Opportunities for greater consultation?

House Committee use of Information Communication Technology:

A Discussion Paper

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Abstract

With the expansion and online deliberative potential of Information communications technologies (ICTs) within all aspects of committee work, should committees adjust how they use technology?

This paper explores the impact of technology on committee consultation and reviews the ICTs used by the Australian Parliament's House of Representatives Committees during the 41st Parliament. Deliberative ICTs used by committees of UK Parliament's House of Commons are also examined and the applicability of these technologies to committee deliberation and communication is assessed. The overall aim of this investigation is to determine whether greater use of deliberative ICTs will ultimately aid or hinder the work of House Committees.

Introduction

The year 2007 marked twenty years since Australia's House of Representatives moved to establish a comprehensive committee system which aligned House Committees with all federal government departments, giving the House 'the capacity to monitor' the work of these departments and instrumentalities.[1] Moreover, 2007 also marked 10 years since these committees came online, allowing them to publish and provide access to committee information to a far broader audience then ever before.

Since the late 1990s, information communications technologies (ICTs) have been increasingly used by House Committees to share information and great amounts of public information are now available to a rapidly increasing proportion of the population. The way that information is distributed and used online has also evolved with technologies now providing sophisticated yet easy to use mechanisms to publish, share, and contribute information to online environments such as discussion forums, opinion polls and debates. When the current system of House Committees was established in 1987 such technologies were not at the disposal of House Committees. However, as information distribution has undergone enormous change globally, this has also impacted on how committees can choose to consult or distribute information. The 20th anniversary of the House Committee System is an appropriate time to also observe how committees are now using technology and the challenges that House Committees may face in the future when integrating ICTs into committee deliberation.

This paper explores the ICTs used by House Committees during the 41st Parliament[2] and whether deliberative ICTs should be better utilised to provide additional online avenues of engagement for committees. Specifically, this paper investigates: arguments over the effect of technology on democratic process; examples of technologies which have already been adopted by House Committees; what the impact of adopting 'new' communication technology might be on House Committee practice; what can be learned from examples of other Parliamentary Committees that have been early adopters of computer aided deliberation; and who is likely to use the new technologies to communicate with House Committees.

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[1]   I. C. Harris, B. C. Wright & P. E. Fowler, eds., *House of Representatives Practice*, 5th edition, Department of the House of Representatives, 2005, p. 623.

'New' ICTs impact on democracy

The term Web 2.0[3] is used to collectively describe a second generation of internet communication technologies that provide a more interactive online experience and the ability for internet users to easily contribute information to or generate their own information on web sites. [4] The emergence of these more interactive ICTs provide the opportunity for House Committees to reassess how communication flows during a committee inquiry and may provide a new means for engaging with target audiences regardless of their physical location. Debate over the impact of communications technology on democracy existed well before the term Web 2.0 was coined but the emergence of 'new' Web 2.0 communication technology has reignited debates over the transforming potential of technology on democratic processes. [5] This debate is also useful when assessing the potential impact of new ICTs on House Committees. Author Scott Wright identifies and summarises three main schools of thought contributing to the technology and democracy discourse. Firstly the 'revolutionaries' who argue that 'the Internet can and will transform our democratic system'.[6] Revolutionaries suggest that ICTs allow a direct form of democracy where large numbers of citizens participate directly in policy making and will ultimately render representative democracy obsolete.[7] However, since these revolutionary predictions were articulated in the late 1990s the sudden obsolescence of representative forms of democracy is yet to occur. The second school maintains that technology can re-invigorate democracy by providing technical fixes to

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2   The 41st Australian Parliament was over the period 2004 to 2007.

3   Web 2.0 is a term which loosely describes online communication technologies which allow online discussion and collaboration. While this technology has existed since the 1990s, the term mainly refers to 'new' online social networking technologies such as Facebook, YouTube and MySpace. See: www.facebook.com www.youtube.com and www.myspace.com

     Also see: *Microsoft Eyes Stake in Facbook*
     http://www.smh.com.au/articles/2007/09/25/1190486262533.html (accessed 18 January 2008).

4   For example creating a 'personalised space' on a website which provides users tools to customise and tailor the information they choose to display. Sites such as Facebook and MySpace allow users to do this.

5   The term Web 2.0 was first coined in 2004 see:*Web 2.0,* http://en.wikipedia.org/wiki/Web_2.0 (accessed 15 January 2008).

6   Scott Wright 'Electrifying Democracy? 10 Years of Policy and Practice.' *Parliamentary Affairs* vol. 59, no. 2 p. 237.

7   ibid.

     See also: Stephen Ward, Thierry Vedel. 'Introduction: The Potential of the Internet Revisited.' *Parliamentary Affairs: vol.* 59, no. 2 p. 210.

problems identified within the current representative system. This group believes that technology can be used to strengthen traditional practices or be used to support representative democracy through computer aided participatory and deliberative tools. Wright refers to this group as the 'reformers'.[8] The third group asserts that political institutions will normalise ICTs into already established structures and thus the technology will have limited impact. This position is based on empirical studies, which have shown that mainstream political actors adopt and normalise technology into the traditional political world.[9] This group argues that established and powerful institutional arrangements not only shape but also resist change, particularly if change results in the loss of institutional power or control. They paint the pessimistic view that any institutions which are driving technological change are doing so in pursuit of their own interests with the aim to assert control over technology to 'neutralise any pluralist tendencies of the new media'.[10] Wright does not assign a term to describe this group, but for the purpose of this paper they are referred to as the 'regulators'.[11]

While this paper does not scrutinize theories of democratic reform in detail, the revolutionary, reformer and regulator theoretical framework is a useful point of reference when observing how technology has already been integrated into House Committees and which 'new' technologies might be used by committees in the future. There is no evidence to suggest that the current use of ICTs by House Committees will ultimately undermine representative structures and practices as the revolutionaries suggest. However, the question whether the reforming potential of ICTs are being realised by House Committees, or if the technology used by House Committees is reinforcing existing power structures as the regulators assert remains open. Whether House Committees are technological regulators or reformers will be

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[8]   Scott Wright 'Electrifying Democracy? 10 Years of Policy and Practice.' *Parliamentary Affairs* vol. 59, no. 2 p. 237.
        This group is also referred to as 'cyber-optimists'. See: Karina Pedersen and Jo Saglie, 'New Technology in Ageing Parties Internet Use in Danish and Norwegian Parties', *Party Politics* vol. 11, no. 3, p. 359.
        See also: J. Shahin and C. Neuhold, "Connecting Europe': The Use of 'New' Information and Communication Technologies within European Parliament Standing Committees", *The Journal of Legislative Studies*, vol. 13 no. 3, p. 391.
[9]   Stephen Ward, Thierry Vedel. 'Introduction: The Potential of the Internet Revisited.' *Parliamentary Affairs: vol.* 59, no. 2 p. 210.
        Michael Margolis and David Resnick, *Politics as Usual? The Cyberspace Revolution,* Sage, 2000.
[10]   Stephen Ward, Thierry Vedel. 'Introduction: The Potential of the Internet Revisited.' *Parliamentary Affairs: vol.* 59, no. 2 p. 210.
[11]   This group is also referred to as 'cyber-pessimists'. Karina Pedersen and Jo Saglie, 'New Technology in Ageing Parties Internet Use in Danish and Norwegian Parties', *Party Politics* vol 11, no. 3, p. 359.

determined by which ICTs House Committees are empowered to use and how they choose to use them.

41st Parliament Committee Technology

Throughout the 41st Parliament, House Committees each maintained a webpage which provided access to static information such as committee reports, inquiry submissions and transcripts of evidence.[12] These pages were hosted from the Parliament's main website within the Committee area of the House of Representatives webpages.[13] Publishing information on each Committee's webpage was devolved to staff within Committee Secretariats responsible for ensuring the information such as the Committee's Membership remained current.[14] The '*Committee activities (inquiries and reports)*'[15] part of a committee's website contained the highest proportion of current information and was updated as events occurred such as public hearings, submissions authorised for publication, or tabling of committee reports.[16] Information about past inquires for specific committees was also available online, although this information was generally limited to committees which had been in existence since 1996. Specific websites for committees prior to this period had not been created.[17]

House Committees also used a number of ICTs internally to communicate between Members and secretariat staff as well as a number of technologies to maintain databases of committee-related information.[18] However, a committee's website was the main method used to deliver

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[12] Static webpages tend to only provide information at set points in time (ie when web administrators upload documents to the site). In comparison dynamic pages present information in a number of ways and may have the ability to display information, from multiple users as it is created. An example is online forums which show information dynamically as it is posted to the site.

[13] See: http://www.aph.gov.au/House/committee/comm_list.htm#standing (accessed 12 December 2007).

[14] For Example http://www.aph.gov.au/House/committee/primind/Members.htm (accessed 3 January 2008).

[15] For example http://www.aph.gov.au/House/committee/atsia/reports.htm
(accessed 3 January 2008).

[16] Documents such as committee reports, inquiry submissions, media realises and public hearing schedules are provided on these pages.

[17] Work is underway to digitise the reports of committees that existed before 1996 in an effort to make digitally available all the reports of all House Committees.

[18] A number of internal databases, intranets, email and electronic document management systems are used by House Committees to communicate internally.

information online to external audiences. The content on House Committee websites was also tightly controlled and aside from a generic email address provided on committee webpages there were no facilities available for end users to interact online with House Committees.[19]

Controlling the information posted on a committee website is an example of a 'top down' communication model where end users of the site have no facility to directly contribute information to the site.[20] Such a system is well suited to controlling committee information such as submissions which must undergo a formal authorisation process by the committee before they are published.[21] While this is a mechanism to ensure that information presented to the committee is appropriately handled, not providing online avenues for interaction with committees could be viewed as exerting tight control over the technology to maintain power as the 'regulators' suggest. Yet without House Committee websites, public information such as committee reports, submissions and transcripts of evidence would not be as accessible. Whilst placing such documents online provides a level of transparency and accessibility to the committee process that previously did not exist, such a model does not provide the opportunity to utilise the 'bottom-up' deliberative potential of the internet.[22]

Online Consultation?

House Committees generally spend a significant period of time consulting and deliberating. Tasks such as collecting evidence are undertaken by House Committees in traditional face-to-face forums such as public hearings and private briefings. This requires all parties involved to

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[19] There are examples of committees of other Parliaments such as the UK's House of Commons Defence Committee, which not only provide static committee information online but are also experimenting with more sophisticated ICTs to enable deliberative modes of communication and consultation through online forums.

[20] Pippa Norris, 'Preaching to the Converted? Pluralism, Participation and Party Websites', *Party Politics*, vol. 9 no. 1, p. 26.
Parliament of Victoria, The Scrutiny of Acts and Regulations Committee *Inquiry into Electronic Democracy Report on the Evidence obtained in North America,* November 2004, p. 5.

[21] House of Representatives, *Standing and Sessional Orders*, 29 March 2006, SO 242.

[22] J. Shahin and C. Neuhold, "Connecting Europe': The Use of 'New' Information and Communication Technologies within European Parliament Standing Committees", *The Journal of Legislative Studies*, vol. 13 no. 3, p. 391.

be in the same physical location, although in some instances when a witness or Committee members cannot be present at a specific location, audio visual links can be organised.[23] Consultation is an essential and valued aspect of a committee's work, however the time pressures which Committee members face increasingly make it extremely hard for Members to balance time spent collecting committee evidence with all the other aspects of their parliamentary work. The reformist perspective argues for a technical fix to assist time pressured committee members to engage with witnesses. Applying existing deliberation technologies to committee work could reduce the time pressures on Committee members as such technology is not dependant on all parties involved physically attending the same location or taking part in the discussion at exactly the same time.[24] Moreover, application of this technology has the potential to engage with communities and individuals which might not otherwise interact with committees in traditional methods.

The intention to allow committees to communicate by integrating communication technology with committee procedures was articulated by the House Procedure Committee in its 1998 report which reviewed the House Committee system. This report recommended that:

> The existing procedures relating to the use of electronic communication
> devices by committees be reviewed by the Standing Committee on
> Procedure prior to the end of the 39th Parliament with a view to their
> incorporation in the standing orders. (recommendation 22)

> The standing orders be amended to recognise, as evidence, documents
> received by committees by electronic means. (recommendation 23)[25]

These recommendations reflected the intention to accept electronic documents as evidence for a committee inquiry, as well as utilising video conferencing technology to take evidence from remote witnesses or involve remote Committee members in a hearing. Standing order 339 was amended on 6 December 2000 to reflect this change and states:

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[23] House of Representatives *Standing and Sessional Orders,* 29 March 2006, SO 235.
[24] Discussion boards can allow participants to contribute to discussions at different points in time.

> A committee may resolve to conduct proceedings using audio visual or audio links with Members of the committee or witnesses not present in one place. If an audio visual or audio link is used Committee Members and witnesses must be able to speak to and hear each other at the same time regardless of location.[26]

Incorporating this provision into the standing orders provides House Committees with another avenue to gather formal evidence and reflects the intention to allow committees to utilise appropriate technologies to deliberate. It also sets a precedent in allowing those formally interacting with the committee to be in separate locations. Since this amendment there have been no additional moves to revise the Standing Orders to allow House Committees to incorporate recent advances in electronic communication technologies such as online discussion forums, blogs or feedback forms. However, a 2001 Procedure Committee report on promoting the work of committees states the intention that committee websites 'will eventually incorporate a 'Have your say' facility enabling people to submit their views in relation to particular committee inquiries.'[27] Providing a user feedback form on a committee website would be relatively simple although feedback forms or more sophisticated online forums, which are widely used in other contexts to gather information, are yet to be integrated into House Committee websites. Online forums could be used to collect and present views for particular committee inquiries, however before such deliberative ICTs can be incorporated into committee websites, their impact on the way evidence is gathered and the protections afforded to those providing evidence must be considered.

When the Procedure Committee first proposed to allow committees to utilise audio video links to conduct formal hearings the impact this had on the evidence collection process was considered in detail. Foremost was the question whether information taken from a remote

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25   House of Representatives Standing Committee on Procedure, *Ten years on A review of the House of Representatives Committee System Report*, May 1998, p. 31.

26   House of Representatives, *Votes and Proceedings*, 1998-01, p. 1985. (note: standing order 339 was renumbered to 235 as of the 41st parliament)

27   House of Representatives Standing Committee on Procedure, *Promoting Community Involvement in the work of Committees, Conference of Committee Chairs, Deputy Chairs and Secretaries*, May 2001, p. 11.

witness would be covered by privilege.[28] While it was ultimately decided that such evidence would be covered by Parliamentary Privilege this was contingent on the remote witness remaining within the jurisdiction of the Commonwealth Parliament, as witnesses providing evidence via video link overseas could not be covered by privilege and would be subject to the laws of the country in which they were located.[29] Other aspects of the process considered were elements such as: how to facilitate swearing in witnesses remotely; whether remote Members could constitute a quorum; and whether the technology limited the subtleties of communication and building rapport with a witness to an extent which would effect the quality of the evidence presented. The Procedure Committee report also raised concerns that over-reliance on this technology would result in less committee hearings being conducted outside Parliament House. Ultimately, the committee concluded that the opportunity which the technology provided for increased flexibility and effectiveness was beneficial. However, they also noted that use of this technology would have to be carefully considered in each instance to ensure that the quality of the evidence received remained high, and that the 'continued application of the necessary safeguards for Members of the public' was maintained.[30] Therefore, if House Committees are to use deliberative ICTs such concerns must also be taken into consideration.

It is evident when reviewing how video technology was integrated with committees that the application of this technology closely matched procedures and practices applicable to in-person hearings. This ensured that use of this technology would not breach already established norms, principles and laws. Aside from certain participants being physically elsewhere during a video linked hearing, the hearing takes place in the same manner as when all participants are in the same room. This is not the case when considering how the majority of deliberative ICTs would operate if used for formal committee hearings. The flow of information for online

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28   Parliamentary Privilege provides Members and others participating in formally with a committee, such as witnesses giving evidence, protection from being sued or prosecuted for anything they may say during formal proceedings. Written evidence received by a committee is similarly protected. See House of Representatives *Infosheet 4,* http://www.aph.gov.au/house/info/infosheets/is04.pdf (accessed 12 January 2008).
and House of Representatives *Infosheet 5,* http://www.aph.gov.au/house/info/infosheets/is05.pdf (accessed 12 January 2008).

29   House of Representatives Standing Committee on Procedure, *Application of modern technology to committee proceedings Report*, November 1994, p. 3.

30   House of Representatives Standing Committee on Procedure, *Application of modern technology to committee proceedings Report*, November 1994, p. 11.

discussions is very different to formally structured face-to-face consultations. Like video linked deliberation, online discussion forums do not require all parties to be present in the same location and, depending on how the forum is configured, not all parties taking place in the discussion need be online at the same time. If committees were to attempt to conduct a formal hearing in such a manner, there would be a number of obvious breaches to the rules governing formal proceedings. For example, maintaining quorums online would be hard to monitor due to difficulties in ensuring that all Members logged on and remained in front of their computer throughout all stages of the consultation. Verifying the identity of those giving evidence online could also be difficult due to the inherently anonymous nature of online interactions. As with video link technology, issues of privilege are of particular importance especially if those interacting online are physically outside Australian jurisdictions when providing information.

Such impediments to conducting formal hearings online suggest that replicating current practice may not be achievable and that House Committees might only provide a 'regulated' online environment. However, rather than attempting to replicate current practices, the strengths of this technology should be emphasised and integrated into House Committees as there is the potential to engage with audiences who would not otherwise interact with a committee through traditional communication channels. Another advantage is that online deliberation allows Members to interact at times and locations which suit them may reduce time burdens. This is not suggesting that the formal hearings should be replaced entirely and while online deliberations may be more convenient, if the evidence gathered through this mechanism is not of high quality, then online deliberation may be an additional and unnecessary time burden to Members.

While House Committees have not formally deliberated online and do not have the facilities to conduct online forums through their own websites, the Standing Committee on Health and Aging experimented with using external online forums to gather evidence in 2007. A relevant point of comparison to this experiment is the experience of committees of the UK Parliament's House of Commons which have been using 'in-house' online forums for committee deliberation.

Committees Using Deliberative Technologies

In its 2007 Inquiry into the Benefits of Breastfeeding, the Committee for Health and Aging 'utilised several parenting websites with online forums as a means to promote the inquiry and to observe current community perspectives on the topic.'[31] One such site was the Australian Breastfeeding Association Online Forum.[32] The committee approached the owners of this site and a number of other relevant forums and asked that they promote the inquiry.[33] This proved to be very successful and the Committee Secretary attributed a sudden surge in the number of submissions received through the use of these forums.[34] While this was a success, the style and information contained in the submissions received varied widely. For example, the site '*bellybelly.com.au*' ran a poll to gather information from its Members which later formed a supplementary submission to the inquiry that consisted of a series of forum postings.[35] This was formally accepted by the committee as a supplementary submission, but the way that the information was presented made it difficult to identify the authors of the forum postings as they where shown only by their online screen name.[36] While the forum itself does not strictly follow the guidelines for how to construct a submission it was accepted by the committee in the form of a printed screenshot which documented each of the forum comments at a set point in time.[37] After the forum was 'submitted' further comments were made to the discussion online which cannot be covered by Parliamentary Privilege since they were not included with the authorised submission. This highlights the difficulty of applying Parliamentary Privilege to information that is created dynamically. This particular example also shows that there is no

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[31] House of Representatives Standing Committee for Health and Aging, *The Best Start Report on the inquiry into the health benefits of breastfeeding*, August 2007, p. 5.

[32] Australian Breastfeeding Association *Online Forum,* http://www.lrc.asn.au/forum/viewtopic.php?t=9125&highlight=parliamentary (accessed 12 January 2008).

[33] The Committee specifically sought information from mothers who where having trouble breastfeeding as the Committee had identified that this group was under represented in the evidence gathered for the inquiry to that point.
Other forums approached were: http://www.bubhub.com.au (accessed 12 January 2008) and http://bellybelly.com.au/ (accessed 12 January 2008).

[34] 479 submissions were received and authorised for publication. see: http://www.aph.gov.au/house/committee/haa/breastfeeding/subs.htm (accessed 12 January 2008).

[35] http://bellybelly.com.au/forums/archive/index.php/t-38973-p-1.html (accessed 12 January 2008).

[36] Also known as an avatar, an online screen name uniquely identifies a member of a forum, but is rarely the same as the individual's real name.

[37] http://www.aph.gov.au/house/committee/documnts/howsub.pdf (accessed 12 January 2008).
see also: Supplementary Submission441 a, b and c, available from http://www.aph.gov.au/house/committee/haa/breastfeeding/subs.htm (accessed 12 January 2008).

indication where each person contributing to the forum was physically located, which makes it difficult to prove that all contributions to the forum where made by people within Australian territory, thus privilege may not necessarily extend to each of the forum users who contributed to the submission.

Another method to collect evidence that the Health and Aging Committee adopted was for the Inquiry Secretary to register as a forum user and post an advertisement to the forum promoting the inquiry and asking forum users to submit submissions directly to the Health and Aging Committee. The Committee Secretary reported that this was particularly successful, as it resulted in a large number of submissions from individuals on the topics which the committee had trouble collecting evidence for. While this is a unique example for a House Committee, it shows that targeted online audiences can respond to Committees using deliberative online technologies. This example also highlights how the way information is created and presented in an online context is very different to what committees have traditionally received and accepted, forcing committees to rethink how to handle information presented in this form.

House of Commons Online Committee Consultations

A significant Information Committee report produced in July 2002 emphasised the need to the UK parliament to utilise deliberative ICTs. This report focused on identifying how to help Members engage with the public more effectively and as a result the Information Committee recommended that that House of Commons adopt the following set of principles:

> A. The House is committed to the use of ICT to increase its accessibility and to enable the public, exercising its right to use whatever medium is convenient, to communicate with Members and with Committees of the House.

B. The House is committed to using ICT to enhance the professionalism of Members, their staff and House staff in all aspects of parliamentary life.

C. The House is committed to the use of ICT to increase public participation in its work, enabling it to draw on the widest possible pool of experience, including particularly those who have traditionally been excluded from the political and parliamentary process.

D. The House recognises the value of openness and will use ICT to enable, as far as possible, the public to have access to its proceedings and papers.

E. The House will develop and share good practice in the use of ICT by other parliamentary and governmental bodies both within the United Kingdom and elsewhere, and will work in collaboration with outside bodies.[38]

Point A and C in particular highlight a 'reformist' approach in advocating the use of technology to better facilitate communication between Parliament and the public. Evidently, a number of House of Commons (HoC) committees have formally utilised online tools to interact with the public, and since the Information Committee report an increasing number of committees have run online consultations in conjunction with their inquires.[39]

The Hansard Society, which is an independent, non-partisan organisation, have facilitated a number of online consultations which are available through their 'Tell Parliament' website.[40] These online consultations include: the Commons Defence Committee's inquiry into Educating Service Children, The Northern Ireland Affairs Committee's inquiry into hate crime, The Select Committee on Modernisation's inquiry into Modernisation of the House of Commons, and the Science and Technology Committee inquiry into Human Reproductive

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[38] House of Commons Information Committee, *Digital Technology: Working for Parliament and the Public* , July 2002, pp. 7-8.

[39] The UK Parliament has been a particularly early adopter of online consultations, having experimented with online consultations since 1998. See: Stephen Coleman, *Connecting* 'Parliament to the Public via the Internet Two Case Studies of Online Consultation', Information Communications & Society, March 2004.
For House of Commons Online consultations see: http://forums.parliament.uk/html/index.html (accessed 18 January 2008) and
http://www.tellparliament.net/ (accessed 17 January 2008).

[40] For information about the Hansard Society see: http://www.hansardsociety.org.uk/
For online consultations administered by the Hansard Society see: http://www.tellparliament.net/(accessed 17 January 2008.)

Technologies.[41] For each of these inquiries the Hansard Society maintained and regulated the online consultations. Each consultation was advertised by the committee and ran for a specified period.[42] During this period participants were invited to register their details and granted permission to add comments to the committee's discussion forum. Participants that chose to provide comments to these forums also had to abide by a set of rules (see: Appendix 1). When making postings to the forum, each contribution is moderated by the Hansard Society before it is made public on the forum. Again such tight control of how the information is placed on the forums, reinforces the regulator perspective of restricting the use of technology for political purposes. The decsion to administer and moderate these forums through an indepent third party (the Hansard Society) somewhat weakens the regulator argument, as an apolitical body controlling the discussion removes percieved political prejuidce from decisions of whether to post or not to post comments to the forums. In such an evironment those contributing to the forums, whether they are Members of the Committee or Members of the public are on equal terms as neither decides which comments are suitable.

'Tell Parliament' is not the only site which has hosted online consultations for HoC committees. Recently a number of 'eConsultations' have emerged on the UK parliament website.[43] This site lists current and past consultations including the House of Commons Defence Committee's inquiry into Medical Care for Armed Forces.[44] This is not the first online deliberation for this committee as the Defence Committee had previously conducted an online consultation through 'Tell Parliament' for its inquiry into Educating Service Children.[45] These consultations provide a comparison for the differences between the 'Tell Parliament' administered consultations and the UK Parliament administer 'eConsultations'. As with the 'Tell Parliament' consultation the UK Parliament administered consultation was moderated so that users could not post directly to the discussion. The approval process for the

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[41] House of Commons Defence Committee, *Educating Service Children Online Consultation* http://defcom.tellparliament.net/, Select Committee on the Modernisation of the House of Commons, *Online Consultation,* http://www.tellparliament.net/modernisation/ and House of Commons Science and Technology Committee, *Human Reproductive Technologies and the Law and Online Consultation*, http://www.tellparliament.net/scitech/ (accessed 17 January 2008).

[42] Generally the consultations run for a set period. For example the Defence Committee's inquiry into Defence Education ran its consultation from 18 April – 26 May 2006.

[43] see: http://forums.parliament.uk/html/index.html (accessed 18 January 2008).

[44] For the consultation see: http://forums.parliament.uk/defence-medical/index.php?index,1 (accessed 18 January 2008).

[45] For the consultation see: http://defcom.tellparliament.net/(accessed 18 January 2008).

moderated comments was also determined by users conforming to a set of rules (see Appendix 2) similar to those which 'Tell Parliament' applied to their online consultations (see Appendix 1). The interface for the online consultations were also similar as they both provided a discussion board listing a number of discussion topics (suggested by the committee) where registered users could add their comments. The major point of difference between the two systems is that 'Tell Parliament' consultations are moderated by Hansard Society staff whereas 'eConsultations' appear to be moderated by staff of the House of Commons. Comments from Committee members are presented on the 'eConsultation' message board with a 'Commons Moderator' logo next to the text of the message.[46] This gives the immediate impression that all comments posted to the forum are 'moderated' by the Committee members. Even if Committee members are not actually moderating postings, this perception remains and may discourage people from interacting with the discussion. In contrast the Tell Parliament method clearly indicates that Tell Parliament moderators are not Committee members or parliamentary staff.

Both the 'Tell Parliament' approach and the House of Commons 'eConsultations' are 'reformist' in the sense that they are using technology to broaden avenues for Members of the public to engage with the committee processes. They also provide Committee members with another mechanism to gain evidence and community views from groups relevant to a particular inquiry. However, such use of technology can also be viewed through a more pessimistic 'regulator' perspective as both systems very tightly control who can participate and, to an extent, what they say. The more recent approach by the House of Commons to moderate its own consultations further strengthens the regulators assertion that institutions attempt to tightly control technology to maintain their own interests. While this may be so, it cannot be dismissed that the collection of formal evidence for committee inquires traditionally follows a number of procedures and practices. Attempting to apply these rules to online consultation is particularly difficult, however providing a framework through a set of 'rules for posting' and moderating postings to the discussion are useful as ensures that the information collected for the committees' consultation remains relevant to the topic and remains within the boundaries of what is considered appropriate. Furthermore, the strict registration systems that require forum users to submit information which identifies them

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[46]   see: http://forums.parliament.uk/defence-medical/index.php?read,1,221 (accessed 18 January 2008).

assist the committee to not only identify who is providing the evidence but also discourages individuals from posting information under a number of online identities. If privilege is to be applied to information placed online, such a controlled environment is also essential. Therefore, these examples of online consultations cannot to be easily placed within reformer or regulator categories.

Conclusion

Twenty years of the current House Committee system has coincided with a transformation in how committees communicate and present information. Today, each House Committee maintains a unique presence online and provides detailed static information about the topics which the committee is inquiring into. While this provides a level of transparency that previously had not existed, House Committees are not taking advantage of the additional avenues which ICTs can provide for committee deliberation. Because of this it appears that House Committees are regulating communication technology and are not willing to reform how committees can deliberate. In 2000 reforms to House practice were made to allow some video linking technologies to be utilised by House Committees. While this is a move in the reformist direction, when compared with the UK which was already experimenting with online consultation in 1998, House Committees still have much change ahead if they are to be seen as truly reforming current communication and deliberation practices. The Health and Aging Committee's use of discussion forums to gather evidence for its inquiry into breastfeeding is a step towards reform. This experiment by the Committee was very successful in identifying a target online audience and provided a large volume of relevant evidence for the Committee's inquiry. How the consultation was implemented in this example also revealed a number of issues in relation to collecting evidence from online forums, particularly when verifying the identity and location of forum participants. To better protect those providing evidence online, it may be necessary for online consultations to be more tightly controlled.

The UK's House of Commons who have been early adopters of online consultations employ a particularly refined approach to conducting consultations online. House of Common's committees have at their disposal online spaces to host discussion boards specific to each inquiry. These spaces are run under a strict set of rules and the identities of the participants

are recorded. However, it appears that a recent move away from using an independent third party to moderate these discussions could be perceived as an overly regulated environment and may discourage participation. Regardless of the specific implementation of online committee consultations, each of these examples show that there are online communities willing to use the technology to express their views to committees. Therefore, House Committees may wish to examine more closely how they choose to communicate in the networked communication age and whether or not to provide online opportunities for greater consultation.

Appendix 1 – Rules for Online Consultations Administered by the Hansard Society (Modernisation Inquiry Forum)

Discussion Rules

1. To ensure users feel safe and keen to participate, please:

2. Do not use insulting, threatening or provoking language.

3. Do not incite hatred on the basis of race, religion, gender, nationality or sexuality or other personal characteristic.

4. Do not swear, use hate-speech or make obscene or vulgar comments.

5. Do not break the law. This includes libel, condoning illegal activity and contempt of court (comments which might affect the outcome of an approaching court case). You may post a small amount of third-party material, but please help us to avoid breaching copyright by naming its author and publication. We are unable to investigate all third party material, so where possible, please provide a link instead.

6. Do not engage in spamming. Please do not add the same comment to more than one forum.

7. Do not advertise. You can mention relevant, non-commercial websites as long as they support your comment. [47]

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[47]   See: http://www.tellparliament.net/modernisation/forum/discussion_rules (accessed 17 January 2008).

Appendix 2- House of Commons Administered 'e-consultations' Discussion Rules

Keep your comments relevant to the discussion topic.

Do not submit defamatory comments (comments that are untrue and capable of damaging the reputation of a person or organisation).

Do not condone illegal activity or incite people to commit any crime, including incitement of racial hatred.

Do not submit comments that could prejudice on-going or forthcoming court proceedings (contempt of court) or break a court injunction.

Do not submit comments containing someone else's copyright material.

Do not swear or use language that could offend other forum participants.

Do not otherwise submit comments that are unlawful, harassing, abusive, threatening, harmful, obscene, profane, sexually orientated or racially offensive. This includes comments that are offensive to others with regards to religion, gender, nationality or other personal characteristic.

Do not impersonate other forum Members or falsely claim to represent a person or organisation.

Do not submit comments that contain personal information that would identify yourself or others. For example last names, addresses, phone numbers, email addresses or other online contact details either relating to yourself or other individuals.

Do not post comments in languages other than English.

Do not advertise or promote products or services.

Do not spam or flood the forum. Only submit a comment once. Do not resubmit the same, or similar, comments. Keep the number of comments you submit on a topic at a reasonable level. Multiple comments from the same individual, or a small number of individuals, may discourage others from contributing.

Do not use an inappropriate user name (vulgar, offensive etc.).

If you are aged 16 or under please get your parent/guardian's permission before participating in this forum. Users without this consent are not allowed to participate or provide us with personal information.

Comments will be pre-moderated before being posted on the discussion forum. If a comment contravenes any of the discussion rules it will not appear on the forum and will be returned to the participant by e-mail, along with a reference to the rule(s) contravened. The participant will be invited to resubmit their comment, after making appropriate changes, but a participant who repeatedly submits comments which contravene the discussion rules will have their account closed.[48]

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[48]   see: http://forums.parliament.uk/html/rules.html (accessed 18 January 2008).