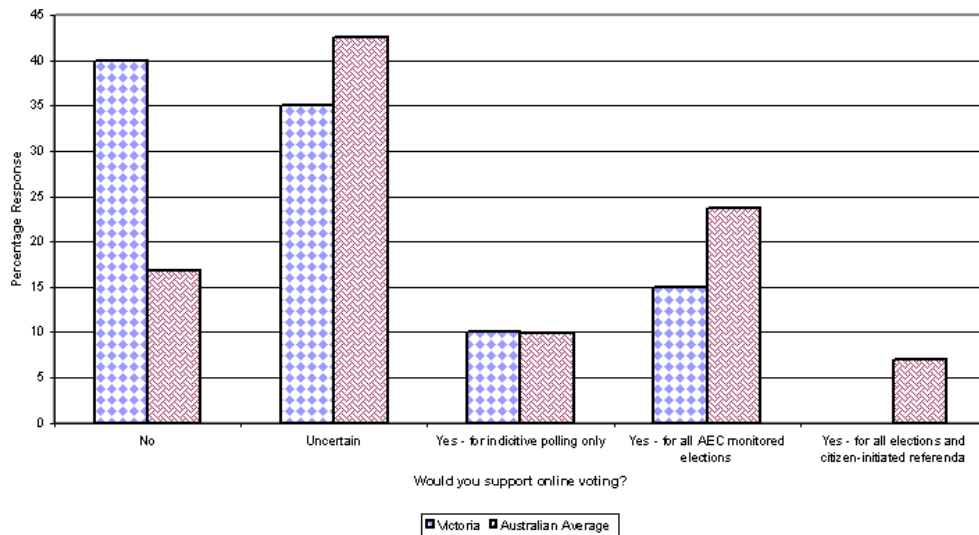


**S**  
**3.10** *Overall, the balance of probability would indicate that Internet voting cannot be made sufficiently secure to ensure public confidence in the electoral process. And that the reduced ability to scrutinise electronic and online voting systems limits their democratic value. The more significant the electoral decision (Federal or State elections), the more cautious Government should be in considering online voting*

The VEC currently has no intention to develop an online voting system, focusing their use of information technology on improving "back room" processing (such as counting systems for postal votes). At the federal level, the Australian Electoral Commission (AEC) is proposing a limited online voting trial for the coming federal election (Mitchell, 2002). The results of this trial would be interesting to gauge the value of the general approach in enhancing democratic participation.

In addition, there is considerable resistance to online voting among Victorian members of parliament, when compared with their peers in other Australian states and territories, and when compared with local councillors (see section 8). Any trial of online voting that lacks the confidence of the House would require a substantial requirement of education of members, before wider community support could be elicited.

**Figure 10:** Members of State Parliaments in Australia: Support for Online Voting 2002



Source: Chen, 2002a (recompiled data)

**S**  
**3.11** *Internet voting should be rejected as an option in the near term*

**3.31 If Online Voting is to be Considered**

If the Government were to consider online voting, it is suggested that:

- A cautious approach to adoption is suggested because of concerns over security and ability for non-technicians to oversight the voting process, and
- Additional delivery platforms may need to be considered to overcome the digital divide.

One of the potential benefits of online and mobile voting may be increased engagement with youth. According to the data collected by the MORI Social Research Institute in the United Kingdom (Electoral Commission, UK, 2002b):

... young non-voters were particularly likely to favour reforms to the voting process that would widen access to the voting process (24-hour polling stations, telephone polling and internet voting). This suggests that inconvenience was a significant factor in youth abstention in 2001 ...

This view supports the argument that online and electronic voting (including telephone voting – either direct line or via SMS messaging) may be useful in engaging younger voters. 2001 survey research by the Australian Electoral Commission indicates that, among the 18-25 year old age group, only 83% of eligible voters are enrolled. This compares unfavourably with the population average of 95%.

**R**  
3.3 *The Australian Electoral Commission's proposed online voting trial for the coming federal election should be closely monitored by the Victorian Electoral Commission for consideration for Victorian State Elections*

**S**  
3.12 *Given the wider penetration of telephones (both landline and mobile), telephone voting technology should be considered as part of any electronic and online voting trial for Victoria should this development be considered*

**S**  
3.13 *Regardless of decisions to utilise electronic or online voting in Victoria, more needs to be done to increase the participation of younger voters. This may include:*

- *Education,*
- *Advertising, and*
- *Encouraging political parties to pre-select candidates with specific experience with, or policy interest in, issues affecting younger Victorians*

One of the key differences between online and traditional polling place voting is the lack of physical interaction between voters and representatives from political parties or candidates. This physicality allows candidates and their representatives to interact with potential voters, distribute information, and answer questions. At present, however, the number of polling stations limits the ability for minor parties and individual candidates to have representation at each physical location – a problem ameliorated in the online environment.

**S**  
3.14 *Any online voting system implemented in Victoria should provide a "lobby" space with links to candidates' nominated webpages or election statements*

Where online voting may present benefits with lower risk, however, lies in local government elections, see Section 8.3.

## 4.0 Political Parties

Australian parties have been accused of leaving much to be desired with regard to levels of accountability and scrutiny. Johns (2000), focusing on the particular issue of candidate selection, has argued that the parties could clearly let more "daylight" into the selection process to comply with "basic democratic standards". Certainly, continuing allegations of branch stacking (Robinson, 1996) have done nothing to alleviate perceptions of internal corruption and cronyism.

While not suggesting that establishing a website means parties can reverse these trends, ICTs present parties an opportunity to present themselves as more transparent and open to popular input. Email and websites allow organizations to engage in a more sustained and direct dialogue with voters and members. Further, such opportunities may prove particularly appealing to parties at the state and local level who are naturally 'closer' to the voters than their national counterparts, but lack the budget to engage in big publicity drives or 'listening' exercises.

It is clear that the Internet's impact on parties' internal life is potentially significant. In order to understand these effects more clearly we can divide the applications into two distinct areas:

- The *external arena* – relating to parties' use of the Internet in the public sphere, and
- The purely *internal arena* – the application of ICTs to communication between leaders, staff, and activists through specialised intranets, and a range of other more private matters such as data management, distribution of campaign materials, and voting on policy issues or leadership positions.

### 4.1 Australian Parties' Use of the Internet

#### 4.11 The External Arena

In terms of the external applications of the new technology it is clear that there are features, which if utilised, could affect internal party power relations and enhance levels of democracy. There are four major applications in this regard:

- *Information dissemination* – in making information freely and readily available on the Internet. This could even extend so far as setting up specific email lists for disseminating news of internal party business.
- *Interactivity* – taking two basic forms: channels to structure upward feedback from the public, or offer some facility for discourse between themselves and supporters. This could be done in a simply deliberative or "talking shop" sense or be made more consultative or even decisive. In offering bulletin boards email, and chat rooms, for example, the parties could allow such groups to play an enhanced role in party policy and structure by providing direct access to party minutes and leaders.
- *Networking* – using hypertext links from their websites, organizations such as parties can provide a "one-stop shop" for the public and their own activists. Such internal networking arguably would lead to a higher frequency of cross-party consultation and thus a stronger sense of group identity and internal coherence.

- *Factional fora* - the Internet can also be seen to offer groups or factions within the party an alternative and highly public platform to air their views which might be converted into a outlet for dissenting factions within the party.

#### **4.12 The Internal Arena**

The internal applications of the new technology carry the most obvious implications for levels of intra-party democracy. Interactive uses of the Internet could facilitate wider and more inclusive discussions within the parties on matters of policy and procedure. Publication of minutes and alerts about forthcoming important meetings could help improve scrutiny and accountability of the party hierarchy. Offering voting online could open up the numbers involved in key party decisions. However, the democratic potential of the technology depends on how the parties structure opportunities for feedback. Simply offering online referenda with options for approval or rejection does not necessarily provide for meaningful control over the direction of the party.

#### **4.13 Research Findings to Date**

Comparing parties' sites in terms of their openness with information, opportunities for interaction, and level of connectivity and conflict expressed, research conducted during 2001 presents a mixed picture of the state of parties online presence around Australia. Table 1 (page over) presents the summary of findings for each of the functions of the websites based on a coding scheme developed by Gibson and Ward (2000)

**Table 1: Parties' Performance Online – Comparisons within Australia**

PARTY	Transparency/ Information provision <sup>25</sup>	Interactivity of site <sup>26</sup>	Networking Internal / External <sup>27</sup>	
<u>Liberal Party</u>				
Federal	8	4	2	2
Canberra	9	4	2	2
NSW	9	6	3	2
<b>VIC</b>	<b>8</b>	<b>3</b>	<b>4</b>	<b>2</b>
WA	SITE OFFLINE <sup>28</sup>	SITE OFFLINE	SITE OFFLINE	SITE OFFLINE
Qld	SITE OFFLINE	SITE OFFLINE	SITE OFFLINE	SITE OFFLINE
NT	9	2	2	1
TAS	3	1	1	2
SA	11	7	1	0
<i>Mean score</i>	8.2	3.8	2.2	1.2
<u>Labor Party</u>				
Federal	14	8	2	2
Canberra	7	3	2	2
NSW	5	3	3	1
<b>VIC</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>2</b>
WA	6	4	2	1
Qld	3	1	0	0
NT	7	3	2	2
TAS	7	3	2	2
SA	7	3	2	2
<i>Mean score</i>	6.25	3.0	1.9	1.5
<u>Green Party</u>				
Federal	9	7	1	2
Canberra	6	5	2	2
NSW	9	7	3	2
<b>VIC</b>	<b>7</b>	<b>5</b>	<b>2</b>	<b>2</b>
WA	7	4	2	1
Qld	12	10	2	2
NT	3	4	1	2
TAS	SITE OFFLINE	SITE OFFLINE	SITE OFFLINE	SITE OFFLINE
SA	4	3	2	2
<i>Mean score</i>	6.9	5.4	2.0	1.9
Overall Mean	7.0	4.0	2.0	1.6
<b>Victorian Mean</b>	<b>7.6</b>	<b>4.0</b>	<b>2.0</b>	<b>2.0</b>
Range	0 – 17	0 – 14	0 – 4	0 – 3

Source: Gibson and Ward (annotated), forthcoming book: *Net Gain*.

The key points from this research indicate that:

- *Transparency / Information provision*: The type of information being offered by all the parties was fairly similar, with organisational history, policy and

<sup>25</sup> In terms of transparency the research applied a 0 – 17 point additive scale that registered how much basic information parties made publicly available on their site, ranging from organisational history and structure to events and newsletters.

<sup>26</sup> Interactivity was scored on a 0 – 14 point additive scale that registered whether parties offered interactivity with the site in the form of a search engine, games, email and with other people in terms of chat rooms and bulletin boards.

<sup>27</sup> For networking the research examined the extent of intra-party linkages made by the state and territory parties to one another via their websites and also to other units within the parties, namely, the federal and local parties and the national leader pages. This measure was compared with a measure of the extent of external links to outside organisations divided into three categories - educational, partisan and commercial.

<sup>28</sup> At time of survey (later half, 2001).

basic contact details being the most common forms of content. No attempt was made to post details of party meetings or minutes for public consumption on the site, although some did advertise upcoming party events and had a password protected section for members which possibly contained information on these matters. The media were clear target audience, with most sites having press releases, speeches, archives and/or media centres;

- *Opportunities for interaction:* In the main, whilst party sites commonly allowed for interaction with the *site* (in terms of information gathering with search engines) and encouraged visitors to send money or volunteer help, few sites offered any two-way communication or novel participatory features;
- *Networking:* On average, most parties scored around the mid-point for internal networking, with most sites linking upwards to the federal party and laterally to other state parties and state representatives, but hardly any providing links or information about local level branches. Most parties included some external links to other national and international organisations. Most commonly these were partisan links to sister parties around the world and like minded pressure groups and campaigns and the Greens in particular favoured these types of links; and
- There was little evidence of dissent or factionalism highlighted by these websites. Public websites not really a forum for internal party debate. In fact sites followed remarkably similar patterns.

Overall, it does not appear that a strenuous effort is being made to "let the daylight in", however, and promote intra-party democracy. Overall, there is little evidence that parties are focusing on their sites as an opportunity to promote a more a more transparent, interconnected and interactive 'face'. The main purpose is a general level of information provision for interested voters.

#### **4.1 The Potential for Victorian Parties and ICT**

As the research presented above indicates, local parties in Victoria have the potential to develop their use of ICTs to enhance both their democratic outreach and internal party processes. At present, the development and maintenance of many political websites revolves around electoral events – rather than being maintained on a continual basis. These sites, therefore, are largely seen as media vehicles for the electoral process only, a view with limited value:

- In terms of the overall democratic dividend these communications channels offer members and the public (as a source of current information and interaction in policy development and discussion); and
- In terms of the electoral advantage provided to parties – sites that only 'become live' during electoral processes are less likely to become 'portal sites' for politically-active members of the public and can be seen to highlight the disinterested nature of parties in public participation outside of the electoral process.

In presenting these research results, the writers are aware of the limited direct influence the Committee holds over the party mechanisms that develop and implement Internet information, however, encouraging positive competition between parties to:

- Extend and develop information provided online,
- Extend and develop interactive elements of party sites, and
- Encourage currency of information provided on party sites.

#### 4.11 Suggestions to Parties

Three suggestions are provided to the major and minor political parties in Victoria.

**S**  
4.1 *Parties should develop greater interactivity in their websites, and the capacity for local branch pages, discussion groups, and mailing lists to be developed and maintained in support of branch activities*

**S**  
4.2 *Parties should maintain and update their online information on a regular basis, rather than during election periods only*

**S**  
4.3 *Parties should actively develop their networking with other social movements and interest groups via their websites (as per suggestion 5.5)*

#### 4.12 Suggestions to Government and the Parliament

The Government and Parliament have some scope to encourage greater use of ICTs by and within political parties. This can be achieved by:

- Highlighting the presence of party sites – to encourage competition between parties in the information they present and 'pull' more traffic to these sites, and

**S**  
4.4 *Parliament should actively encourage members to provide Internet links to online information about their electorates – including local party branch pages and other consultative fora*

**S**  
4.5 *Online information contained in any Government website about policy issues and consultative fora should provide links to relevant policy deliberation fora within Victorian political parties (as per suggestion 5.5)*

**S**  
4.6 *The Victorian Electoral Commission should provide links to registered parties webpages from their site*

- Actively stimulate effective democratic use of ICTs by minor and emerging parties to add electoral pressure on major parties to improve the quality and interactivity of their sites.

**S**  
4.7 *Advice about using the Internet to provide political information and interactivity to the electorate (including lists of free online services to public information) should be provided as part of the Candidates Manual issued to all nominating candidates in elections*

## 5.0 Community Organizations and Interest Groups

Much of this submission revolves around formal institutionalised responses to eDemocracy – in that, it suggests a range of activities that government can do to stimulate the use ICTs for democratic engagement and participation. However, as indicated in section 1, there is no need to strictly control the development of online deliberation and consultation through government initiatives – encouraging the development of initiatives outside of government should be a priority of any eDemocracy policy for Victoria.

### 5.1 Capacity Building within the Non-Government Sector

One means for public participation in policy discussion and the formation of formal and informal interest groups to engage with the political process is via online "virtual communities" – interaction and discussion spaces where people with particular policy interests can gather, exchange information, debate, and form strategies to influence the formal political process. In the past, these communities have been limited by the technical barriers to developing interactive online environments.

Through the work of the Community Support Fund<sup>29</sup> and VicNet, a set of online tools have been established for this (and related, but non-political) purposes. This initiative, *my connected community* or MC<sup>2</sup>, should be applauded as a means of building capacity in the community to form their own communities of interest and deliberate issues of concern to them. However, while the MC<sup>2</sup> initiative has many elements that make it useful for interest groups and social movements to develop online discussion forums at present, only 13 political communities have been established on MC<sup>2</sup>. It would appear that the initiative requires greater promotion to generate interest from civil society groups and social movements. At present, VicNet is redeveloping the underlying technology of MC<sup>2</sup> to increase the capacity of the network for increased traffic, however, the limited funding available to the project restricts the ability of the system to be used for a range of online consultation and deliberation processes.

*The MC<sup>2</sup> initiative should be developed in a number of ways to facilitate democratic participation:*

- *Increased advertising of the service,*
- *Enhancements to the site for more flexibility in the online toolset to increase the range of democratic deliberation forms available within the virtual communities, and*
- *Allow the site operators to better index available communities to increase the online discovery of these groups – both within the site itself, and in popular search engines (including the official Victorian government portal sites)*

*These developments would require a greater commitment of government funding to the project*

<sup>29</sup> Unfortunately a regressive taxation instrument.



Another interesting initiative within Australia that should be examined is Communitybuilders.nsw (<http://www.communitybuilders.nsw.gov.au/>). This initiative aims to provide:

... an interactive electronic clearing house for everyone involved in community level social, economic and environmental renewal including community leaders, community & government workers, volunteers, program managers, academics, policy makers, youth and seniors

The site contains a range of information about community building (development of social capital, capacity building, organisational development, grant writing), case studies, discussion groups, links, and events. While not specifically aimed at policy development in the wider sense, the approach is a democratic environment for positive action at the local level. Determining the outcomes of this strategy with the aim of incorporating this information and functionality within (for example) the MC<sup>2</sup> initiative, may be a highly positive outcome.

<b>S</b>	<i>The success or failure of communitybuilder.nsw should be examined by the Victorian government for possible emulation</i>
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While MC<sup>2</sup> is one way non-government groups can establish online virtual communities, it should be noted that a range of other commercial tools are available at no cost to the community. For example:

- MSN Groups (<http://groups.msn.com/home>), or
- Yahoo! Groups (<http://groups.yahoo.com/>).

However, while each of these approaches could be used by community groups for political engagement and organization, the strength of supporting an initiative like MC<sup>2</sup> is that the government can directly encourage (through funding) the development of participatory political technologies.

<b>S</b>	<i>Promoting a range of participatory, free virtual community environments to the non-government sector and public should be part of any eDemocracy initiative</i>
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## **5.2 Encouraging "Alternative Media"**

"Mainstream" mass circulation media (especially news reporting) is an oligopoly marketplace. Media ownership is highly concentrated in the hands of a few major domestic and internal corporations, and content developed for one media form is syndicated nationally and internationally. As such, this situation is highly problematic and dangerous as it:

- Increases the political influence of proprietaries as individuals,
- Limits the extent of critical coverage of public interest issues where these clash with media owners' interests,
- Reduces the amount of local news production<sup>30</sup>, especially in rural and remote areas of Victoria, and
- Reduces media pluralism and the distribution of alternative points of view.

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<sup>30</sup>For example, Fairfax – owners of the Age and the Sydney Morning Herald – syndicate news content between the two papers. Because of the need for this content to be relevant to both states, issues of only particular interest to one jurisdiction may not be covered, or given less attention if the content was only to be printed for one publication.

Members of the general public have increasingly recognised the limitation of the existing domestic media market and increasingly access other news sources, such as internal news services (*e.g.* CNN or the BBC World Service online) – however these sources invariably lack domestic content relevant to Victorian policy issues.

Alternative media – independent or small press media – have emerged due to the low (but not zero) publication costs of the Internet. Domestic examples include:

- The Paper (<http://www.thepaper.org.au/>),
- Crikey! (<http://www.crikey.com.au/>),
- Australian Policy Online (<http://www.apo.org.au/>),
- Online Opinion (<http://www.onlineopinion.com.au/>), and
- Melbourne Indymedia (<http://www.melbourne.indymedia.org/>).

These alternative media forms range in their quality, degree of participation, and public awareness (for example, the Paper is a relatively unknown local publication specific to inner city Melbourne, whereas Crikey! has attracted a large following due to clever promotion and marketing by its creator). The advantages of these publications are:

- They are invariably local in orientation, content, and participation,
- They can provide alternative points of view to those expressed in mainstream commercial media (for example, the Melbourne Indymedia site has, as its base, a fundamental anti-capitalist outlook that would not be presented in any commercial media),
- They can provide active points for public participation (anyone can contribute to the Paper),
- They can provide levels of detailed analysis not found in commercial publications (Online Opinion positions itself as an online current affairs journal for the intelligent and informed reader), and importantly
- They act in a symbiotic manner with traditional media forms – the commercial pressures of mainstream news reporting often lead journalists to "shortcut" research and identify online content and spokespersons that can be incorporated into their reporting schedules.

Two limitations exist for the increased development and distribution of these specialised media forms:

- Knowledge of their existence among the general public who may be interested in their points of view, or participation and contribution in their development, and
- The capacity of potential alternative media publishers who lack technical knowledge to develop their own online publications.

Both problems are related to resource constraints and can be addressed through government funding. While any government would be cautious of specific funding for individual proposals – because of the possibility of being accused of selective encouragement of media vehicles that favour their political position, or perceptions of attempts to influence reporting with direct funding – the MC<sup>2</sup> initiative shows how the tools for online publishing can be provided without "picking winners" or determining the merits of individuals' or groups' contribution to local debate.

*VicNet, through the MC<sup>2</sup> initiative should be funded to develop and maintain a free, flexible suite of online news publishing tools for alternative media – the Indymedia initiative provides a number of particularly interesting approaches to structuring collaborative publishing online and should be investigated as one model for emulation*

### **5.3 Linking Community Groups and Alternative Media to Government**

One basic observation of the MC<sup>2</sup> initiative and much of the local alternative media is that these sites remain "silos" on the Internet – unconnected to other relevant sites of interest to their issues or concerns. For example, the Warrnambool Youth Council site on MC<sup>2</sup> is not linked to from the Warrnambool city council homepage or the "Yarraville students" group is not linked to either from the education channel website or local schools in the Yarraville area<sup>31</sup>. In addition, the number of external links to community and interest groups, or alternative media on Victorian government websites is very limited.

This "closed" approach to cross-linking between government and non-government websites has been motivated in the past by:

- Resource constraints (time required to develop and maintain links),
- Limited desire to "recognise" dissenter groups (reflecting the problem of "learned vulnerabilities"<sup>32</sup> within government agencies), and
- Fear that links may be seen as a formal acceptance of the views or opinions on the external site.

None of these motivations remain valid, it is possible to:

- Use modern CMS to maintain and eliminate dead links,
- Include automated "submit a link" sites for quick review and inclusion in government websites, and
- Use disclaimers and "pop-up" indicators when a user is leaving the "official" government website.

Government websites should be a hub of hyperlinks to related public, business, academic, and NGO websites and virtual communities as these sites have the permanence and resources to maintain current and dynamic lists of related groups.

Thus, this lack of cross linkage may be limiting the growth of these online communities and alternative media, because:

- The groups are disconnected from the political process, and
- There is a lack of a discovery function for users looking for policy-related information on official government websites.

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<sup>31</sup> However, only one of the local schools in the area has a webpage at present.

<sup>32</sup> The identification of "sore points" in government service delivery or activity that are easily criticised by largely out of the control (for a variety of reasons) by the agency themselves.

**S**  
**5.5** *Government websites that contain policy-related information should include links to relevant interest groups, social movements, alternative media, and MC<sup>2</sup> (and other) online communities to provide avenues for policy interested citizens to identify and join policy-oriented discussion groups. Submission of relevant links should be open to users of government websites*

**S**  
**5.6** *Inclusion of links to other groups and individuals should be based on the relevance to the topic – rather than the perceived "quality" of content by public servants. The public should have a right of appeal if linkage requests are rejected by the agency or body maintaining the page*

## 6.0 The Victorian Public Service

This section examines the role the Victorian Public Service (VPS) can play in electronic democracy through a number of its existing functions and activities.

**This section also includes a discussion of eConsultation and eDeliberation which is more widely applicable than simply to the VPS.**

### 6.1 eGovernment and eDemocracy

Linking service indicators to policy development and incremental improvement is a clear advantage of utilising ICTs in government service delivery. This approach has been called "electronic government" or eGovernment, and captures the range of electronic and online service delivery initiatives introduced throughout the federal system in Australia.

These developments also provide the potential for enhanced citizen input into the policy and administrative process. At the most basic level, the computerisation of these technologies (be they based on eCommerce, mCommerce, Interactive Voice Response, or Computer-Aided Service Delivery models) clearly offers the ability for effective and efficient service-oriented data collection to be built into service systems and processes for real-time assessment of performance outcomes and customer satisfaction. Just as public sector managers have come to expect real time financial management reporting through computerisation, service quality indicators can be automated for ongoing service review and quality improvement.

This approach is currently used in government service delivery systems. For example:

- Exit polling is applied to citizens using online service delivery and payment gateways<sup>33</sup>;
- Government call centres monitor handling efficiency and service outcomes through automated and *post hoc* evaluation procedures; and
- New service requests are included in government service delivery websites.

At present, these measures tend to be administrative in orientation (focusing on inputs and outputs) for managerial purposes (staff management, demand measurement, customer satisfaction measures).

The collection of this data also provides the potential for a democratic dividend. Information gathered can be used to feed information into the policy development and assessment process. This takes a number of potential forms:

- Assessments of citizen satisfaction or understanding of, the policy,
- Assessments of compliance to existing policy (*i.e.* regulatory policy),
- Uptake figures (especially programmatic policy),
- Demands for new policy / or alterations to existing policy, and/or

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<sup>33</sup> These take the form of explicit surveys (for example, a number of local governments in Victoria have included exit surveys in conjunction with new payment gateways), or micro-satisfaction measures (for example, many government websites include mini-polling on informational pages asking the citizen "did the information provided answer your question").

- Evaluations of the appropriateness of the underlying *causal theory* driving existing policy (including justifications for the use of ICT for service delivery).

Service delivery assessments should therefore be developed with an objective of collecting both managerial and policy-oriented citizen feedback across a variety of forms (quantitative, qualitative). This approach requires input and collaboration between service and policy units in the bureaucracy, liaison with Ministerial staff, central agencies, and specific policy units (*e.g.* DPMC, Treasury, Office of Women's Policy) to develop, implement, and share relevant information produced by these service assessments.

S 6.1	<p><i>All significant (critical to mission) electronic and online service delivery initiatives should capture relevant performance and citizen satisfaction measures as part of their core functionality. These measures should be:</i></p> <ul style="list-style-type: none"><li>• <i>Quantitative (i.e. demand assessment),</i></li><li>• <i>Diagnostic (i.e. of managerial value), and</i></li><li>• <i>Of policy development value</i></li></ul>
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S 6.2	<p><i>Performance and policy-oriented data collection should be implemented with reference to existing information privacy principles developed by the Commonwealth and the Victorian Parliament. Government departments working with private sector providers should ensure that outsourced and contracted services also meet the spirit as well as the letter of the law with regards to information privacy</i></p>
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### **6.11 eGovernment Feedback: Some Concerns**

The dividend discussed in the section above also provides a substantial risk to the democratic process. The basic structure of responsible government provides incumbent governments with electoral advantage through favoured access to information captured and analysed by the bureaucracy.

As eGovernment service delivery has the potential to provide accurate, real time evaluations of citizens' interests, concerns, and policy preferences, incumbent governments have the potential to effectively receive real time polling of citizens across a range of policy issues. If this information is not shared with opposition parties, the media, and non-government organizations, this information asymmetry has the potential to negate or reverse the value of eGovernment as a tool of democracy.

This problem could / can / does occur where:

- Information collected is not publicly released,
- Information collected is released in a form that distorts its interpretation for evaluating either the service quality and policy "fit" (both politically relevant for general, and electoral debate),
- Information collected is deemed to be commercial-in-confidence because of the utilisation of a binding contractual arrangement with a service provider that does not allow performance indicators to be released to the public, and

- Information collected is deemed to be commercial-in-confidence in the expectation that the service will *at some time in the future* be let to tender.

Regardless of how this asymmetry may occur, this problem becomes more critical as data quality and timeliness increases through effective use of ICTs. This has obvious implications for the increased utilisation of public-private partnership models within government, which tend to be opaque. Loss of the ability to ensure service data remains in-confidence is likely to increase the cost to government of implementing private sector contracts. Removal of commercial-in-confidence restrictions on this data would have additional value for the Freedom of Information process, see section 6.32.

**S**  
**6.3** *All service and policy-oriented information should be publicly available in a manner that upholds the principle of democratic transparency and ensures effective anonymity for respondents, as per S6.2. Contracts with private sector providers of eGovernment solutions should include explicit requirements for complete disclosure of this information in a timely manner as not to benefit incumbent administrations*

## **6.2 eConsultation and eDeliberation**

The July 2002 *Victorian Online Gateway: The Vision, Strategy and Governance Model* document states that "eDemocracy functionality" such as topic-based online discussion forums will be part of the new [www.vic.gov.au](http://www.vic.gov.au) portal currently under development. However, in speaking with the project team it appears that this functionality has been deferred, presumably as the government is awaiting this Committees' report.

eConsultation and eDeliberation present a vast range of potential models for adoption under the eDemocracy rubric. As indicated earlier, the digital divide appears to limit the ability to develop self-determination models of participatory democracy, but not the development of models of deliberation based on representative samples (statistical, rather than electoral) of the public. This co-determination approach is described by James and Blamey (1999) as "mutual cooperation between nonexpert citizens and trained experts and a form of joint decision-making".

A number of general suggestions are included in this submission, however the range of models and variants available to government are broad and many have the capacity for adoption online. For an excellent summary of the range of options, see the Western Australian Department of Premier and Cabinet's *Consulting Citizens: A Resource Guide* document.

**This section applies to consultation and deliberation that can be used by any of the "touch points" discussed in this report.**

Overall, for eConsultation to be effective, it requires (Clift, 2002b; Hall, 2001; UK Cabinet Office, 1999) the administrators of the process to:

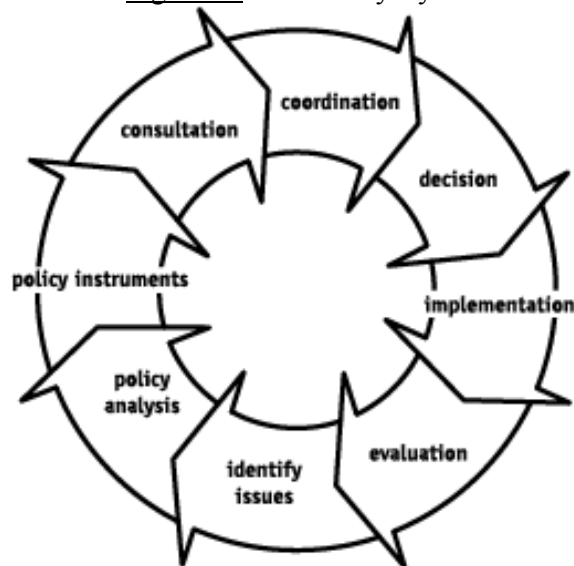
- Build consultation into the regular planning cycle of public organizations;
- Use multiple methods (methodologies);

- Consult internally as well as externally (online consultation would be very valuable for internal government stakeholder consultation given the near universal access to online systems within the VPS);
- Support from the political or decision making level – people engage in consultations if they feel their input will be valued and taken into consideration;
- Development of a representative participatory group – this often requires purposive sampling to engage people across a spectrum of interests. In some cases, rewards or compensation may be required;
- A clear articulation of the goals and objectives of the process, as well as how the process works;
- Offline assistance for people wanting to participate but with limited IT skills and equipment;
- The possibility for participants to alter the form or structure of consultation if they identify a need;
- Evaluate and learn from experience; and
- Use the simplest technology to achieve the desired ends of the process<sup>34</sup>.

As can be seen from the list above, technological elements are only a minor part of the overall potential effectiveness of eConsultation and eDeliberation – the core element: the possibility for making a difference through consultation, requires a willingness, by the instigating institution, to engage in a process that may effect change. The type of change based on consultation or deliberation will depend on the stage in the policy cycle the consultation occurs.

In the commonly presented model of the policy making and implementation process, consultation occurs as a discrete step (see figure 11, below), however this need not be the case. eConsultation and eDeliberation can occur at any point in the policy cycle.

Figure 11: The Policy Cycle



Source: Bridgeman and Davis, 2000.

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<sup>34</sup> To simplify the task, reduce overall cost, and not exclude those users with older hardware or software.



Drawing out elements of Bridgeman and Davis's model, we can identify, in very general terms, the different forms of interaction that may be required for different parts of the policy making and implementation process. These consultation forms can be delineated by: the type of process used, the stakeholders included, and the level of structure needed to guide debate and deliberation to either *enlarge* (generate participation and input, idea generation and lateral thinking) or *focus* debate (make decisions).

Table 2: eConsultation and eDeliberation – Fitting Form to Need

Stage of the Policy Cycle	Process Type Employed	Optimal Stakeholder Types	Level of Structuring Required
<b>1</b> <i>Identify Issues</i> <i>(pre-issue stage)</i>	<b>Broad general consultation</b> – establish issues, identify concerns, and determine necessary success criteria for policy development (KPAs)	<b>Broad</b> – all interested parties	<b>Limited</b> – "explorational" discussion free of detail and pre-judgement of options and issues of concern
<b>2</b> <i>Policy Analysis and Instruments</i>	<b>Visioning consultation</b> – determining what options are available to resolve policy problem	<b>Very Broad</b> – all interested parties and representatives of other policy domains with valuable policy models for incorporation	<b>Some</b> – issues identified need to be matched with possible solutions and models for adoption
<b>3</b> <i>Co-ordination</i>	<b>Capacity matching consultation</b> – determining what resources are available within what organization, complementary and incompatible initiatives and programs, and potential demarcation disputes	<b>Specific</b> – internal government and non-government implementing agencies and specific stakeholder representatives	<b>Moderate</b> – identifying points of necessary co-ordination and agreeing in-principle roles, potential problems, or better administrative options
<b>4</b> <i>Decision</i>	<b>Deliberation</b> – choosing among alternatives developed and selected in stages 1 through 3	<b>Selective</b> – depending on the capacity of stakeholders to reach consensus	<b>Highly</b> – choice from determined alternatives (issue, success criteria, instruments, implementing agencies, process)
<b>5</b> <i>Implementation</i>	<b>Consultation and determination</b> – identifying best approaches to implementation to evade resistance (internal or external)	<b>Representative</b> – two tier consultation and deliberation with implementing bodies and affected stakeholders	<b>Some</b> – decisions reached should be agreed and best means for implementation topic for discussion only
<b>6</b> <i>Evaluation</i>	<b>General Consultation</b> (and possible polling) – matching aims to outcomes	<b>Broad</b> – two tier consultation with internal and external stakeholders	Either: <b>Limited</b> – "explorational" – how has the policy fared across a wide variety of key criteria; or <b>Highly Structured</b> – determination of performance to KPAs where policy issue is simple

## 6.21 eConsultation

Consultation – the gathering of information, views, concerns, and opinions – has a place in the online environment. At the most basic level, public servants and their political masters already engage in online consultation: unstructured (sometimes unsolicited and unwanted) receipt of information and points of view from the public or representatives of particular interests in the community.

The limitations of unstructured consultation have been pointed out in section 3. This section discusses two additional forms of consultation process that can be utilised online: Structured and semi-structured consultations.

The Victorian Government has completed its trial of "Have Your Say" (was [www.haveyoursay.vic.gov.au](http://www.haveyoursay.vic.gov.au)) an online consultation and discussion space. The results of the review of this will be interesting in terms of how this approach to online consultation has been regarded by policy makers and the community.

### *6.211 Structured Consultation*

Structured consultations are practices where governments have a clear indication of the type of information they wish to gather from the public. The process, nature of the discussion, and specific areas of inquiry tend to be pre-determined to meet some criteria (such as determining levels of community support for proposed initiatives. Many governments within Australia and around the world make use of these processes online, as the process is the most simple to establish: place information on a webpage, and solicit some form of response.

Kowalski (2002) in a report to the VLGA identified that over forty percent of local governments have elements of their consultative processes online. In general, these tend to be rather static, formal processes, with discussion documents placed on the websites and responses solicited (via email, or online surveys) to the content of the proposal or policy issue.

Some examples of other, relatively structured consultation process that have been / can be undertaken online include (adapted from Clift, 2002b):

- *Question and Answer* sessions with key figures (such as political figures, project team leaders for implementation sessions) – either in real time or via ongoing email discussions;
- *Document or Policy Comments* – commenting on, or collaborative writing of, public documents and submissions (sometimes referred to as virtual workgroups);
- *Online Guests or Panel Presentations* – which may be useful for internal government consultation were new initiatives, regulatory requirements, or environmental events may need to be explained to a large body of staff (possibly incorporating question and answer sessions and becoming less structured); and
- *Online Candidates Debates* – similar to panel session above, but oriented to election periods.

The advantages of these approaches are:

- They can be relatively simple and easy to establish and administer,
- They are focused and directed (gaining specific purpose information),
- The greater the level of structure (say through surveying of views, rather than free-text responses) the easier the consolidation of a wide range of input, and
- They have greater capacity to accommodate large numbers of participants.

The limitations of these approaches are:

- They can be over-structured to the extent that they reduce the level of new information discovery,
- They have limited levels of public involvement (and ownership), and
- Structured interactions can encourage manipulation (engineering outcomes).

#### *6.212 Semi-Structured Consultation*

While highly structured consultation has some degree of benefit in the policy development process, its utility is limited in a range of circumstances (as indicated in table 2) and where:

- The level of understanding of the issue (either within the organization conducting the process, or among the participants) is limited,
- Where the level of conflict is high (and a structured process will be seen as pre-determining the outcome – negating credibility), or
- Where the number of potential participants is limited (and depth of input is required).

In such cases, therefore, a less structured approach may be desirable to get unexpected responses and allow the depth or level of input to vary.

Some examples of semi-structured processes include (adapted from Clift, 2002b):

- *Online Conferences* – large membership meetings over a prolonged period for the exchange of information and possible deliberation (see section 6.22);
- *Online Communities of Practice or Interest* -such as the "Clift Model" used for Minnesota e-Democracy, where members of the public have access to mailing lists for discussions of public affairs and issues (including policy makers and journalists). These discussion groups are semi-structured in that discussion is moderated (people can be excluded for offensive or off-topic input) and there are limits to the amount of participation each member can provide (normally limited to a certain amount of emails per day or week – to prevent "information overload" and encourage more thoughtful responses (Clift, 1999)); and
- *Live Chat Events* – between key decision makers and members of the public. This normally takes the form of a raw, uncensored interaction between members of the public and a significant political figure (structure may be added through facilitators, or gatekeepers who "vet" questions, alternatively, questions might be submitted to the group as a whole to determine which should be asked).

S  
6.4

*The current use of structured eConsultation processes should be extended<sup>35</sup> with semi-structured online consultations across a range of types. Internal eConsultation types may be trialed within government departments before "going live" with wider community consultations to develop best practice models for ongoing development*

## **6.22 eDeliberation: Citizens' Juries and Consensus Conferencing**

While the appropriate form of consultation has a range of advantages in the policy making process, it does not entail decision making on the part of participants. Two alternative participatory models that extend beyond consultation are:

- Citizens' juries, and
- Consensus conferences and deliberative polling.

While both have similarities, a distinction between the two is made in the context of this submission (see below).

The advantages of these approaches lie in the active decision making itself. Consultations and opinion gauging activities like polling, focus groups, or market research tends to be a passive activity for participants – not in the sense that they are not actively engaged in the process – but that the structure of the activity places participants as the unit of analysis, a focus of research and study, rather than informed and active members of the public who *choose, determine, and decide*.

### *6.221 Citizens' Juries*

Wakeford (2002) describes Citizens' Juries as:

... a panel of non-specialists meets for a total of thirty to fifty hours to examine carefully an issue of public significance. The jury, made up of between twelve and twenty people, serves as a microcosm of the public. Under the model of the citizens jury most commonly used in the UK and US, jurors are often recruited via a more or less randomised selection of people taken from the electoral roll ... To encourage recruitment from as broad a range of backgrounds as possible, various provisions are available including an honorarium payment, crèche facilities, and easy-access jury locations.

The last point is particularly relevant to eDemocracy application for Victoria. While citizens' juries may be best held face-to-face, the inclusion of interactive online interaction can be valuable. As with the discussion of online consultation (above) the use of citizens' juries can include both an offline and online community, with witnesses, jurors, and evidence interacting in both a physical space (a meeting room) and online (teleconferencing in participants).

However, current offline applications of these approaches do illustrate how valuable citizen deliberation may be. As opposed to negative perceptions of "the public" ability to understand and digest complex policy information, in application of citizens' juries to environmental issues within Australia, Blamey (2001) states that application of the approach showed an:

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<sup>35</sup> Not replaced.

... impressive ability of citizens to grapple with complex environmental issues and to deliberate effectively to reach an agreed jury "verdict". A major advantage of citizens' juries is their ability to provide the views of the community under conditions of far greater information and deliberation than any questionnaire could ever hope to achieve.

The two major limitations of citizens' juries were identified as being:

- The extent to which the small number of citizens represented can adequately represent the views of the whole community; and
- Gaining the cooperation and attendance of people and groups upon which the successful execution of the citizens' jury depends.

Unlike consultation processes, however, the level of detail and involvement of participants makes these approaches more expensive to run properly (rather than symbolically). Experience in the United Kingdom shows that the cost of running these processes range between \$14,000 and \$30,000AUD (Institute of Development Studies, 2001). In addition, the Institute recommends:

- Juries be conducted following consultation processes to establish the range of issues for deliberation, identify stakeholders, and develop a resource base of information for presentation to the citizens;
- That the location be neutral, so that the process doesn't appear "owned" by a particular organization, and
- All relevant implementing and policy makers be incorporated in the process so that deliberations can feed into the policy making process.

Citizens' Juries are currently being considered for adoption by the Western Australian government (WA Government, 2002).

#### *6.222 Consensus Conferencing and Deliberative Polling<sup>36</sup>*

By nature citizens' juries and consensus conferencing are similar participatory mechanisms – both use lay members of the community to deliberate on policy issues based on expert testimony. Traditionally, both use similar numbers of participants (12-16), however consensus conferencing has a number of variations:

- The depth of inquiry is deeper – requiring more time commitment and cost, and
- Consensus conferences are less structured than citizens' juries, allowing the lay members to determine the nature of the inquiry and deliberative process.

The Lay Panel Report of the Australian Museum's Consensus Conference into "technology in the food chain" state that consensus conferences are (1999):

Through the use of rigorous rules, the conference aims at an ideal, in which a given topic ... is explored on the basis of the finest available knowledge and the widest possible breadth of views, and discussed in open and unbiased dialogue.

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<sup>36</sup> "Deliberative Poll" is a trademarked term of Professor James Fishkin of the University of Texas (see comment in section 2.6).

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This dialogue takes place between two panels. One is a panel of citizens, a fair cross-section of society, previously uninformed about the topic, but with a range of attitudes and values to it. The other is a panel of experts, from a range of disciplines (including opinion leaders in the community), and also with a range of different and sometimes conflicting views ...

The distinctive feature about the Danish model of consensus conferencing is that [it] is the citizen panel who is the main actor throughout: it decides all key aspects, including the questions set, the experts selected, and the conclusions reached. This is the model that has been followed in Australia.

The outcome of a consensus conference is often a written report by the lay members, outlining their concerns, inquiries, deliberations and recommendations to the sponsoring group (government).

Alternatively, a similar model that has attracted some attention is *deliberative polling*. Deliberative polling is described as (IDC, 2001):

... an attempt to use public opinion research and television in a new and constructive way. A random, representative sample is polled on the issues. After this baseline poll, members of the sample are invited to gather at a single place to discuss the issues. Carefully balanced briefing materials are sent to the participants and are also made publicly available. The participants spend a good part of the weekend deliberating with each other in small group discussions run by trained moderators, weighing the costs and trade-offs of various policy options. They also engage in dialogue with competing experts and political leaders based on questions they develop in small group discussions. Parts of the weekend's events are broadcast on television, either live or in taped and edited form. After the weekend's deliberations, the sample is asked the same questions again. The resulting changes in opinion represent the conclusions the public would reach under ideal circumstances, that is, when it has an opportunity to become more informed and engaged by the issues and to work through the pros and cons of a variety of options.

Deliberative polling is a very public exercise, normally aimed at issues of substantial public interest and concern. It combines the process of deliberation with public education in general – in that, where as consultation, citizens' juries, and consensus conferences aim at determining the public views on particular policy issues, deliberative polling is a public exercise, in which the public (as viewers of the event) should benefit from the exchange of information and ideas about the policy issue under consideration to increase their knowledge and make informed decisions about the issues under consideration.

Either approach (consensus conferences and deliberative polling) can have application to the online environment – whereas the ability to transmit the processes via television are limited by cost constraints – streaming or other audio or video distribution of these processes (say on DVD or CD ROM) makes the distribution of this information and observation of proceedings somewhat more affordable. In addition, the benefits associated with facilitating the processes via the Internet is apparent, to both lay and expert participants.

#### *6.223 Some Concerns About Deliberation*

There is a tendency by proponents of deliberative methods based on sampling to represent these deliberations as illustrative of the views that would be expressed by the wider public on the topic at hand, if they had access to "all the information". The basic assumption of deliberative methods is that an accurate statistical sample of the population can be gathered, and from this a representative view developed and that "neutral" information can be developed and conveyed to participants.

Both assumptions are problematic and question the validity of the deliberate methods discussed in sections 6.221 and 6.222. Selection of participants tends to be based on imperfect information (such as market research companies data bases or the electoral role), and the assumption is that stratifying across basic descriptors of the population (age, sex, gender, socio-economic status) has some validity in developing an effective cross section of the community. Both of these assumptions are potentially false, and the smaller number of participants in these processes, the greater the possibility for individual variation from the population parameters (p- mean, medial, or modal "attitudes").

#### **Seeing deliberative methods of consultation (online or offline) as representative of the wider population view on policy issues is likely to be erroneous.**

In addition, the tendency for these approaches might not (as argued) lead to consensus, but "group think" – the domination of group views by participants with particularly forceful personalities (Bannister, 2001). There does tend to be an inherent emphasis in these fora on the development of consensus views. **However, the focus on consensus belies the essential nature of political life – conflict – and that many policy issues represent "true dilemmas" – policy problems without optimal solutions.** Hendriks (2002:18) in examining the political debate surrounding two deliberative processes in Australia (a citizens' jury and deliberative poll) identified that active political groups which pre-existed the development of the deliberative process responded by attempting to undermine the legitimacy or process of the activity – presumably because of the threat to their entrenched position in the political process prior to "opening up". These tensions between "macro" and "micro" political deliberations show that the implementation of deliberative methods will be a politically contentious process. It is important for institutions and organizations that develop and run these processes not to over-emphasise the need for consensus to be reached – which can lead to excessive structuring of the process and information provided – but to recognise that, while the method is deliberative – it still is likely only to provide another view of the wider publics potential interest and concerns.

These concerns are no different to those encountered in any consultative processes. However, the extent to which the outcome of these processes is considered

authoritative of general community desires and interests makes bias in the outcome of deliberation processes more concerning. On the other hand, the intrinsic bias within representative democracy has not precluded its universal adoption within Australia and deliberative processes should not be excluded from consideration in any eDemocracy strategy for the state – reflective consideration of potential problems is essential in developing methods and strategies that limit the problems of bias.

#### *6.224 Taking Deliberation Online*

Converting deliberative processes to activities wholly conducted online would have a number of particular implications for the way they were run and preclude participation by the wider public.

While conducting these activities online in real time (face-to-face) may limit the amount of information that can be conveyed (especially in a text only version), there are benefits in the real time interaction between participants (flow of debate and discussion), as well as assurance that jurors/participants are attuned to the task at hand. Having these processes extended over a longer period of time, but not in real time (say, having witnesses' prepared statements and documents online for access any time during a predetermined period of time, with electronic mail questions used by jurors to query the experts) would not guarantee that jurors were meeting their obligations to attend to the discussion.

On the other hand, online versions of deliberative approaches may be beneficial in:

- Gaining the participation of members who could not dedicate a continuous number of days to the process, but could give an hour a day (overcoming some barriers to participation and possibly enhancing the – limited – statistical representativeness of the sample); and
- Limit the tendency of face-to-face discussions and deliberations to be dominated by an individual with a particularly strong physical personality (though this could be substituted with domination by a strong "online personality"<sup>37</sup>) (Coleman, 2000).

**S** *Deliberative methods of consultation should be considered for Victoria that incorporate some elements conducted online, on a trial basis*

**S** *Victoria should liaise with the Western Australian government to co-ordinate the development of experience in administering citizens' juries*

### **6.23 Evaluating eConsultation and eDeliberation**

As stated previously, the formative nature of eDemocracy requires a strong research and learning component in all initiatives. With particular respect to eConsultation, Macintosh and Whyte of the *International Teledemocracy Centre* (2002) propose the following review elements that present a reasonable basis for the development of best practice.

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<sup>37</sup> For example, Smith's (1998) examination of an online community identified the tendency for dominant figures to emerge online, albeit because of different reasons to the similar phenomena encountered in face to face interactions.



**Table 3: Suggested Evaluation Criteria for Online Consultation (and Deliberation)**

<b>Evaluation Issue</b>	<b>How to address issue</b>
1. Was the e-consultation process conducted as planned?	<ul style="list-style-type: none"> <li>• Ask stakeholders if they are satisfied with the process.</li> <li>• Assess whether adequate resources are in place to conduct the consultation.</li> <li>• Check whether process followed best practice guidelines</li> </ul>
2. Were the consultation objectives and what was expected of the citizens made clear?	<ul style="list-style-type: none"> <li>• Ask stakeholders if they understand what is being asked</li> <li>• Assess whether the participants' contributions are appropriate</li> </ul>
3. Did the consultation reach the target audience?	<ul style="list-style-type: none"> <li>• Assess the adequacy of the promotion of the e-consultation.</li> <li>• Identify who and where they are, in terms of demographic and geographic characteristics</li> </ul>
4. Was the information provided appropriate?	<ul style="list-style-type: none"> <li>• Assess how easy the participants can access the information.</li> <li>• Assess whether the participants' contributions were informed by it.</li> </ul>
5. Were the contributions informed and appropriate?	<ul style="list-style-type: none"> <li>• Assess to what extent the contributions address the consultation issue</li> <li>• Assess how easy the participants can access contributions from others</li> <li>• Classify contributions according to whether they provide information, ask questions, make suggestions</li> <li>• Assess to what depth contributions respond to other contributions.</li> </ul>
6. Was feedback provided both during and after the consultation?	<ul style="list-style-type: none"> <li>• Assess whether questions are answered by government during the consultation</li> <li>• Assess the extent the government feedback relates to the contributions.</li> </ul>
7. Was there an impact on policy content?	<ul style="list-style-type: none"> <li>• Check to what extent a change of policy is possible given the stage in the decision-making the consultation occurred</li> <li>• Assess to what extent contributions are reflected in the revised or newly formulated policy</li> </ul>

Source: Macintosh and Whyte, 2002

In addition, it would appear useful to include sociological networking research to this basic review process to determine the relationship between participants and the wider community (do participants act as "conduits" for others' participation), and the appropriateness of participants' selection (are some groups excluded by the technology) – as an aim of developing counter measures to lopsided participation.

**S** *The Macintosh and Whyte criteria for consultation should be developed and adapted for reviewing eConsultation and eDeliberation processes in Victoria*

### **6.3 Provision of Information Online**

The cornerstone of democracy is the *provision of* and *access to* information about the processes of government and policy issues. This section presents a number of suggestions to improve and enhance both of these requirements.

#### **6.31 Accessibility**

The increasingly graphical and multimedia nature of the Internet and its associated technologies present difficulties for members of the public with special needs. Accessibility of information online for people with disabilities is essential in assisting

their participation online. The Victorian Government has recognised this problem<sup>38</sup> and has developed a policy and tool kit for government business units. The current policy states:

Departments should design their web sites to promote equal access for people with disabilities.

- IT&T-39: WWW Accessibility (Disability) Policy

However, the degree of implementation of this policy has been, to date, limited. An automated review of the first three hundred and six government websites that were linked from the [www.vic.gov.au](http://www.vic.gov.au) homepage showed that 158 (51.6%) passed the World Wide Web Consortiums "level A" (first level, of three) accessibility standards (see <http://www.w3.org/WAI/>). For an extract of this review, see Appendix 2. In Australia, under a ruling of the Human Rights and Equal Opportunity Commission, public organizations must make best effort attempts to ensure that people with disabilities can access their site.

To gain the benefits of further engaging people with disabilities in the political process, all government websites should strive for a minimum level of accessibility for all site content. In the United States, this requirement has been mandated by law (see [www.section508.gov](http://www.section508.gov)) requiring Federal agencies' information technology is accessible to people with disabilities (National Council on Disability, 2001). This approach may be problematic, however, because of:

- Excessive costs in retrofitting millions of pages of existing content,
- Regulatory avoidance through the reduction of published content online, or
- Excessive prescription.

The rebuild for the current [www.vic.gov.au](http://www.vic.gov.au) portal site includes the stated capacity for AA level accessibility to be achieved from the CMS this part of the Victorian government portal site, however "downstream" sites (such as all the departments and agencies that "hang off" this portal) may currently lack this ability. The Government should therefore determine which approach would be best to increase overall accessibility to online content beyond the portal<sup>39</sup>. Public benchmarking and comparison with international best practice may be the most effective way to ensure compliance, though legislative requirements may need to be developed over time.

**S**  
**6.8** *The State Government should mandate online accessibility, either by law or make accessibility reporting a KPA for all government agencies, corporations, and departments*

This should be a phased approach for new content, and minimum accessibility requirements should be included in all new online procurements (both content and technology) to ensure that online publishing solutions have the inherent capacity to ensure (automatically, or assisting the user) online content is accessible.

<sup>38</sup> Partially in response to the legal risk of maintaining discriminatory websites.

<sup>39</sup> Theoretically departments and agencies that use other software could migrate to the new portal CMS should this development be proven to be effective in its current stated capabilities and scaleable from a portal to a complete departmental website, however the cost of adoption and information migration would be high in the immediate term.

**S**  
**6.9** *Evaluation of new software and content contracts should include criteria for accessibility against a minimum standard (such as W3C level AA). These standards should increase over time (continual improvement) and be included in contracts with organizations who provide information on behalf of government*

Without continual improvement in reaching accessibility standards for Government websites, the advantages of eDemocracy initiatives for disabled users will be lost. This is not a cost neutral activity, and will require an addition investment of public monies, however there is a legal risk (through discrimination) if the Government does not address this issue. In addition, provision of "text only" and similar versions of government sites that comply with W3C standards often have lower bandwidth requirements than their graphically-rich versions – this then provides a dual benefit to areas of the state with poor telecommunications infrastructure.

### **6.32 Freedom of Information in an Information Age**

The second area of interest is in the provision of politically-relevant information to the public. Freedom of Information (FoI) is a basic legal right of all citizens. In Victoria, this right is mediated through legislation that limits access in two ways:

- Access is limited by form (the tendency for hardcopy reproductions of documents to be the preferred method of information provision), and
- Access is limited by content (requested documents are vetted against a criteria prior to release).

The existing legislation places the burden of oversight onto the public:

- The public must identify information they require (there is an assumption the public will be aware of all relevant documentation), and
- The public may be required to pay for the vetting and reproduction of requested documentation.

These burdens limit the public's ability to access information under FoI, and the possibility exists for multiple requests of the same information to be generated a number of times. At present, section 19 of the *Freedom of Information Act 1982* allows for information stored on computers to be selectively searched and compiled upon request, but is not specific about the provision of documents in electronic form.

At present, the Public Records Office of Victoria (PROV) are undertaking a project (the Victorian Electronic Records Strategy, VERS) to develop techniques for the long-term storage and retrieval of electronic documents developed within the public sector. This project is not aimed at replacing hardcopy archiving, but supplementing this where documents are created and "live" in only (or largely) in an electronic format. The initiative involves:

- The development of a centralised repository for electronic records of permanent value to the state of Victoria,
- The development of metadata standards (electronic index cards) for the indexing and discovery of information, and
- The development of a thesaurus of metadata terms to standardise indexing and aid information retrieval.

This project, combined with the existing online database of hardcopy records stored by the PROV, will allow members of the public to access information about (and in the case of electronic documents, download from the Internet) "open" access records maintained by the Office.

This project also will have benefits to the VPS – the enhanced standards for electronic records management and indexing will allow greater capacity to re-use and access electronic documents within the public sector. However, the implementation of VERS within central departments and agencies will depend on agencies' Directors for compliance to best practice and may be limited in areas of resource scarcity.

As FoI is a cornerstone of citizen oversight – especially for the media – reduction of the costs of FoI requests would facilitate enhanced democratic participation. These reductions could take three forms:

- Reduction of discovery costs,
- Reduction of the costs associated with reproducing documents (especially those already stored in electronic form), and
- "Create once, use many times" publishing.

Thus, the greater use of VERS standards – including mechanisms to record the status of documents as "open" or "closed" (restricted subject to specific FoI vetting) would enable citizens to directly access government documents through the Internet, limiting the necessity of formal FoI requests (and associated costs to the public and government agencies).

In addition, the VERS project intends to undertake an audit of the records management systems and procedures in the VPS to determine the current level / quality of practice across government. This information would be useful in determining:

- Current levels of compliance with recommended practice and standards, and
- The capacity of internal document databases to be placed online for public access.

**S**  
**6.10** *A "two step" FoI process be introduced – the first step allowing the requesting party to search electronic databases for the existence of documentation relevant to their inquiry, and a second step where the information is vetted and released by the relevant public officials*

**S**  
**6.11** *FoI release be accessible in electronic format upon request of the initiator where this does not place unreasonable costs on the agency. This may require amendment to the Freedom of Information Act 1982*

**S**  
**6.12** *All government documents released under an FoI request be placed into an online public archive, such as through VERS, for multiple use and discovery*

**S**  
**6.13** *The Committee should monitor the outcomes of the VERS review of document management standards compliance and practice in the VPS to determine if corrective action is required to ensure agencies have systems in place to encourage greater transparency of information*

On the other hand, experiences in placing court records online in the United States have had a number of negative consequences. The New York Times (Associated Press, 2002) have reported that personal information contained in court records have created concerns about:

- Ability to identify crime victims, jurors, or witnesses,
- That minors with non-custodial parents with restraining orders might be located,
- That private personal information would be available, and
- That identifying information could be accessed, leading to "identity theft".

**S**  
**6.14** *Greater publication of all government documentation online must be vetted to prevent personal or identifying information being released – metadata standards must ensure that documents containing personal information are flagged<sup>40</sup>*

#### **6.4 Existing "Expert" Forums**

Currently, many public servants, especially those in policy roles, are members of a range of electronic mailing lists pertaining to their professional interests. In Australia a range of formal and informal mailing lists exist that are likely to have *ad hoc* membership by members of the VPS. For example:

- Childprotect – "a venue for the discussion of child abuse prevention and child protection research, policy and practice issues" (<http://www.aifs.org.au/nch/dlist.html>)
- Link – "the list for the discussion of (computer) networking in Australia" (<http://sunsite.anu.edu.au/link/>)
- AWHN-LIST – "an email list for members of the Australian Women's Health Network to facilitate discussion of women's health issues" (<http://www.nwjc.org.au/avcwl/lists/info/awhn-list.html>)
- Greenleap – "The email list for people helping society leapfrog to an ecologically sustainable economy" (<http://www.green-innovations.asn.au/greenleap.htm>)

There are numerous other examples, including lists established by government departments. Public servants who participate in many of these lists often do so voluntarily and often participate in their own time. Recognition of the value of these lists should be part of the work culture of the public sector, and policy units should ensure that they:

- Identify all relevant lists (including international lists which may provide value in lesson learning and policy importation); and
- Monitor or participate in these lists.

The advantages of this are (Geiselhart, 1998):

- Increased access to information,
- Networking with other policy officers,
- "Temperature testing" possible policy innovations, and

<sup>40</sup> In some cases (for example, child protection) the knowledge of the very existence of a document may have negative consequences – this highlights the importance of clear and comprehensive classification of documents in online databases for the protection of the public interest through sufficient metadata standards and importantly *compliance with the completion of metadata reporting standards*.

- Environmental scanning of emerging issues and concerns.

Participation may take the form of:

- Active participation in discussion and debate,
- Active participation through information sharing and referral, or
- "Lurking" – non-active membership to simply observe discussion and debate (Richard, 2000).

This participation, however, may be discouraged by the existing Victorian Public Service Code of Conduct. The Code states that:

... you have the right to make public comment and enter into public debate on political and social issues. However, Section 95(1) of the Victorian Constitution Act 1975 prevents you from making public comment on the administration of any State department. There are additional circumstances in which public comment is inappropriate, unless specifically authorised by your chief executive officer. These include circumstances where:

- implication that the public comment, although made in a private capacity, is in some way an official comment on Government policy or programs; and
- you are directly involved in advising or directing the implementation or administration of Government policy, and the public comment would compromise your ability to do so.

This implicit restriction limits the ability for open discussion with these (and other offline) policy-oriented lists and is unnecessarily restrictive on public servants.

S 6.15	<i>At minimum, policy units within the public service should identify existing policy-oriented lists associated with their responsibilities and nominate "liaisons" to join and participate in these lists</i>
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S 6.16	<i>Point a of Section 95(1) of the Victorian Constitution Act should be deleted to facilitate participation in informal policy-oriented discussion lists without fear that general discussion is a violation of the Code of Conduct. This subsection should be replaced with words to the effect of:</i> <i>(a) publicly comment upon the administration of any department of the State of Victoria that they are not employed by;</i> <i>(b) publicly comment upon the administration of the department of the State they are employed by without a written or oral disclaimer that the statement is not a reflection of official government policy."</i>
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## 7.0 The Executive

Many suggestions pertaining to the democratic activities of members of the executive are covered in other sections. This section focuses on one potential area of ICT use by the executive – a *transformative* reform.

### 7.1 Open Cabinets

Cabinet does – and will – remain a central decision making arena that is both:

- Of keen interest to the public, and
- Completely lacking in transparency.

On 26<sup>th</sup> April 2000 the Welsh Cabinet began posting their minutes on the Internet six weeks after the conclusion of their meeting (de Maria, 2001) subject to a number of constraints. The Cabinet states that (Assembly Cabinet of Wales, 2001):

The Cabinet's policy is to conduct its business as openly as possible. Accordingly, we publish the minutes, papers and agendas of its meetings unless there are overriding reasons not to ...

We withhold material from publication only where there is an overriding reason for doing this. So we do not include in the published versions of Cabinet papers or minutes anything which:

- is commercially sensitive;
- relates to the Assembly Budget or other budgetary or financial matters;
- contains or alludes to information received in confidence from a third party; or
- would otherwise cause substantial harm if disclosed.

However, the documents which appear on this site are otherwise exactly the same as those considered by the Cabinet.

The advantages of this approach are:

- It illustrates that the nature of Cabinet secrecy may be unnecessary,
- It exposes a critical decision making body to the public view,
- It provides insights into the way critical decisions affecting Victorians are reached, and
- It provides the potential to expose slipshod decision making or departmental resistance to government policy to the public view.

The risks of this approach lie mainly in its assault against the "macho" presentation of political leaders as entirely in control of the process of governance by:

- Breaking cabinet solidarity as points of difference between Ministers are revealed, and
- Illustrating the bounded rationalism that much government decision making follows.

As Frankel (2000) has observed, these criticisms:

... shatters the taboo that revealing cabinet proceedings before 30 years have passed will fatally undermine

decision-making. The minutes reveal business-like, practical and sometimes mundane discussions and suggest that the traditional secrecy in this area may have more to do with protecting mystique than real secrets or highly sensitive discussions

However, this view can be countered with some real concerns about open Cabinet processes, in that the approach may:

- Highlight (potential) dissenters in Cabinet that may be targeted by the public or interests for lobbying, and
- Shift the actual decision making process to another (informal) forum<sup>41</sup> – converting the formal cabinet process into a scripted, artificial exercise aimed at maintaining the macho mystique of strong executive government.

Both of these concerns relate directly to the nature of the participants in Cabinet, rather than the structure of the open cabinet process itself.

<b>S</b> 7.1	<i>Cabinet should consider if they are willing to engage genuinely in Open Cabinet processes and undertake the Welsh model on a trial basis</i>
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<sup>41</sup> With thanks to Professor Mark Considine for this pertinent observation.



## 8.0 Local Government

The Victorian Local Government sector ("the Sector") should not be overlooked in any development of eDemocracy within this State. Recent research (Burdess and O'Toole, 2002; Chen, 2002b) suggests that the amalgamation of municipalities begun in 1994 disrupted the democratic process in local government, especially in regional areas that lost local councils and their supporting governance networks. In response to this, a range of local community groups have formed throughout the State to represent local interests within the larger municipal bodies. The quality, democratic participation, and impact of these representative bodies, however, remains mixed, dependent on levels of local social capital and the resources available to these groups and the degree to which these groups have wide scale participation in their activities.

Local governments have begun to trial eDemocracy approaches. For example:

- Over the last two years Wellington Shire (Victoria) has been streaming council meetings to "bridge the gap" with their community (O'Loughlin, 2002). This project was undertaken within the Council administration using a small (5 member) project team from within the council staff and an investment of \$10,000,
- The City of Joondalup in Western Australia has begun to use computer voting within their council chambers. Citizens can view the council agenda on screens, and see how their councillors have voted on each item (Local Government Focus, 2001), and
- Moreland City Council has used chat sessions with the Mayor on a range of issues, including a successful youth forum, and maintains a eDiscussion mailing list (<http://morelandlist.org/mailman/listinfo/morelandlist>).

To date, however, these experiments have tended to be somewhat *ad hoc* and driven by key individuals with an interest in the democratic process and ICTs. This has limited the uptake of eDemocracy in local government, and limited the sharing of information about successful and unsuccessful experiments within the sector. These initiatives have also highlighted the problems associated with limited resourcing for their implementation. Robert Larocca, of Moreland City Council has described (presentation to the Victorian Local Governance Association, August 2002) the limitations of simply placing consultation online: without active promotion of these activities, response and participation is likely to be low.

### 8.1 Capacity for Innovation in the Local Government Sector

Because of the size of the sector, its diverse range of activities, stakeholders, and resources (financial, capital, human, intellectual), the sector presents the opportunity to develop and undertake a range of eDemocracy activities aimed at:

- Supporting and enhancing local governance, and
- Providing a range of experimental cases for testing a variety of eDemocracy approaches.

The range of approaches that could be effectively implemented by municipalities include:

- eConsultation and eDeliberation with citizens (Hall, 2001<sup>42</sup>);
- Realtime chats with Councillors and the senior executive team,
- Streaming council meetings and community meetings held within the council chambers, and
- Linking council websites to interested community groups engaged in policy debate and oversight.

In addition, trials of electronic and online voting by the Victorian Electoral Commission might be undertaken at the local government level to determine if:

- The method is cost effective,
- The method is secure,
- It increases participation (especially among traditional non-voting groups),
- It increases involvement, and
- Online voting can be enhanced with other online information (such as candidates' websites, tutorials on the electoral and governance process).

Overall, however, while some members of the Sector have the experience, resources, and interest to undertake eDemocracy projects, a number of barriers remain for the majority of municipalities throughout the state:

- Financial resources are limited,
- Information Technology infrastructure within councils is highly variable, and
- There is a lack of "first steps" information about what is possible and what projects might be tried.

**S**  
**8.1**

*The Local Government sector should be considered as a fertile test bed for small and medium scale eDemocracy initiatives within and between<sup>43</sup> municipalities. These projects should be facilitated and funded by the State government in conjunction with representative bodies such as the Municipal Association of Victoria and the Victorian Local Governance Association. These test projects would require:*

- *Financial assistance for local government based on their capacity to self-fund projects (with larger or complete subsidy to rural and regional municipalities carrying larger debt), and*
- *Development of detailed reporting (lesson drawing and knowledge sharing) through a centralised repository of case studies (such as the Department of Infrastructure webpage and printed publications)*

Financial assistance for local government eDemocracy projects should not be limited to technology and technology-related skill acquisition. Successful development of eDemocracy requires dedicated project officers, "on the ground" contacts with community groups, and offline promotion and advertisement of these activities. The largest costs of these projects are unlikely to be associated technology, but with the promotion of initiatives throughout the municipality. For example, a basic, but scalable email list management package costs in the order of \$3,000 to \$5,000, whereas one full time project officer, promoting a range of electronic discussion

<sup>42</sup> Hall notes that local municipalities can be very effective in co-ordinating participation and location representatives for eConsultation, not simply internally but also for "state" initiatives.

<sup>43</sup> For example, in regional water catchment areas that tend to span municipalities, but have direct impacts (and inputs from) the Sector.

groups, acting as moderator, and facilitating links between the community, council administration, and elected representatives would cost ten times this amount.

**S** *Local government projects are unlikely to succeed without financial support for*  
**8.2** *both technology acquisition and project officer positions*

## **8.2 Linking Local Government with Community Groups**

The same points raised within section 5 apply to the local government arena, however, resource limitations exist in this sector that may limit some municipalities providing the range of government-non-government links available to state government agencies. Under the Networking the Nation (NTN) Online Service Delivery Project being delivered by the MAV, some municipalities are implementing advanced CMS that would be able to facilitate this function.

As the NTN funding is reaching its conclusion – the State government should identify which municipalities remain without modern content management software for their websites and consider supporting councils' acquisition of these systems.

**S** *Local governments lacking the capacity to cross link with community groups*  
**8.3** *should be supported in developing the underlying technological capability to achieve this outcome*

### **8.21 eDemocracy and Best Value**

Supporting basic content management software provides the ability for councils for cross-link and build local democratic hubs. However, the Governments' capacity to ensure this occurs may be limited. One potential mechanism to encourage increased eDemocracy in local government is Best Value (BV). Given "Consultation on performance" is a core element of BV, this requirement for the sector is entirely consistent with the general aims and objectives of eDemocracy. eDemocracy and online consultation may be a useful measure for Best Value reporting for local governments. Implementing this initiative would be difficult, however, given:

- Different capabilities within the sector, and
- Difficulties in developing effective performance indicators for initiatives that doesn't encourage the implementation of processes that have little benefit.

**S** *The Victorian government may need to develop a dialogue with the sector to*  
**8.4** *consider the relationship between eDemocracy and Best Value*

In addition, it is reasonable to expect that local governments would use eConsultation to develop BV indicators and determine levels of community expectation for service delivery. However, given differing reactions from the Sector with regards to BV (from wholesale support for the initiative to "just compliance"<sup>44</sup>), checks and balances will need to be included to ensure that slipshod online consultation is used simply to mark compliance with this initiative.

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<sup>44</sup> Source: Unpublished Honours Thesis by Andrea De Almeida (2002), Department of Political Science, Faculty of Arts, University of Melbourne.

**S**  
8.5 *The MC<sup>2</sup> initiative may be a cost-effective adjunct to wider community consultation on Best Value and other local government initiatives, the Local Government unit of the Department of Infrastructure, municipalities, and the Best Value Commission should consider how this existing initiative could be used to enhance Best Value implementation and policy outcomes*

### **8.3 Online Voting for Local Government Elections**

For the local government elections conducted by the VEC in March 2002 (16 supervised elections) the average voter turnout was 72.2%. Interestingly, as two voting techniques were employed, we can see the benefit of remote voting for local government:

- Postal voting (14/16) voter participation: 73.8%
- Voting at polling stations (2/16) participation: 64.6%

There is clear evidence that remote voting may be valuable in increasing participation in local government elections (though there have been concerns about the effect of postal voting on people with limited language skills and the aged). A Sheffield pilot project in the United Kingdom noted that (Electoral Commission, UK, 2002a):

The electronic voting pilot did appear to slightly boost turnout in the pilot wards, in addition to the increase in turnout evident across the rest of the city.

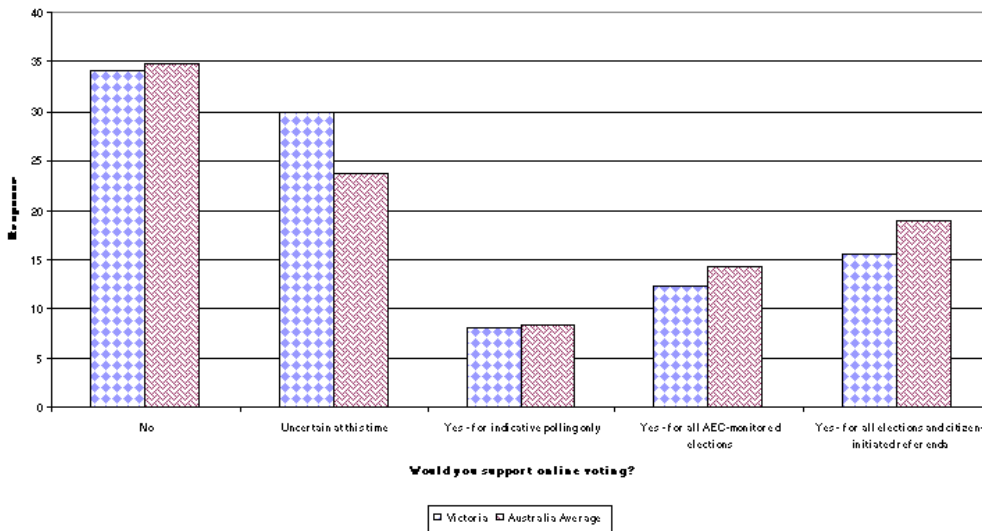
In this context, and subject to the significant concerns expressed about security in section 3, online voting *may* be desirable for local government elections. Following a review of the proposed AEC trial and pilot projects undertaken in the United Kingdom, online voting may be a viable option to increase participation in local government elections.

**S**  
8.6 *The Government should consider online voting pilots for local government elections in Victoria*

**S**  
8.7 *While local government elections are seen as having lower levels of security risk, local government electronic and online voting should have the same level of security and scrutiny afforded to systems that would be used for federal or state elections. These trials would therefore provide greater levels of understanding about security implications associated with these systems before wider adoption of the technology should be considered*

Any introduction of online voting in the local government sector would have to overcome negative perceptions among serving councillors about online voting, and divisions within the Sector regarding what form online voting should take. As indicated in figure 12, page over, while support for online voting among councillors in Victoria is mixed, the strongest preference for an online voting model includes the capacity for citizen-initiated referenda. This *novel* development would require significant change to existing voting practice within the sector, and have implications for council management – a much wider debate than can be canvassed in this brief submission.

Figure 12: Local Councillors in Australia: Support for Online Voting 2002

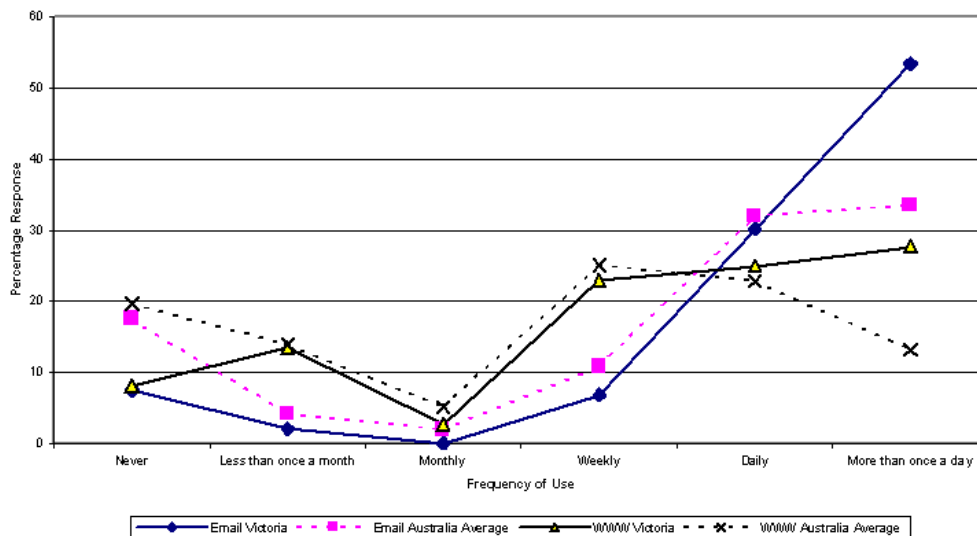


Source: Chen, 2002a (recompiled data)

### 8.4 Specific Needs of Councillors

The use of ICTs, particularly the Internet and electronic mail, by local government councillors in Victoria is higher than the national average for the municipal sector. In general terms, elected representatives at the local government level use these technologies more and more frequently than their peers in other jurisdictions. This reflects a number of characteristics of the Victorian local government sector, particularly the relatively compact nature of the state, when compared with jurisdictions like Queensland, the Northern Territory, and Western Australia, where larger land masses place barriers on uptake of new media technologies because of service quality problems and bandwidth limitations presented by long landline connections.

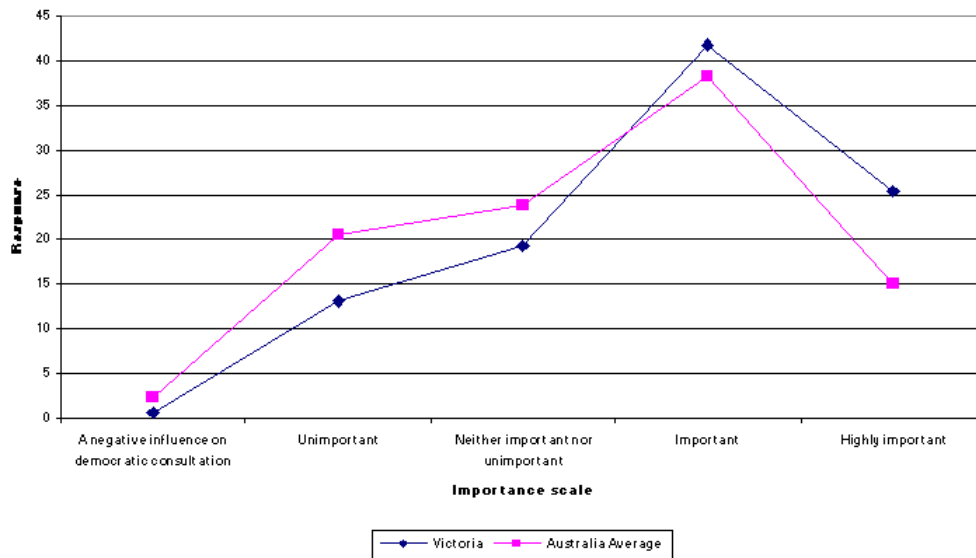
Figure 13: Local Government In Australia: Use of WWW and Email 2002



Source: Chen, 2002a (recompiled data)

In addition to this, Victorian local councillors see new media technology as more important for communicating with their constituents than their peers in other jurisdictions, with a substantial number seeing ICTs as either important or very important as part of the work life as elected representatives (possibly a result of the larger municipalities in Victoria when compared with other states and territories that have not, as yet, gone through significant amalgamations)<sup>45</sup>. Online consultation takes a variety of forms, from the use of electronic mail to field and respond to inquires and concerns of the public, to more innovative use of online surveys, chat facilities, discussion groups, and polling to gain information from the public.

**Figure 14:** Local Government in Australia: Importance of New Media for Communication with Constituents 2002



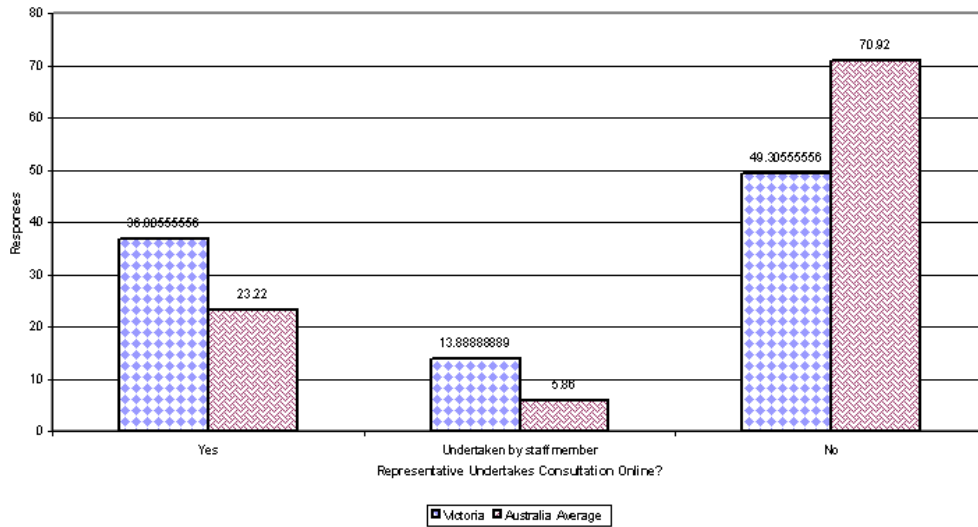
Source: Chen, 2002a (recompiled data)

While the importance of the technology is recognised, however, there remains limited uptake of the technology for consultation within the sector (although, this is comparatively higher than the national average). This shows that there is a clear gap between the recognition of the potential benefits to the representative function, and the capacity of councillors to engage with their communities online. This gap can clearly be identified as the result of two factors:

- IT skill level among councillors (knowledge of what is possible and how to undertake interactive consultation online), and
- Resources available for councillors.

<sup>45</sup> This has also been found in the United States (Larsen and Rainie, 2002).

Figure 15: Local Government in Australia: Consultation Online



Source: Chen, 2002a (recompiled data)

Both problems can be addressed, though the limited financial position of the Sector to allocate increased funding to individual representatives to undertake eConsultation will restrict innovation in the sector to larger, more financially secure municipalities. As these are likely to be metropolitan, continuance of the *status quo* in this regards will further exacerbate the digital divide. **This presents a real democratic risk if the current lopsided rate of adoption continues, further marginalizing the democratic process in rural and remote municipalities.** Thus, in addition to resource allocations aimed at councils – as administrative entities – specific purpose funding should be considered for representatives, as individuals, in areas of need.

**S**  
8.8 *Targeted funding be made available for local councillors to develop and utilise online consultation in a variety of forms*

**S**  
8.9 *These initiatives should be co-ordinated through a centralised body (such as the DOI or MAV) to ensure funds are directed to:*

- *Areas of need (smaller municipalities with limited IT budgets), and*
- *Localities where these initiatives can develop capacity within the region for civil society initiatives (as per section 5)*

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## Appendix 1: Digital Divide – Victoria 2001

\* By local government area.

Locality	Total Persons	Uses Internet	% Use	Locality	Total Persons	Uses Internet	% Use
Boroondara	150233	84247	56.08	Golden Plains	14319	4724	32.99
Stonnington	87412	48304	55.26	Latrobe	67023	22004	32.83
Melbourne	67784	36166	53.35	Delatite	21834	7135	32.68
Port Phillip	80157	42596	53.14	Baw Baw	34737	11341	32.65
Yarra	68018	34882	51.28	Hume	131585	41840	31.80
Nillumbik	58161	29649	50.98	Wellington	39288	12446	31.68
Bayside	84097	42856	50.96	Murrindindi	13109	4095	31.24
Manningham	107920	51724	47.93	Mitchell	27542	8596	31.21
Glen Eira	118138	56086	47.47	Sth Grampians	16509	5111	30.96
Monash	156898	72934	46.48	Hepburn	13879	4294	30.94
Whitehorse	140751	64927	46.13	Grtr Shepparton	55210	17035	30.85
Banyule	114222	49870	43.66	Wangaratta	25667	7870	30.66
Maroondah	96461	41646	43.17	Horsham	17807	5409	30.38
Knox	141912	61237	43.15	South Gippsland	24597	7456	30.31
Alpine	17806	7266	40.81	Whittlesea	114082	34552	30.29
Moonee Valley	106116	43088	40.60	Glennelg	19288	5650	29.29
Surf Coast	19629	7918	40.34	Mount Alexander	16173	4719	29.18
Unincorporated	833	334	40.10	Brimbank	163472	47591	29.11
Kingston	128171	50828	39.66	Moyne	15062	4377	29.06
Yarra Ranges	137539	53718	39.06	Buloke	6981	2006	28.74
Wyndham	85176	32959	38.70	Mildura	48386	13878	28.68
Macedon Ranges	35667	13569	38.04	East Gippsland	38028	10787	28.37
Queenscliffe (B)	3078	1159	37.65	Towong	5972	1678	28.10
Frankston	110179	40661	36.90	Gtr Dandenong	124536	34794	27.94
Melton	51823	18758	36.20	Colac-Otway	20089	5559	27.67
Wodonga	31010	11190	36.09	Campaspe	34611	9543	27.57
Ballarat	80045	28588	35.71	Ararat	11101	3041	27.39
Hobsons Bay	80432	28661	35.63	Yarriambiack	7758	2114	27.25
Greater Geelong	184331	65071	35.30	Corangamite	16675	4535	27.20
Casey	176075	61619	35.00	Nrth Grampians	12700	3354	26.41
Moreland	131359	45767	34.84	Swan Hill	20710	5366	25.91
Greater Bendigo	86068	29794	34.62	Moira	25475	6527	25.62
Mornington Pen	125378	43313	34.55	Hindmarsh	6275	1606	25.59
Darebin	123848	42780	34.54	Pyrenees	6360	1608	25.28
Moorabool	23878	8002	33.51	West Wimmera	4553	1143	25.10
Cardinia	45404	15172	33.42	Bass Coast	24075	6037	25.08
Warrnambool	28755	9563	33.26	Gannawarra	11394	2836	24.89
Maribyrnong	59770	19766	33.07	Strathbogie	9169	2253	24.57
Indigo	13928	4596	33.00	Loddon	8197	1914	23.35
				Centr Goldfields	12260	2774	22.63

## Appendix 2: Victorian Government Websites' Accessibility – Extract of Bobby Analysis

This table is an extract of the analysis undertaken by the Bobby 3.2 website evaluation software developed by the Center for Applied Special Technology (<http://www.cast.org>).

Approved	Errors, by level			URL
	A	AA	AAA	
No	1 / 14	4 / 20	2 / 15	<a href="http://www.vic.gov.au/">http://www.vic.gov.au/</a>
Yes	0 / 4	0 / 10	1 / 9	<a href="http://hnb.ffh.vic.gov.au/commcare/yafsinte.nsf/">http://hnb.ffh.vic.gov.au/commcare/yafsinte.nsf/</a>
No	2 / 4	1 / 9	1 / 9	<a href="http://hnb.ffh.vic.gov.au/oooh/oohninte.nsf/frameset/Ooh?OpenDocument">http://hnb.ffh.vic.gov.au/oooh/oohninte.nsf/frameset/Ooh?OpenDocument</a>
Yes	0 / 7	3 / 13	2 / 14	<a href="http://home.vicnet.net.au/~entimp/">http://home.vicnet.net.au/~entimp/</a>
Yes	0 / 9	2 / 14	1 / 15	<a href="http://hospitaljobs.health.vic.gov.au/">http://hospitaljobs.health.vic.gov.au/</a>
Yes	0 / 10	4 / 16	2 / 15	<a href="http://invest.vic.gov.au/Home/CoverPage.htm">http://invest.vic.gov.au/Home/CoverPage.htm</a>
Yes	0 / 4	0 / 12	1 / 11	<a href="http://librariesvictoria.vicnet.net.au/">http://librariesvictoria.vicnet.net.au/</a>
No	1 / 9	3 / 15	2 / 15	<a href="http://nursing.health.vic.gov.au/">http://nursing.health.vic.gov.au/</a>
No	1 / 10	4 / 15	2 / 14	<a href="http://permanentcare.dhs.vic.gov.au/">http://permanentcare.dhs.vic.gov.au/</a>
No	2 / 9	3 / 14	2 / 13	<a href="http://ssu1.bom.gov.au/ssu_web/default.html">http://ssu1.bom.gov.au/ssu_web/default.html</a>
Yes	0 / 9	2 / 13	2 / 15	<a href="http://www.Youth.vic.gov.au/youth/">http://www.Youth.vic.gov.au/youth/</a>
Yes	0 / 9	3 / 15	2 / 15	<a href="http://www.acfe.vic.gov.au/">http://www.acfe.vic.gov.au/</a>
No	1 / 8	1 / 15	1 / 12	<a href="http://www.acmi.net.au/">http://www.acmi.net.au/</a>
No	1 / 10	3 / 16	2 / 13	<a href="http://www.ambulance-vic.com.au/index.html">http://www.ambulance-vic.com.au/index.html</a>
Yes	0 / 9	3 / 14	2 / 15	<a href="http://www.arbv.vic.gov.au/">http://www.arbv.vic.gov.au/</a>
No	2 / 8	3 / 13	2 / 14	<a href="http://www.arrivealive.vic.gov.au/">http://www.arrivealive.vic.gov.au/</a>
No	1 / 4	0 / 10	1 / 9	<a href="http://www.arts.vic.gov.au/index.htm">http://www.arts.vic.gov.au/index.htm</a>
No	1 / 11	3 / 17	2 / 16	<a href="http://www.audit.vic.gov.au/">http://www.audit.vic.gov.au/</a>
Yes	0 / 9	3 / 14	2 / 13	<a href="http://www.australiaday.vic.gov.au/">http://www.australiaday.vic.gov.au/</a>
Yes	0 / 10	2 / 16	2 / 15	<a href="http://www.barwonwater.vic.gov.au/">http://www.barwonwater.vic.gov.au/</a>
Yes	0 / 9	2 / 13	2 / 15	<a href="http://www.beststart.vic.gov.au/">http://www.beststart.vic.gov.au/</a>
No	1 / 10	6 / 17	2 / 16	<a href="http://www.betterhealth.vic.gov.au/bhcv2/bhcsite.nsf?open">http://www.betterhealth.vic.gov.au/bhcv2/bhcsite.nsf?open</a>
No	1 / 10	3 / 17	2 / 14	<a href="http://www.cmr.vic.gov.au/">http://www.cmr.vic.gov.au/</a>
No	1 / 10	5 / 17	2 / 15	<a href="http://www.coliban.vic.gov.au/">http://www.coliban.vic.gov.au/</a>
Yes	0 / 4	1 / 8	1 / 9	<a href="http://www.constitution.vic.gov.au/">http://www.constitution.vic.gov.au/</a>
No	1 / 10	4 / 14	2 / 14	<a href="http://www.consumer.vic.gov.au/">http://www.consumer.vic.gov.au/</a>
Yes	0 / 4	0 / 9	1 / 9	<a href="http://www.contracts.vic.gov.au/">http://www.contracts.vic.gov.au/</a>
Yes	0 / 9	1 / 17	1 / 13	<a href="http://www.countycourt.vic.gov.au/">http://www.countycourt.vic.gov.au/</a>
No	1 / 11	1 / 15	2 / 13	<a href="http://www.dairysafe.vic.gov.au/">http://www.dairysafe.vic.gov.au/</a>
No	1 / 12	2 / 17	2 / 13	<a href="http://www.dentprac.vic.gov.au/">http://www.dentprac.vic.gov.au/</a>
Yes	0 / 10	3 / 14	2 / 15	<a href="http://www.det.vic.gov.au/det/">http://www.det.vic.gov.au/det/</a>
Yes	0 / 11	4 / 19	1 / 16	<a href="http://www.dhs.vic.gov.au/rrhacs/index.htm">http://www.dhs.vic.gov.au/rrhacs/index.htm</a>
No	1 / 9	5 / 17	2 / 15	<a href="http://www.esc.vic.gov.au/">http://www.esc.vic.gov.au/</a>
Yes	0 / 5	0 / 10	1 / 9	<a href="http://www.experimedia.vic.gov.au/">http://www.experimedia.vic.gov.au/</a>
Yes	0 / 4	0 / 10	1 / 9	<a href="http://www.export.vic.gov.au/web/bc/expninte.nsf">http://www.export.vic.gov.au/web/bc/expninte.nsf</a>
Yes	0 / 10	3 / 15	2 / 14	<a href="http://www.familycourt.gov.au/">http://www.familycourt.gov.au/</a>
No	1 / 12	3 / 15	2 / 13	<a href="http://www.fcc.vic.gov.au/">http://www.fcc.vic.gov.au/</a>
No	1 / 4	0 / 10	1 / 9	<a href="http://www.federationsquare.com.au/">http://www.federationsquare.com.au/</a>
No	1 / 9	2 / 14	2 / 14	<a href="http://www.film.vic.gov.au/">http://www.film.vic.gov.au/</a>
Yes	0 / 5	0 / 10	1 / 9	<a href="http://www.food.vic.gov.au/">http://www.food.vic.gov.au/</a>
Yes	0 / 10	0 / 14	0 / 15	<a href="http://www.foodsafety.vic.gov.au/">http://www.foodsafety.vic.gov.au/</a>
No	1 / 9	2 / 12	2 / 14	<a href="http://www.freeza.vic.gov.au/freeza/">http://www.freeza.vic.gov.au/freeza/</a>
Yes	0 / 10	2 / 15	2 / 13	<a href="http://www.gazette.vic.gov.au/gazette/Current_Issue.htm">http://www.gazette.vic.gov.au/gazette/Current_Issue.htm</a>
No	1 / 8	4 / 14	2 / 13	<a href="http://www.gbcma.vic.gov.au/">http://www.gbcma.vic.gov.au/</a>
No	1 / 9	3 / 15	1 / 15	<a href="http://www.gcb.vic.gov.au/">http://www.gcb.vic.gov.au/</a>
Yes	0 / 9	2 / 11	2 / 13	<a href="http://www.giconnections.vic.gov.au/">http://www.giconnections.vic.gov.au/</a>
Yes	0 / 9	3 / 15	2 / 14	<a href="http://www.health.vic.gov.au/publichospitals/">http://www.health.vic.gov.au/publichospitals/</a>
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No	1 / 10	4 / 16	2 / 15	<a href="http://www.iird.vic.gov.au/">http://www.iird.vic.gov.au/</a>
No	1 / 4	1 / 9	1 / 9	<a href="http://www.information.vic.gov.au/index.html">http://www.information.vic.gov.au/index.html</a>
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Yes	0 / 5	0 / 10	1 / 9	<a href="http://www.legalonline.vic.gov.au/LCSiteDB.nsf">http://www.legalonline.vic.gov.au/LCSiteDB.nsf</a>
Yes	0 / 10	4 / 16	2 / 14	<a href="http://www.linkingvictoria.vic.gov.au/">http://www.linkingvictoria.vic.gov.au/</a>
Yes	0 / 4	0 / 10	1 / 9	<a href="http://www.liquor.vic.gov.au/">http://www.liquor.vic.gov.au/</a>



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