

OFFICE OF THE CLERK



6 March 2026

Ms Jodie Belyea MP
Chair
Standing Committee on Petitions
House of Representatives
via petitions.committee.reps@aph.gov.au

Dear Chair

Standing Committee on Petitions – Inquiry into the Standing Order Relating to Petitions Submission by the Legislative Council of Western Australia

- 1.1 Thank you for your invitation to provide a submission in relation to the above Inquiry. Thank you also for the benefit of some additional time to provide this submission. This submission is provided in my capacity as Clerk of the Legislative Council of Western Australia. It should not be read as being on behalf of or representing the views of the President of the Legislative Council, the Legislative Council as a body or its individual Members.
- 2 The suitability of the current provisions of the Standing Orders governing the form, submission, and consideration of petitions and e-petitions**
 - 2.1 The form, content and procedure for lodging petitions and e-petitions with the Legislative Council of Western Australia are contained in Standing Orders 101 and 102.¹
 - 2.2 E-petitions were adopted for inclusion in the Standing Orders on 23 October 2024 following recommendation by the Standing Committee on Procedure and Privileges (PPC) in its [Report 73, E-Petitions](#).² This adoption of e-petitions followed a trial, via Temporary Order, from 1 January 2022 to 23 October 2024.³
 - 2.3 Whilst Standing Orders 101 and 102 provide suitable provisions regarding the form, submission and consideration of e-petitions in the unique context of the Western Australian Legislative Council, what might be suitable for other Parliaments may differ based on their unique context.
 - 2.4 Accordingly, assessing the suitability of specific Standing Orders regarding e-petitions is a matter each relevant House of Parliament, or relevant committee, is best placed to consider.
- 3 The impact of emerging technologies, including artificial intelligence and automated systems, on the integrity and authenticity of the petitions process**
 - 3.1 Emerging technologies represent increasing challenges to all digital services, including e-petitions. Paper petitions, by virtue of requiring physical signatures, are less impacted by these

¹ [Standing Order 101, Form and Contents of Petitions and e-petitions and Standing Order 102, Procedure for Lodgement and presentation of Petitions](#)

² Standing Committee on Procedure and Privileges, Report 73, *E-Petitions*, Western Australia, Legislative Council, September 2024

³ See Appendix 1.

emergent technologies. The following practices have been implemented to strengthen the integrity and authenticity of the e-petitions process and mitigate risk.

The process to turn a request into an e-petition at the Legislative Council of Western Australia

- 3.2 All e-petition requests received by the Legislative Council's systems must be endorsed by a Member who agrees to facilitate the hosting of the petition on the Parliament's website. The Clerk of the Legislative Council must certify that each request complies with Standing Orders.
- 3.3 During the certification process the Clerk confirms that the e-petition does not deal with substantially the same grievance or request substantially the same action as another open petition hosted on the Parliament's website.⁴
- 3.4 Only after the Clerk's certification is an e-petition published on the Parliament's website and available for the public to sign as petitioners.
- 3.5 The process of requiring human intervention by both the facilitating Member of the Legislative Council and the Clerk of the Legislative Council provides a check on the possible use of emerging technologies to create and list e-petitions on the Parliament's website. The restrictions in Standing Order 104(4)(c) mean that the focused application of emerging technologies to escalate a single issue or grievance through the submission of many requests for similar e-petitions is addressed.

Systems and processes related to the authenticity and integrity of signature

- 3.6 The following measures have been implemented to provide some barriers to the incorrect signing of e-petitions:
 - the use of reCaptcha v3 to try to limit the effectiveness of automated systems for falsely signing e-petitions;
 - a requirement for signatories to tick a check box agreeing to the terms and conditions associated with signing a petition;
 - a requirement that each data field on the signatory page must be filled with an entry for the signature to be accepted;
 - automated reconciliation of the suburb and postcode entered by a signatory, with a requirement that the values correctly correlate before the signature is accepted;
 - a two-factor email verification process, whereby an email is sent to the user containing a code which must be entered to progress; and
 - automated removal of duplicate signatures when the e-petition closes based on certain data validation methods.
- 3.7 Despite these measures, the rapid pace of technological change means that ongoing diligence is required to address issues that arise. Further measures will most certainly be necessary in the future to improve the authenticity and integrity of the e-petitions process.
- 3.8 It should be noted that in the Western Australian Legislative Council, the number of signatories to a petition or e-petition has no bearing upon the treatment of that petition upon tabling. All petitions are referred to the Standing Committee on Environment and Public Affairs for their consideration.

⁴ Refer Standing Order 101(4)(c)

4 Potential amendments to the standing orders or administrative practices to ensure the petitions process remains accessible, credible, and sustainable

Potential amendments to the Standing Orders

- 4.1 If not already in place, adopting a Continuing Resolution of the House to authorise the Clerk to make administrative alterations and take actions to maintain the effective operation of the e-petitions process may be worth considering. The Legislative Council of Western Australia resolved the below when adopting Standing Orders related to e-petitions:⁵

That the Legislative Council —

1. Authorises the Clerk to create and maintain an appropriate website on which to publish e-petitions and other explanatory information.
2. Directs the Clerk to dispose of all electronic personal data relating to the posting and joining of an e-petition within six months after an e-petition is printed and presented to the Legislative Council.
3. Authorises the Clerk to make administrative alterations to e-petitions, as required, in consultation with facilitating members and principal petitioners.
4. Further authorises the Clerk to do all things reasonably necessary to implement the resolutions.

5 Any other related matters the Committee considers relevant

- 5.1 Although not immediately related to the specific questions included in the terms of reference, the Committee may find the following relevant to its Inquiry:
- 5.1.1 Departmental staff previously considered the merits of a requirement that users register before they create or sign an e-petition. However, the risks associated with handling substantial quantities of personally identifiable information and the implications for systems and resourcing was deemed to outweigh any benefit at that time.
 - 5.1.2 The PPC in its [Report 73](#) found that both paper petitions and e-petitions should be viewed “as belonging to and remaining in the principal petitioner’s control until such time as it presented to the Council”. This alleviates the issue of an e-petition being outside of the Principal Petitioner’s sphere of control once it is hosted on the Parliament of Western Australia’s website, as it provides that they “may request that a petition be deleted, destroyed or that it not be presented.”⁶
 - 5.1.3 Only limited personal information about petitioners is shown publicly. The e-petitions page on the Parliament of Western Australia’s website displays only the suburb of the principal petitioner, and any Committee documents uploaded online have identifying details removed.
 - 5.1.4 The full copy of the e-petition that is tabled in the House is treated like any other tabled paper, except that it is not posted online. Users of the e-petition system are

⁵ Adopted by the Legislative Council on 23 October 2024.

⁶ Ibid, p 5.

informed, via the conditions of use, of the implications of their details being included in a tabled paper.

Respectfully yours,



Sam Hastings

Clerk of the Legislative Council and Clerk of the Parliaments

APPENDIX 1

TEMPORARY ORDERS ADOPTED BY RESOLUTION OF THE HOUSE ON 9 SEPTEMBER 2021



TEMPORARY ORDER

BY RESOLUTION OF THE HOUSE ON 9 SEPTEMBER 2021

1. Duration of Temporary Order

This Temporary Order applies from 1 January 2022 until 31 March 2023.

2. E-petitions

- (1) An e-petition is a petition —
 - (a) in the correct form prescribed by Standing Order 101;
 - (b) facilitated by a Member and lodged with the Clerk for publication on the Parliament's website for a nominated period ("posted period");
 - (c) by which persons must indicate their support of ("join the petition") by electronically providing their name, address (including postcode) and email address, and signifying their intention to join the petition.
- (2) The posted period for an e-petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament's website.
- (3) The Member facilitating the e-petition must provide the Clerk with the details of the petition in the correct form, the posted period and a signed acknowledgment that they are prepared to facilitate the e-petition.
- (4) Once published on the Parliament's website an e-petition cannot be altered other than by order of the President.
- (5) Only one e-petition dealing with substantially the same grievance and requesting substantially the same action by the Council shall be published on the Parliament's website at the same time.
- (6) Only residents of Western Australia will be eligible to join an e-petition.

- (7) Once the posted period for an e-petition has elapsed, a paper copy of the Petition shall be printed by the Clerk in full (including the details of the persons who joined the petition) and presented to the Council by the Member that facilitated the e-petition.
- (8) An e-petition published on the Parliament's website, but not presented to the Council prior to the prorogation of the Parliament or the dissolution of the Legislative Assembly, may be presented to the subsequent Parliament and become a petition of the subsequent Parliament.
- (9) An e-petition may be facilitated during any adjournment of the Legislative Council and during any period of prorogation.
- (10) Persons must join an e-petition by filling out their correct details and personally agreeing to join the e-petition, and by no one else, except in the case of incapacity from sickness or disability.
- (11) A person cannot sign or join an e-petition more than once.
- (12) Only the name and address of the Principal Petitioner shall be made public on the Legislative Council's website.
- (13) The Clerk may decline to publish an e-petition on the website not in conformity with these Orders and shall advise the facilitating Member accordingly.
- (14) The Clerk or any Member may seek a ruling from the President of the Legislative Council relating to the conformity or otherwise of any e-petition with these Orders.
- (15) The Clerk is authorised to create and maintain an appropriate website on which to publish e-petitions and other explanatory information and do all things necessary in order to give effect to these Orders.
- (16) The Clerk must dispose of all electronic personal data relating to the posting and joining of an e-petition within six months after an e-petition is printed and presented to the Legislative Council.
- (17) The Standing Orders for petitions have application to e-petitions insofar as they can be applied.