



PARLIAMENT OF VICTORIA
Legislative Council
Procedure Committee

Video on demand

September 2017

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58th Parliament

Parliament of Victoria

Legislative Council Procedure Committee

Subject: Video on demand

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LEGISLATIVE COUNCIL PROCEDURE COMMITTEE

Video on demand

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Procedure Committee

Membership

Mr Bruce Atkinson (President)	<i>Chair</i>	Mr Gavin Jennings
Mr Khalil Eideh (Deputy President)	<i>Deputy Chair</i>	Ms Sue Pennicuik
Dr Rachel Carling-Jenkins		Ms Jaala Pulford
Mr David Davis		Ms Mary Wooldridge

Establishment & Functions

The Procedure Committee considers any matter regarding the practices and procedure of the House and may consider any matter referred to it by the Council or the President.

The following Members were appointed to the Procedure Committee on 26 February 2015:

The President, the Deputy President, Mr Jennings, Ms Pulford, Ms Wooldridge, Mr Davis, Ms Pennicuik and Dr Carling-Jenkins

The Committee held its first meeting on Tuesday, 10 March 2015. The President assumed the Chair and Ms Tierney was elected Deputy Chair pursuant to Standing Order 23.08(4).

On Thursday, 23 June 2016, Ms Tierney resigned as Deputy President and the Council elected Mr Eideh to be Deputy President. Consequently, Mr Eideh took up membership of the Procedure Committee in his capacity as Deputy President. Mr Eideh was elected Deputy Chair on Wednesday, 23 November 2016.

To date, the Committee has met on ten occasions during the 58th Parliament.

Secretariat

Mr Richard Willis	Secretary Assistant Clerk Procedure and Usher of the Black Rod
Mr Joel Hallinan	Research and Administration Manager, Chamber Support
Mr Andrew Young	Clerk, Adviser
Ms Natalie Tyler	Executive Assistant to the President

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Terms of reference

Inquiry into video on demand

On Wednesday, 21 June 2017 the Procedure Committee resolved to *draft a report recommending the Council implement video on demand of Council proceedings for internal Parliament users as a one-year trial, including any proposed Sessional Orders that may be required.*

This followed Committee discussion of video on demand throughout 2016 and 2017. For more see *Introduction* below.

Report

Introduction

Parliament of Victoria, through the Hansard unit of the Department of Parliamentary Services, has been broadcasting Legislative Council and Legislative Assembly proceedings through its website since 2010. Parliament has also broadcast Public Accounts and Estimates Committee Budget Estimates hearings.

Since the broadcast was established, Members and other stakeholders have expressed interest in a video on demand service, through which they could search for and access footage of House and committee proceedings after the event.

The Committee discussed implementing a video on demand service for Legislative Council proceedings throughout 2016 and 2017. These discussions included:

- the approach taken in comparable jurisdictions
- acknowledging that people are currently recording and rebroadcasting the live broadcast of Legislative Council proceedings without authorisation to do so
- how parliamentary privilege would apply
- any required amendments to Standing Orders to allow for rebroadcast of proceedings, including whether amendments should include explicit provisions around use and how flexible they need to be to account for the challenges posed by people editing and publishing footage for various purposes
- file size and format of video clips
- who can access footage
- the imbalance between media access and member access to footage.

Committee consideration and conclusion

Practice in other jurisdictions

The Committee notes that in most jurisdictions across Australia and New Zealand, some level of video on demand is available to either members and parliamentary staff, or the general public through that parliament's website.

The Commonwealth, ACT, and Queensland parliaments all provide a video on demand service for House proceedings and at least some parliamentary committee proceedings to the general public through their respective websites. The New Zealand Parliament provides video on demand for House proceedings only through its website and the South Australian Parliament is developing video on demand, likely to be available to the public, for its Houses and Committees. The Tasmanian Parliament allows internal users only, i.e. members and staff, to view video on demand of question time.

In addition to viewing video on demand, the Commonwealth and ACT parliaments allow all users to download footage. While the New Zealand and Queensland parliaments allow the general public to view video on demand through their website, they do not provide access to downloadable footage. Similarly the Tasmanian Parliament does not provide access to downloadable footage.

Department of Parliamentary Services — video on demand project

In November 2016, the Manager, Hansard, briefed the Committee on work within the Department of Parliamentary Services to develop a video on demand service through the Hansard broadcasting unit.

The project underway assesses the technical potential to give access to video on demand of House proceedings of the Legislative Council to internal users of the Parliament of Victoria IT network only. It would not give access to the general public, or ministerial and opposition staff who are not connected to the Parliament's network. Footage could typically be available 24 hours after the relevant proceedings in the House. The 24-hour delay is unavoidable at this stage due to limited resourcing and the work required to prepare and encode daily broadcasts into advanced searchable video.

Extending the video on demand service beyond the users noted above would require:

- funding to cover scaling up the service to meet public expectation for quality of service, bandwidth, accessibility, and timeliness, as well as increased operating costs; and
- demonstrating, through a trial process with internal user access only, that the Parliament can successfully manage key risks such as the amount of network traffic, bandwidth issues across the network, core business applications having secure quality of service, and complex storage issues.

The Manager, Hansard advised the Committee that the service should be monitored throughout its first year of operation to examine the impact on data storage, network traffic, network congestion, and analytics around what service use is costing the Parliament.

In August 2017, the Department of Parliamentary Services Director, Information Services and CIO attended a Committee meeting and confirmed the advice provided by the Manager, Hansard.

Impact on Standing Orders

Legislative Council Standing Orders (Chapter 20) provide for the broadcasting, recording and photography of proceedings. Standing Order 20.01 deals with the transmission and broadcasting of proceedings by sound or visual form to offices within the precincts of Parliament House, published on the internet or by other electronic means, and recorded in sound and/or visual form by persons and organisations outside Parliament House. Standing Order 20.02 sets out the rules relating to the transmission and broadcasting of proceedings, including by radio and television stations, internet and other electronic media.

In order to introduce video on demand of Council proceedings, it is necessary to adopt an additional Standing Order as outlined below:

<p>20.03 Video on demand</p>

<p>Members and Parliamentary Officers (authorised by the Clerk or the Secretary of the Department of Parliamentary Services) may republish audio-visual proceedings of the Council that are provided by the Hansard broadcast archive.</p>
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The purpose of the proposed Standing Order is to make it clear that the *Constitution Act 1975* s 74AA applies to persons republishing video on demand. Section 74AA provides protection against actions or proceedings for persons who transmit or broadcast recordings of Council proceedings with the authority of the Council.

Conclusion

The Committee considered the approaches taken by other jurisdictions and the limitations on implementing a video on demand service for the Legislative Council as outlined by the Manager, Hansard.

The Committee considers access to video on demand of parliamentary proceedings essential to the work of a modern Parliament and its members. On this issue, the Parliament of Victoria does not offer the same level of service as the Committee sees in other parliaments across Australia and New Zealand.

The Committee's preference is for a video on demand service that is open to the general public, and which encompasses parliamentary committees as well as House proceedings. However, recognising the limitations in Department of Parliamentary Services resourcing, the Committee acknowledges this is not immediately possible.

Ultimately the Committee wishes to move forward with video on demand as soon as possible, even if it is limited to House proceedings of the Legislative Council and authorised internal Parliament of Victoria users. As such, the Committee will make recommendations based on Department of Parliamentary Services implementing a video on demand service for internal users as described in this Report.

Recommendations

1. That the House adopt proposed new Standing Order 20.03 to come into effect upon a video on demand service for House proceedings of the Legislative Council, accessible by internal users only, being implemented.
2. That the Government enter into discussions with the Parliament in relation to funding that would be required for the Department of Parliamentary Services to expand the video on demand service so that it is accessible by the general public.

Committee Room

9 August 2017