

**VICTORIAN GOVERNMENT RESPONSE TO
SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE REPORT ON VICTORIAN ELECTRONIC
DEMOCRACY**



DEPARTMENT OF PREMIER AND CABINET
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VICTORIAN GOVERNMENT RESPONSE TO SCRUTINY OF ACTS AND REGULATIONS COMMITTEE REPORT ON VICTORIAN ELECTRONIC DEMOCRACY

Recommendation 1

Any electronic democracy initiative introduced by the State of Victoria, including the Parliament, should be assessed against the four principles of:

- 1. Majority rule through popular elections and the primacy of Parliament*
- 2. Equality of participation in civic life for all citizens*
- 3. Human rights of citizens to participate freely in public life*
- 4. Minority rights of groups within the community*

1. The Government supports this recommendation and recognises the importance of these four guiding principles to democracy in Victoria. The Government will, therefore, assess any electronic democracy initiatives that it introduces against these four principles.

Recommendation 2

The responsible Minister, through data collection and aggregation by the Department for Victorian Communities, in partnership with its key stakeholders in the State and Local Government arenas, should produce a regular statement of Victorians' attitudes to our democratic system and institutions, in a manner which builds upon similar national research and supports the effective evaluation of democratic initiatives at each level of government.

- *This statement should include both descriptive and diagnostic information, and be updated at least once per Parliamentary term, to form the basis for an effective, ongoing agenda of reform and modernisation of the Victorian democratic system.*
2. The Government supports the continued development of programs aimed at increasing community participation and encouraging broader representation in civic activity. Current work on indicator frameworks within government and in partnership with local government will provide the basis for data collection on community wellbeing, including levels of citizen engagement, which will be an indicator of the levels of trust and confidence of the community in the democratic opportunities available to them.
 3. There are no plans at this stage to expand the collection of indicator data to encompass the provision of diagnostic data to inform the broader agenda of system modernisation. The State's democratic institutions and community attitudes towards them are more properly a matter for the consideration of Parliament (and the Department of Premier and Cabinet).

Recommendation 3

The introduction of electronic democracy initiatives should be undertaken with consideration in mind of fluctuations of public interest in politics. Where feasible, electronic democracy initiatives or pilot projects of the Parliament and Government of Victoria should be undertaken over a complete Parliamentary term, or terms, where appropriate.

4. The Government supports this recommendation in principle. Further consideration would need to be given on a case by case basis to assess the feasibility of conducting electronic democracy initiatives or pilot projects over a complete Parliamentary term (or terms).

Recommendation 4

The adoption of any electronic democracy initiative by the Parliament or State Government of Victoria should not exclude conventional forms of participation. No existing method of political participation in the State of Victoria should be superseded by a method that relies solely on information and communications technologies.

5. The adoption of any electronic democracy initiative by the Parliament or State Government of Victoria should not exclude conventional forms of participation. No existing method of political participation in the State of Victoria should be superseded by a method that relies solely on information and communications technologies.

Recommendation 5

The State Government of Victoria, and the Parliament, should recognise that information and communications technologies provide an empowering means of social and political participation for some segments of the community. Where appropriate, information and communications technologies should be employed to facilitate public participation in addition to conventional means.

6. The Government supports this recommendation. This recommendation is consistent with the visions stated in the Growing Victoria Together and Putting People at the Centre policies, particularly, in the area of promoting greater public participation and more accountable government.

Recommendation 6

The Office of the Chief Information Officer should ensure that the transition from Web Content Accessibility Guidelines 1.0 to 2.0 in the State of Victoria is undertaken in consultation across government and with relevant community stakeholders.

- *An appropriate public sector education process should begin prior to the formal adoption of Web Content Accessibility Guidelines 2.0, in*

order to prepare for a smooth transition between compliance standards.

- *Where appropriate, reporting against both sets of guidelines should be required for Victorian Departments and Agencies as an interim measure, to improve understanding of changes in the compliance regime.*
7. The Government supports this recommendation. An education process will be conducted by the Office of the CIO to initiate the formal adoption of the 2.0 Guidelines within the departments.
 8. This education will include an explanation of the additional requirements introduced by the 2.0 Guidelines. To avoid duplication, it is considered inappropriate to report against both sets of guidelines simultaneously.

Recommendation 7

Accessibility standards for the State Government of Victoria should be revised to move minimum requirements to level AA compliance under the existing Web Content Accessibility Guidelines 1.0 and the equivalent level under the forthcoming 2.0 guidelines. Compliance to the AA standard should be phased in from June 2005 to encourage continual improvement practices in website design.

- *In recognition of the diversity of capacity and audience-specific needs, Departments and Agencies should be permitted to seek exemptions for certain websites (higher or lower than level AA) based on a clear business case justification.*
9. The Government supports the intention to move to a higher level of conformance to accessibility requirements. The Government is considering whether this intent is best served by moving to level AA compliance under the existing Web Content Accessibility Guidelines 1.0, or by informally working towards that level of compliance under the draft 2.0 Guidelines.

Recommendation 8

Failure to comply with the whole-of-government standards for website accessibility should be identified and addressed by the Office of the Chief Information Officer as a priority. Implementation slippage should not justify the relaxation of existing minimum standards in Victoria.

10. The Government recognises the importance of compliance with its standard for website accessibility. The Office of the CIO is analysing the accessibility of inner-budget agency web sites. Agencies will be required to comply with the Accessibility standard in the absence of an exemption granted on the basis of clear business justification.

Recommendation 9

Under the Website Management Framework, the Office of the Chief Information Officer should establish a formal, regular reporting mechanism for compliance to the five Whole of Government Website Standards, with a minimum of one-third of all Government websites surveyed on an annual basis to determine their compliance to the Web Content Accessibility Guidelines and activities in place to advance to the next level of compliance.

- *This report should be tabled in Parliament on an annual basis by the Minister, including information showing improvements by key agencies over time and highlighting agencies that have failed to progress towards Government targets.*
- *This report should be developed in partnership with relevant community stakeholders.*

11. The Government supports the concept of a formal mechanism for monitoring compliance with Website Standards, that will be used to achieve high quality, accessible and effective government websites for Victorians.

Recommendation 10

All Victorian websites should move towards a consistent user-experience design standard, developed by the Office of the Chief Information Officer as part of the overarching web strategy of the Victorian Government.

- *Variations to this requirement should be permitted for websites that have a specific user need.*

12. The Government supports a consistent user-experience design standard. A standard for Consistent User Elements was approved on 27 April 2005. This standard represents the first steps towards consistent appearance.

Recommendation 11

All Victorian documents published by the Victorian Public Sector as Portable Document Format (PDF) files should also be provided in an alternative accessible format (such as Hypertext Markup Language, Rich Text Format or plain text).

- *This recommendation should not be used to limit the level of information published online.*

13. The Government supports in principle, the intent of this recommendation to ensure that documents are accessible to people who need them.

Recommendation 12

The Digital Archive project under development by the Public Records Office Victoria should investigate and adopt, where possible, software to extract information from Portable Document Format (PDF) files stored under the Victorian Electronic Records Strategy standard for use by users who do not prefer this format.

14. The Government supports the recommendation. As part of its Asset Management Strategy, The Public Records Office Victoria (PROV) has identified the need to continuously maintain and improve the Digital Archive over the next 5 years. A component of this improvement will support increased accessibility to digital records. PROV has identified this task in its 2005/2006 work program and has committed appropriate resources.

Recommendation 13

The minimum web standards for online publication of government information should be revised to systematically phase in accessibility of online information via devices with unusual screen sizes.

15. The Government supports the intention of this recommendation on device independence. The Government plans to focus on support for common PC screen sizes first (800x600, 1024x768, 1280x1024 etc) by use of Cascading Style Sheets and other well-known techniques, followed as demand dictates by support for Personal Digital Assistants through the use of more specialised techniques.

Recommendation 14

The minimum web standards for online publication of government information should be revised to ensure that a consistent policy exists to support and encourage the use of systems to syndicate online content by the whole Victorian Public Sector.

16. The Government is considering the development of a standard regarding the syndication of online content.

Recommendation 15

All State Government syndicated content feeds should be registered with Victoria Online and a central list maintained on this website to increase the discoverability of these feeds by Internet search engines.

17. The Government is willing to explore the feasibility of providing syndicated Victorian Government content feeds on the Victoria Online portal. The timing of this feasibility study will be dependant on available budget and resources.

Recommendation 16

Information Victoria should investigate the possibility of developing a print-on-demand service for Government publications that are not provided in print.

18. The Government supports the recommendation. DVC, in conjunction with the Office of the CIO, will investigate options for ensuring access to government publications that are not provided in print, including examination of the feasibility of a print-on-demand service.

Recommendation 17

The Office of the Chief Information Officer, in conjunction with relevant Local Government association(s), should investigate ways by which Local Government in Victoria can take advantage of the content management system tender currently being let by the State, to access advanced website management and web accessibility standards through aggregated tendering.

- *Based on this assessment, the Office of the Chief Information Officer should report to the Minister for Local Government on the appropriateness of targeted subsidisation for content management system acquisition, implementation and management in the Local Government sector.*
19. The Government will continue to look for better ways in which Local Government can leverage benefits from State Government contracts, websites standards and related improvements in practice.

Recommendation 18

The Office of the Chief Information Officer, in conjunction with the relevant Local Government association(s) and Local Government Division of the Department for Victorian Communities, should determine whether existing website management best practice guides developed under the Networking the Nation project require revision and increased distribution throughout the Local Government sector.

20. The Government supports the revision and increased distribution of the best practice guides provided that it does not lead to a compulsory minimum standard being imposed on the Local Government sector.
21. Councils are a democratically elected separate tier of government and are best placed through initiatives such as Best Value to determine the appropriate service level for their community.
22. While policies and standards developed for the State Government under the Website Management Framework may provide useful guidance for Local Government, it is not appropriate for such service levels to be externally imposed, especially without consideration of how they will be funded.

Recommendation 19

The Minister for Local Government should introduce a regulation requiring that Local Governments include within their annual reports a statement of the Web Content Accessibility Guideline compliance of websites maintained by the Council once per the term of Council.

23. The Government does not support the recommendation. Councils are required by the *Local Government Act 1989* (the Act) to prepare an annual report. The annual report must contain a report of operations and audited standard, financial and performance statements as well as any other information required by the Local Government (Finance and Reporting) Regulations 2004 (the Regulations).
24. The Regulations require Councils to include a review of Councils' Performance against the Council Plan in relation to the strategic indicators together with other major issues such as legislative or economic factors, policy initiatives, works, changes and operations, and certain information about the council.
25. Councils are a democratically elected essential tier of government. As the elected representatives, Councillors are in the best position to determine what issues are major for their community and should be reported against in the annual report. Councils recognise the need to communicate with their community and many are putting effort into their web page designs. If the "statement of the Web Content accessibility Guidelines compliance" is considered to be major, then the regulatory requirements are already in place to require its inclusion in the annual report. If it is not considered to be sufficiently major by Council, then it would not be appropriate for the Minister for Local Government to intervene to require such a statement to be included.
26. For consistency across government however, it would be desirable for Local Government to comply with the accessibility requirements contained in the Government's Accessibility standard, rather than referring directly to the Web Content Accessibility Guidelines 1.0.

Recommendation 20

The Victorian Government, through Multimedia Victoria, should introduce an annual accessibility awards program for Victorian companies and community organisations, in order to encourage greater compliance with web accessibility standards and promote the awareness of online accessibility issues outside of government.

- *These awards should be developed in conjunction with relevant stakeholders as partners, such as Vision Australia.*

- *These awards should focus on the recognition of best practice and improvement, with the capture of quality case example information for distribution to other organisations.*

27. The Government notes that there are a number of existing industry and community awards in this area. The Government will explore options for an accessibility award, taking into account existing programs.

Recommendation 21

Multimedia Victoria should enter discussions with the relevant Local Government peak bodies about participation by Local Government in these awards.

28. See response to Recommendation 20.

Recommendation 22

Multimedia Victoria should provide a comprehensive report on the overall success of these awards in improving commercial and community based organisations' compliance with accessibility standards within five years of their initiation, in order to gauge the value of this approach.

29. See response to Recommendation 20.

Recommendation 23

Given the importance of the Freedom of Information Act 1982 to democratic accountability, Recommendations 24 to 32 should be considered in conjunction with the outcome of the current review of the Act by the Ombudsman and in light of possible recommendations contained in the report on an investigation concerning allegations that departments are unduly delaying responses to Freedom of Information requests.

- *Where appropriate, Recommendations 24 to 32 should be incorporated into a reform package by the Attorney-General.*

30. The Government recognises the importance of the *Freedom of Information Act 1982* to democratic accountability.

31. As noted in the Recommendation, the Ombudsman is currently undertaking a broad review of public sector agencies' administration of FOI requests. Recommendations 24 – 32 will form part of any review of FOI which follows the release of the Ombudsman's report.

Recommendation 24

Section 2 of the Freedom of Information Act should be amended to require Victorian departments and agencies to:

- *Require all agencies (as defined in the Freedom of Information Act) to publish the information listed in section 7 on the World Wide Web.*
- *Amend the existing requirement for this information to be published in their annual report, to state that a summary of this information should be provided in the annual report, with clear references to means by which the public can gain access to the complete list.*

32. As noted in Recommendation 23, the Ombudsman is currently undertaking a broad review of public sector agencies' administration of FOI requests. Recommendation 24 will form part of any review of FOI which follows the release of the Ombudsman's report.

Recommendation 25

Participation in FOI Online should be extended, with the objective of incorporating those agencies that collectively receive more than seventy-five percent of total applications under the Freedom of Information Act 1982, based on statistics from the last reporting year.

- *This recommendation should not be interpreted as precluding the participation by agencies in smaller annual Freedom of Information requests based on their own business case assessments.*

33. The Government supports this recommendation in principle. While the expansion of FOI Online is technically feasible, it would be contingent upon a favourable cost benefit analysis for the agencies involved.

Recommendation 26

The Freedom of Information Act 1982 should be amended to require each Government department and agency to introduce and maintain a "publication scheme" as per the United Kingdom's Freedom of Information Act 2000, with the following modifications:

- *The relevant Minister should approve the publication scheme.*
- *The publication scheme should be revised and modified on an annual basis, with variations only permitted after a publication has been listed for one calendar year.*
- *This publication scheme should be published on the department and agency websites, and referenced in their annual reports, and be reported to the Department of Justice as part of the Department's annual Freedom of Information reporting requirements.*

34. As noted in the Recommendation 23, the Ombudsman is currently undertaking a broad review of public sector agencies' administration of FOI requests. Recommendation 26 will form part of any review of FOI which follows the release of the Ombudsman's report.

Recommendation 27

The Scrutiny of Acts and Regulations Committee should undertake a review of the effectiveness of the proposed amendments to the Freedom of Information Act 1982 after five years of the operations of publication schemes. This review should consider:

- *The effectiveness of the introduction of this approach*
- *Means to support public access to information under the provision*
- *The need for a third-party regulator of the content of these schemes.*

35. The Government supports in principle the proposal that the Scrutiny of Acts and Regulations Committee (SARC) review the effectiveness of changes made to the *Freedom of Information Act (1982)* as a result of the Committee's report and any review undertaken following the release of the Ombudsman's report. The suggested time period of five years from the implementation of these changes is supported.

Recommendation 28

The Public Records Office Victoria should issue the whole-of-government email storage and retention policy and guidance document proposed in 2002 as a matter of priority. This document should:

- *Clearly state the relationship between email and Freedom of Information and the importance of a systematic retention strategy for these documents.*
- *Note the relationship between the policy and Victoria Electronic Records Strategy compliance (interim).*
- *Provide the user with a clear "best-practice" template policy for customisation at the departmental or agency level.*
- *Provide line managers and staff with clear checklists for action.*

36. The Government partially supports the recommendation. Advice to Victorian Government Agencies 3 "Email as Records" was issued by PROV in January 2002. This advice identified that email is a record; types of email; email systems and risk; techniques for managing email as a record; and legal admissibility of email. This advice can be found at: <http://www.prov.vic.gov.au/publications/publns/PROVRMadvice3.pdf>

37. PROV will be undertaking a review of the Email Advice during 2005/2006. This review will consider effective procedures to assist in management of email, relationship of email to legislative requirements (for instance FOI), and tools and software that will facilitate the management of email.

38. PROV recognises that effective management of email is a corporate organisational responsibility which involves individual creators and users. PROV Email Advice will be reviewed to ensure that this objective is explicit.
39. PROV policy, in line with international best practice, is to issue Retention and Disposal Authorities (RDAs) by function and activity. This ensures that the RDA covers records irrespective of media format. PROV policy is to issue specific advice or guidelines relevant to categories of records (for instance email, websites).
40. PROV is required by its legislation to develop standards and advice which identify best practice records management. The *Public Records Act 1973* identifies that it is the responsibility of government agencies to ensure that such standards and advice are implemented.

Recommendation 29

No Victorian Government email server should automatically purge email. An officer responsible for the account prior to deletion should review all sorted email on Government servers.

41. The Government supports the recommendation. PROV advice is in agreement with this recommendation and it is implicit in PROV's advice to government agencies. The review of Advice 3 "Email as Records" planned for 2005/2006 will ensure that this requirement is explicit.

Recommendation 30

As part of the implementation of Recommendation 29, the Public Records Office Victoria should consider developing an interim guidance document for Victorian Government departments and agencies on the storage and archiving of Instant Messaging log files.

- *The growth in use of Instant Messaging should be monitored by the Office of the Chief Information Officer to determine whether a more comprehensive policy approach is required.*

42. The Government supports the recommendation. PROV has on its work program for 2005/2006 the development of an advice on Instant Messaging as Records. This advice will provide government agency staff with a discussion of issues relevant to managing instant messages as records, including legal requirements, administrative control, and practical advice on management and disposal.

Recommendation 31

The Freedom of Information Act 1982 should be amended to require that documents released under Freedom of Information application be included in the Victorian Electronic Records Strategy Digital Archive where:

- *The inclusion of these documents is not in violation of the Information Privacy Act 2000, and*
- *The documents exist in electronic format.*

The implementation of this requirement under the Freedom of Information Act 1982 will need to be staggered, by regulation, as departments and agencies reach Victorian Electronic Records Strategy compliance.

43. As noted in the Recommendation 23, the Ombudsman is currently undertaking a broad review of public sector agencies' administration of FOI requests. Recommendation 31 will form part of any review of FOI which follows the release of the Ombudsman's report.

Recommendation 32

The current application of electronic redacting software in the Department for Victorian Communities should be reviewed by the Department of Justice, in co-operation with Public Records Office Victoria, the Ombudsman Victoria and the Office of the Chief Information Officer. Should a positive benefit to the administration of the Freedom of Information Act 1982 be identified through the use of this technology, the Office of the Chief Information Officer should be tasked with co-ordinating State-wide implementation.

- *The outcomes of this assessment should be communicated to the Local Government sector.*

44. The Department of Victorian Communities does not have electronic redacting software in place at the moment. Current practice is for individual departments, who have a requirement for this software, to liaise with departments who already have the software in place. It is noted that the Department of Justice has developed an electronic redacting system inhouse and other agencies are using commercially available redacting software. Initial feedback regarding the impact of this type of software has been positive. Depending on sufficient demand, some form of common solution via an open standing offer agreement or similar purchase mechanism could be facilitated.

Recommendation 33

The work of the State Library of Victoria in identifying and preserving online information of importance to the cultural and political life of Victoria should be recognised and supported. The Library should maintain and develop its current level of work in this area to support the retention of valuable online information.

45. The Government supports the Committee's recommendations and notes that the State Library of Victoria is a key participant in the national PANDORA project which aims to collect and provide long-term access to selected Australian online publications and web sites.

46. The Library Board of Victoria has a statutory function under section 18(1) of the *Libraries Act 1988* to maintain, preserve and develop a comprehensive collection of library material relating to Victoria and the people of Victoria. In this context, the State Library of Victoria has assumed responsibility for selecting and cataloguing Victorian internet sites, for archiving by the National Library of Australia as part of the PANDORA project. The Victorian Government supports this national approach.
47. The State Library of Victoria, in addition to working with the National Library of Australia, will be investigating a more active approach to capturing and preserving an increased proportion of Victorian online information and in providing a Victorian focused index to this information.

Recommendation 34

The Libraries Act 1988 should be amended to define "library materials" as "information", moving technology specific references in the existing definition to a subset of library materials and incorporating two additional definitions in the Act as per the Electronic Transactions (Victoria) Act 2000:

- *"Information" means information in the form of data, text, images or sound.*
- *"Information system" means a system for generating, sending, receiving, storing or otherwise processing electronic communications*

48. The Government:

- undertakes to examine Recommendation 34 and brief the Minister for the Arts when amendment of the *Libraries Act 1988* is next under consideration;
- notes, and agrees with, SARC's comment (page 59 of the Report) that the current definition of 'library materials' within the *Libraries Act 1988* does encompass '...electronic information, albeit in somewhat archaic terms'. In this regard, there is no urgency in amending the current definition of 'library materials' which is still effective in supporting the State Library's collecting of electronic publications; and
- notes that the *Electronic Transactions (Victoria) Act* definitions for 'information' and 'information systems' are for '...any transaction in the nature of a contract, agreement, or other arrangement...', and that their applicability to 'published' or publicly available materials, such as are collected by the State Library, will need to be carefully considered and expert advice obtained from relevant parties, particularly the Libraries Board of Victoria and Parliamentary Counsel.

Recommendation 35

The State of Victoria has a clear interest in maintaining a diverse media environment for all Victorians, particularly for the creation and distribution of news and current affairs broadcasting. The Government of Victoria, through the Premier, should monitor any proposed national legislative changes to media ownership laws and the funding of national public broadcasters, and act where appropriate to ensure that minimum local content creation rules are adhered to by licence holders and funding is maintained for public broadcasting of news and current affairs.

49. The Government supports this recommendation. The Government agrees to monitor any proposed national legislative changes to media ownership laws and the funding of national public broadcasters. The Government will assess, at the time such changes are proposed, whether action is required to ensure that minimum local content creation rules are adhered to by licence holders and funding is maintained for public broadcasting of news and current affairs.

Recommendation 36

The Government of Victoria should continue to support the MC2 initiative. However:

- *Future funding agreements with VICNET to continue this service should focus on training through the variety of online communities services available, and not restrict training to a specific focus on the MC2 content management and hosting portal.*

50. The Government supports the continued support of the My Connected Community (MC2) program but does not support changes to the focus of MC2 training.
51. The MC2 program is targeted at those groups who are unlikely to create an online presence without the availability of a government supported portal such as the MC2 application. The Government notes that MC2 training already includes skills that are fully transferable to applications other than MC2.

Recommendation 37

Any future decision to discontinue the My Connected Communities content hosting service should be undertaken in conjunction with a clear migration plan for these resources to one or more alternative hosting environments.

52. The Government supports the recommendation and will explore these issues as part of a wider evaluation of MC2 to be undertaken in 2006/07.

Recommendation 38

The current approach to targeted funding for community organisation information and communication technology capacity building projects should be continued, with specific focus on communities under-represented in the information economy and who are socially excluded.

53. The Government supports the recommendation. “Connecting Communities: the second wave” sets out the Government’s program for reducing the remaining barriers to internet uptake in the Victorian community.

Recommendation 39

The Minister for the Arts should develop an initiative to network existing public, private and community content developers, with the objectives of ensuring Victorian content developed can be captured electronically - where appropriate - that this content sees the widest possible distribution and content of significant value to the social and political life of Victoria is archived appropriately.

- *Following due consideration, the Minister for the Arts should advise the Parliament whether the Arts Victoria Act 1972 should be amended to include specific reference to the development of an information commons under the objectives of the Act.*
54. The response to Recommendation 34 indicates that the State Library of Victoria is a key participant in the National PANDORA project that seeks to ensure that information documenting the social and political life of Victoria is archived appropriately and accessible in the long-term.
55. VICNET’s website and MC2 hosted by VICNET, represent a resource of approximately 10,000 community websites, stimulating the formation of online communities and active online communication across the Victorian community – especially within sectors with limited ICT resources and skills. Recent reviews of VICNET (involving the Office of the Chief Information Officer and departments and agencies across the State Government) strengthened its role in promoting ICT use for community strengthening and building social capital. Given that VICNET’s past, present and future activities represent direct contributions to the development of information commons for Victoria, and that the provision of online information services is a key strategic priority for the State Library of Victoria, the Government considers it unnecessary to amend the *Arts Victoria Act 1972* to include specific reference to the development of an information commons under the objectives of the Act.
56. Over recent years the Arts portfolio agencies have developed extensive online access to their cultural resources and programs. These resources currently attract over 7 million users per annum. The agencies are actively collaborating to provide integrated access to these online resources.

Recommendation 40

Multimedia Victoria should commission a revised and comprehensive version of the research conducted by Centre for Community Networking Research and Whitehorse Strategic Group on a biennial basis. This research should be used to track changes in usage patterns to public access terminals and gauge the success of these programs in reaching targeted community segments. Data gathered from this longitudinal research should be used to integrate public access terminals with services and programs across Government, targeted towards groups with low usage rates.

- *The new research should include a greater focus on data collection to track technology obsolescence for corrective action (targeted funding, program rationalisation, resource sharing) by providers.*

57. The Government already gathers a comprehensive set of data from a variety of sources to inform policy and program decisions.

Recommendation 41

The I@ service should be extended to include a State-wide local call number that provides access to the venue database via an interactive service.

- *Multimedia Victoria should investigate how this service could also serve to refer users to relevant training opportunities.*
- *This telephone service should provide multilingual options.*

58. Venue information including training information is already available via a number of sources such as a 1800 number and online. (www.internet-access.vic.gov.au). Training assistance is also available in 11 community languages.

Recommendation 42

The I@ service should be extended to allow for the syndication of the database query form through other websites (such as Local Government).

59. The i@ website (www.internet-access.vic.gov.au) is already promoted to key stakeholders including local government.

Recommendation 43

New and renewed funding agreements between the State Government and public Internet access providers should require that I@ be updated by the provider as a term of the funding agreement.

- *The I@ database should be extended to capture technology age and renewal by providers.*

60. The Government notes that it is already the case that organisations funded under the Public Internet Access Program (PIAP) are required to update details on the i@ database.
61. Organisations funded under PIAP are required to provide details of equipment where the information is relevant to their application. The Government sees no purpose in extending the collection of data beyond the PIAP application process.

Recommendations 44 & 45

The Minister for Local Government should amend the relevant regulations to permit and require the online publication of Candidate Statements, authorised how-to-vote cards, and a candidate photograph by the Victorian Electoral Commission.

The Local Government Act 1989 should be amended to incorporate the provision of Candidate Statements, authorised how-to-vote cards, and a candidate photograph in all Local Government elections, regardless of voting method (postal, attendance) employed.

62. The Local Government (Electoral) Regulations 2005 incorporate requirements for the publication of certain material on the internet. This includes candidate statements, photographs and candidates' preference recommendations, which are lodged with the returning officer for distribution to voters in postal voting envelopes in a postal election.
63. The Regulations also require the returning officer to publish on the internet a list of candidates whose how-to-vote cards have been accepted in an attendance election. As there is no limit on the number of how-to-vote cards a candidate may lodge, or on the size, scope or accuracy of a how-to-vote card, it would be inappropriate to publish these documents on the internet.
64. While the provision of such material for voters is an important factor in promoting informed electoral participation, this must be balanced with consideration of the extent to which public funds should be used to promote candidates, the extent of accountability for the accuracy of information published at public expense and the varying requirements of different electoral systems.
65. It is noted that recommendation 46 proposes similar requirements for State elections. It is desirable that relatively consistent electoral processes should apply at all three levels of government: Federal, State and Local.

Recommendation 46

The Electoral Act 2002 should be amended to incorporate the provision of Candidate Statements, authorised how-to-vote cards, and a candidate photograph in all Parliamentary elections.

66. The Government notes the Victorian Electoral Commission's (VEC) concerns that its independent role in conducting elections should not be blurred by having an expanded responsibility for providing candidates' and parties' policy information to voters. The VEC considers that this recommendation creates a risk to its perceived impartiality in the conduct of elections.
67. Having regard to these concerns, and particularly to avoid any suggestion of partiality, the VEC has indicated that it considers it essential that it provide no more services with respect to publishing candidate policy information than are set by legislation.
68. The recommendation relates particularly to the publication of information online. It does not appear that legislation would be essential to enable the VEC to post the information described on its website.
69. Consequently, while it does not appear to be legally necessary to amend the *Electoral Act 2002* to facilitate the posting of the information described on the VEC website, for this recommendation to be implemented, it may be practically necessary to provide a legislative basis for this function to meet the VEC's concerns.

Recommendation 47

The Victorian Electoral Commission should develop a centralised election portal for candidates' statements for future elections.

- *The provision of this information through the portal should allow for the syndication of this content.*

70. The Government notes the VEC's response to this recommendation. The VEC has indicated that it is redesigning its website so that it will be easier for voters to find information about their electorates. The VEC is concerned that syndication of web content would blur the distinction between the VEC and candidates.

Recommendation 48

The Victorian Government should provide targeted funding to relevant community bodies to provide access to voter information in a wide range of accessible formats and major non-English linguistic communities for the next State election.

- *This funding should be provided through the Victorian Electoral Commission, which should be tasked with the process of contract management, oversight and reporting to the Parliament.*
- *The Victorian Electoral Commission should develop and provide a policy manual for the collection and distribution of this information,*

including information about Victorian electoral law and issues of defamation, and should require equal access to all candidates.

71. The Government believes that this recommendation requires further consideration.

Access to voter information

The VEC provides access to voter information in a wide range of accessible formats and major languages other than English (LOTE). The VEC has indicated that in previous elections, information has been provided about voting in LOTE and in formats accessible to people with disabilities. In addition, the VEC has briefed organisations providing election information to the public. For the next election information will be produced in a booklet form for interested groups and posted on the VEC website. An information brochure is currently being produced in a number of LOTES in relation to Local, State and Federal Government elections.

Further, the VEC has indicated that legislative change would facilitate offering enrolment and other electoral forms in LOTES. While this goes beyond the scope of the current Recommendation, it appears more likely that changes would be required to the *Electoral Regulations* and possibly the prescribed forms than to the *Electoral Act*.

Management and oversight of funding program

The aspect of the recommendation that the VEC should manage, oversee and report on the production of information by community bodies is not supported. The VEC's role is not to act as a funding body, which may compromise its role as an independent electoral authority.

Policy Manual

The aspect of the recommendation that the VEC develop a policy manual is supported in principle, provided that information about defamation issues is referred to only in general terms. The VEC is not in a position to provide legal advice on defamation and associated issues.

Recommendation 49

The Victorian Electoral Commission should provide advice to the Parliament and Government prior to the next State election as to the appropriateness of facilitating the delivery of scanned voter registration and postal vote applications via email or similar method.

72. The Government supports this recommendation. It is noted that changes to voter registration or postal vote applications may require future legislative amendment and funding allocations, which would be subject to the Government's legislative and funding priorities. The VEC has indicated that it will further investigate this issue.

Recommendation 50

The Victorian Electoral Commission should provide advice to the Parliament and Government prior to the next State election as to the appropriateness of facilitating the delivery of signed voter registration and postal vote applications using pen-interface technologies.

73. The Government supports this recommendation. It is noted that changes to voter registration or postal vote applications may require future legislative amendment and funding allocations, which would be subject to the Government's legislative and funding priorities. The VEC has indicated that it will further investigate this issue.

Recommendation 51

The Portable Document Format (PDF) version of the existing enrolment form maintained on the Victorian Electoral Commission website should be supplemented with:

- *An additional version in an accessible format.*
- *An online form allowing users to enter their enrolment details online, but still requiring a printed version to be posted to the Victorian Electoral Commission for verification of the signature.*

74. The Government supports this recommendation. It is noted that an alternative enrolment format will need to be suitable for scanning, the integrity of the form will need to be maintained and will need to meet legislative requirements. It does not appear that an online form that would need to be printed and posted to the VEC would require any amendment to the legislation or regulations. The VEC has indicated that it will continue to examine alternative formats.

Recommendation 52

Parliamentary elections should not be conducted remotely via information and communications technologies in the near future.

- *This decision should be reviewed by Victorian Electoral Commission following each State election, unless requested to do so earlier by the Minister.*
- *Within 12 months of a positive review by the Victorian Electoral Commission, the Scrutiny of Acts and Regulations Committee table a report in Parliament concerning the desirability of introducing Internet-based voting, either generally or for a limited purpose.*

75. The Government supports the first part of this recommendation in principle. The VEC has noted that a review as recommended is in accord with the VEC's

function “to conduct and promote research into electoral matters that are in the general public interest” as defined in the *Electoral Act 2002*.

76. The Government supports the second part of this recommendation in principle, subject to considering possible funding implications associated with the introduction of internet-based voting. It is likely that legislation may also be required to facilitate internet-based voting, and the timing of such legislation would be subject to the Government’s other legislative priorities.

Recommendation 53

The Victorian Electoral Commission, in consultation with relevant stakeholder groups, should develop and implement a system of electronic voting machines for local and general elections in Victoria. These machines should:

- *Permit the casting of a private, unassisted vote for the blind, those Victorians with limited vision, and Victorians with low levels of English literacy*
- *Provide the same voting instructions as appear on the paper ballot in a range of languages other than English*
- *Produce a voter-verifiable paper trail to be retained by electoral officials*
- *Allow for the electronic tabulation of votes cast*
- *Be restricted to a closed local area network under the complete physical control of electoral officials.*

The implementation of this electronic voting system should be undertaken with consideration of:

- *The use of open-source software to provide maximum public oversight of the source code used in these machines*
- *The capacity to collaborate between jurisdictions over the development of hardware and software*
- *The capacity of the Victorian Electoral Commission to pilot the system on a limited basis, and expand provision of these machines based on community need and demand.*

77. The implementation of this recommendation will have both funding implications for the Government and require the enactment of enabling legislation. The VEC is examining the feasibility of trialling electronic voting kiosks for voters who do not currently have access to a secret ballot, such as people with vision and motor impairments and people with poor English language skills. It has indicated that the various parts of this recommendation will be able to be better assessed when the feasibility of trials has been explored more fully.

78. Legal advice has been obtained by the VEC to the effect that legislative changes would be required to facilitate this proposal. Those changes would be:

- Enabling legislation providing for the electronic recording of votes at selected pre-poll and election day voting centres; and
- Early voting as of right, to allow use of the electronic voting kiosks throughout the pre-poll period.

79. The VEC has given preliminary consideration to the costings for implementation of this recommendation. The costings will depend on whether the system will include a voter-verifiable paper trail. The Government will consider whether to make the necessary legislative changes and provide any additional funding after further discussions with the VEC.

Recommendation 54

The Victorian Electoral Commission should maintain an appraisal of developments in the area of electronic and online voting, and be provided with the resources to send staff to participate or observe the conduct of electronic and online elections internationally and around Australia.

80. The Government supports this recommendation. The VEC has indicated that existing funding is sufficient to cover this recommendation.

Recommendation 55

The Victorian Electoral Commission should be required to provide independent technical certification of its current electronic vote-counting software.

- *Certification should be required following each modification of the software used.*

81. The Government does not support this recommendation. VEC has advised that current certification is adequate.

Recommendation 56

The Victorian Electoral Commission should be required to ensure that future acquisition or development of electronic vote-counting software be open-source software. This requirement should also specify that:

- *This source code be released by the Electoral Commission via its website.*
- *A process for the collection, review and incorporation (where appropriate) of comments and bug reports from the public be developed.*

82. The Government does not support this recommendation. The VEC has advised that in its view the current practice provides sufficient protection from accidental and deliberate problems with the program. While the VEC acknowledges that there are some benefits to making software open-source, it does not believe this should be a requirement in every case.

Recommendation 57

The Victorian Electoral Commission as a matter of priority should undertake a risk assessment of the practice of using leased computers for electronic vote counting. This risk assessment should include:

- *A third-party technical audit.*
- *A review of the administrative practices surrounding the leasing, cleaning, preparation and use of these machines in the counting of votes.*

This risk assessment should be tabled before the Parliament at the soonest possible date.

83. The VEC has indicated that the Committee's recommendations will be included in the VEC reviews for any future computer count. The VEC does not, however, consider that it is necessary to table a risk assessment before the Parliament.

Recommendation 58

The Victorian Electoral Commission should prepare a business case for the Victorian Government on the use of automatic ballot-scanning technology on a pilot basis. This review should consider:

- *Models for the implementation of these systems (acquisition, lease, etc.)*
- *Means by which acquisition costs can be shared with other jurisdictions*
- *Costs and benefits of implementation*
- *Effectiveness of the technology and minimum thresholds by which recounts should be required by law (margin-of-error assessments).*

84. The Government supports this recommendation in principle. The VEC is currently awaiting the outcome of the current feasibility study by the Australian Electoral Commission. The VEC has indicated that it will further consider the applicability of automatic ballot scanning technology to the Victorian environment following the completion of the current feasibility study by the Australian Electoral Commission. The VEC's consideration of automatic ballot scanning will have regard to resources, the time available and the possible introduction of risk.

85. Implementation of automatic ballot scanning is likely to raise funding issues, but the VEC considers that it could lead to substantial cost savings. If future legislative amendments and funding allocations are required, these would be subject to the Government's other legislative and funding priorities.

Recommendation 59

The Victorian Public Sector should consider adopting approaches to licensing data held that have traditionally been used for commercial purposes on a cost-recovery basis, whereby the release of this data is necessary to provide for contestable policy consultation and upon request. Where possible, alternative licensing schemes, such as a localised version of the Creative Commons licensing scheme, should be applied to data release to allow for public interest use, and should retain the commercial return.

86. The Government plans to evaluate the ways by which Victoria can benefit from the alternative ways of handling the Government's intellectual property. Intellectual Property was recently highlighted by the Auditor General as a priority area that needs to be addressed in the Victorian Government. Work has commenced to formalise a policy position on intellectual property including that relating to ICT activities within the Victorian Government.

Recommendation 60

All Parliamentary and Government consultation and participation processes should include, where feasible and appropriate to the target audience, the use of ICTs.

- *ICT-enabled consultation and participation processes should be developed in conjunction with key stakeholder groups and academic institutions in order to develop relevant frameworks for participation and evaluation.*
- *These processes should be undertaken to provide an evaluation of effectiveness, both qualitative and quantitative.*

With regards to online consultation:

- *Any consultation undertaken without an online component should include in the methodology of the final report of the consultation a statement outlining the reasons against undertaking an element of the consultation online.*
- *The inclusion of online participation should not be limited to restrict participation in offline forms.*
- *Where possible, online consultation should allow citizen-to-citizen communication, moderated only to prevent incidence of defamation or legal risk to the State or Parliament of Victoria.*

87. The Government supports this recommendation in part. The Government notes the activities identified by the Committee relating to the introduction of

specified ICTs. The Government continues to explore and, in selected cases, pilot the use of particular ICTs in various policy areas. Relevant Departments and the OCIO are monitoring the outcomes of pilots of ICTs, with a view to considering how advances in technology and ICTs can improve Government consultation and participation processes.

88. In relation to online consultation, the Government supports the recommendation in part. In particular, the Government notes the Committee's comments concerning the ongoing usefulness of conventional consultation processes, and the importance of a system of choice as to how people might wish to interact with Government.

89. The Government will continue to examine the use of ICT, alongside conventional consultation as a means for improving citizen interaction with Government.

Recommendation 61

Online consultations should be undertaken using the best available technology and techniques available, and the design of these systems should be undertaken in conjunction with key stakeholder groups. Where appropriate, these consultation and participation processes should be based within community organisations.

Response to recommendations 61- 64

90. The Government supports recommendations 61 and 62. Consistent with the approach to recommendation 60, the Government will continue to examine the costs and benefits of online consultation in selected areas, with a view to piloting programs where appropriate.

91. The Government supports recommendation 63. The Government notes the risks associated with on line moderation highlighted by the Committee, especially risks of publication of defamatory material. The Government will consider the development of an appropriate policy framework to minimise the potential of legal risks of on-line moderation.

92. The Government will consider recommendation 64. The Government agrees that online consultation, where implemented, should inform and encourage learning across Government and civil society. The Government also notes the Committee's comments regarding the over investment in online consultation in other jurisdictions, and the lack of an existing specific best practice model. The Government will bear these issues in mind as it considers how online consultation can be further trialled in the Victorian public sector.

93. The Government will also consider the feasibility and possibility of developing online consultation systems in open source.

Recommendation 62

The State Government of Victoria should identify and develop a number of policy areas where demonstration online-consultation projects can be conducted.

94. See response to recommendations 61-64 above.

Recommendation 63

The moderation of online consultation and participation processes needs a clear policy statement for staff that provides direction as to:

- *The purpose of moderation*
- *The degree of moderation appropriate, depending on circumstances*
- *Policies or procedures for resolving disputes*
- *The necessity for the policy statement to be available to participants.*

95. See response to recommendations 61-64 above.

Recommendation 64

Online consultations should provide detailed reports on outcomes, including problems, to encourage learning across Government and the civil society.

Where possible and feasible, online consultation systems should be developed in open source, with the source code widely available to other Government agencies and civil society groups.

96. See response to recommendations 61-64 above.

Recommendations 65 & 66

An electronic democracy co-ordinating body should be established in the Department for Victorian Communities.

The Department for Victorian Communities, through the electronic democracy co-ordinating unit should:

- *Forge and maintain ongoing networks of practitioners and scholars, from across all levels of Government.*
- *Develop a set of evolving benchmarks and performance measures for online consultation, to assist in establishing and advancing best practice.*
- *Include seconded membership from across the public sector.*
- *Be advised by industry and academic experts.*

- *Have active participation from key Local Government organisations, either directly or through relevant peak bodies.*

97. The Government considers that the work being undertaken by OCIO and DVC to deliver on the objectives of “A Fairer Victoria”, such as improving opportunities for participation, increasing individual and community capacity, and enabling greater levels of decision making at a local level, meets its requirements for advancing an electronic democracy agenda without the need to establish an additional body.

Recommendation 67

The Department for Victorian Communities should establish a best-practice reference guide for public consultations in Victoria, with supporting documentation, references and check lists, to provide an ongoing resource for the successful and effective conduct of consultation processes in the State.

- *This reference should be regularly reviewed and updated, and should form the basis of ongoing improvement in best practice throughout the State.*
- *This reference should be supported by a professional network of public servants engaged in the conduct of consultations, as reference points for other agencies and officers.*

98. The Government agrees that the development of a best practice public consultation reference, based on the body of expertise that already exists within government agencies, would be of benefit. An appropriate framework will be developed through a cross-agency consultation process.

Recommendation 68

The use of online consultation by Government departments and agencies should consider the value of these experiences for technology and skills transfer to stakeholder groups in the community, in order to develop and expand the use of online consultation within their governance practices.

- *Where practical and feasible, consultation processes should encourage stakeholder groups to poll or solicit member responses using the technology appropriate to solicit the widest possible participation.*

99. The Government supports this recommendation. Skills transfer from Government into stakeholder groups already occurs in a number of ways, including transfer and secondment of employees, collaborative projects, liaison with groups through fora, publications and other mechanisms.

100. Although it is ultimately the decision of stakeholder groups as to their individual need for skills related to online consultation, the Government will consider how these groups can be encouraged to improve those skills, where appropriate and feasible.

Recommendation 69

A centralised portal and subscription service for Government and Parliamentary publications, consultations and legislative work should be established, allowing free public access to Government policy processes in a timely manner, in order to encourage public participation.

- *Local Governments should be allowed to contribute relevant material into the subscription service.*

101. The Government supports this recommendation. The Government notes that there is a significant amount of Government-related information currently available, without fee, to the Victorian community online. This information is predominately included on two websites – *Victoria Online* and the Parliament of Victoria website. This information includes general information about various policy areas, reports of Parliamentary Committees, legislation and hansard.

102. The Government notes that there is the potential for this information to be further centralised into one portal and notes that it may be possible to incorporate a public consultation facility into such a portal in order to facilitate greater public consultation and participation. It also notes, however, that the capacity to create a centralised portal is subject to sufficient resources being available for effective implementation. The Government will consider how such a portal might be facilitated. If a central portal is established, the Government recognises that local government will have a role in contributing information to such a portal.

Recommendation 70

www.communitybuilding.vic.gov.au should adopt a moderated citizen-to-citizen discussion forum to develop and deepen linkages between community groups within Victoria.

103. The Government supports the intent of the recommendation and will continue to develop the community building website to provide a comprehensive knowledge and resources facility for the community. The Government already funds “My Connected Community” (MC2) to provide a forum for community interaction and further enhancements related to discussion forums through either of these websites will be based on identified user needs and benefits analysis.

Recommendation 71

www.communitybuilding.vic.gov.au should further investigate methods by which the relationship between this initiative and similar initiatives around Australia (such as communitybuilders.nsw) can be strengthened to:

- *Syndicate relevant content between these services*

- *Redirect Victorian users to relevant Victorian resources (where they exist).*

104. The Government supports the recommendation. There are existing cross-jurisdictional relationships that provide an environment for information sharing and collaborative activity.

Recommendation 72

A redevelopment of the website of the Parliament of Victoria should be undertaken with consideration of the means to ensure:

- *The capacity of publishers in the Parliament to provide content that can be syndicated*
- *The use of appropriate authoring and content presentation tools to allow the Parliamentary website to be accessible on devices with unusual screen sizes*
- *The use of a consistent user-experience model for website design*
- *The capacity of the Parliament, as a distributed publishing environment, to sustain Web Content Accessibility Guidelines level AAA compliance.*

105. The Government notes the Committee's recommendation. The redevelopment of the Parliament website is a matter that is properly for Parliament's consideration.

Recommendation 73

The Department of Parliamentary Services should provide to the Presiding Officers, for tabling in the Parliament, an annual certification of compliance by the Parliamentary website with the Web Content Accessibility Guidelines.

- *This document should note, where appropriate, areas of, and for, improvement and actions to be taken to improve and sustain compliance with Web Content Accessibility Guidelines.*

106. The Government notes the Committee's recommendation. The recommendation is one which is properly for consideration by the Heads of the Parliamentary Departments.

Recommendation 74

The Parliament of Victoria should systematically introduce webcasting of both Chambers of Parliament. The webcasting of public meetings of Parliamentary Committees should be available at the discretion of each committee's chairperson. This system should allow:

- *Viewers and listeners to select a level of transmission quality suitable to their Internet service*
- *Archiving of two Parliamentary terms of webcasts for online retrieval*
- *Indexing of the webcast through the Hansard database.*

107. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 75

Archived streaming video older than two Parliamentary terms should be archived with the Public Records Office Victoria, in consultation with relevant preservation specialists.

108. The Government notes that the response to recommendation 75 is contingent upon whether webcasting of Parliament is introduced. In the event that webcasting were introduced, the Government would consider the recommendation. It is necessary to note, however, that in order to be archived with PROV, streaming video would need to be a "public record" under the *Public Records Act 1973*, and appraised as being of permanent value.

109. As there is some doubt about the status of streaming video under the *Public Records Act 1973*, legislative amendment might be necessary.

110. Furthermore, streaming video would also need to be compliant with a VERS standard and be produced in a form which ensured long-term preservation.

111. As PROV already archives Hansard as a permanent record of the proceedings of Parliament, there would need to be a strong case for any proposal to archive the streaming videos in question.

Recommendation 76

The Parliament of Victoria, through the Presiding Officers, should enter discussions with relevant broadcasters to determine the possibility of broadcasting Parliament through their existing networks.

112. The Government notes that this recommendation relates to Parliament and understands that Parliament has undertaken preliminary work in this area. If Parliament makes any recommendations to Government about this issue, the Government will assess these recommendations and provide a response.

Recommendation 77

The Parliamentary webcasting service should be developed in conjunction with the Office of the Chief Information Officer, in order to determine whether

this type of online publication service should be developed as an enterprise-wide service to facilitate low-cost access by other Government departments and agencies, Local Government and community organisations.

113. The Parliament would need to conduct a study to determine the extent of demand for such a service and seek funds for development and operation.

Recommendation 78

The Parliament, through the Presiding Officers, should undertake a pilot of electronic chamber voting systems to assess the advantages of the introduction of these systems in the reduction of time taken to undertake legislative business.

114. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 79

A Parliamentary information subscription service should be provided as part of the proposed centralised consultation gateway and subscription service for the whole of the Victorian Government.

115. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 80

The Parliament of Victoria should introduce an online petitions facility on a trial basis, subject to ongoing evaluation as to the benefits offered to Victorians. The Victorian online petition system should include a moderated discussion facility, similar to that provided by the Scottish Parliament.

- *This system should be developed in open source, if possible, with access to the code available (at minimum) to the Local Government sector in Victoria.*

116. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 81

The Parliamentary template for paper petitions should be amended to allow for optional collection of email addresses or other electronic means of communication, in order to allow the petitioner to receive information about the status and tabling of their petition from the Parliament.

- *The Parliament should pilot a postal feedback system.*

117. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 82

The Parliamentary commitment to the introduction of ICT-enabled consultation and participation processes must be matched with a tangible investment in staff, training, tools and promotional resources.

118. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 83

Committees of the Parliament should be authorised to take evidence by electronic means and recognise recordings of these meetings as evidence when taken by a constituted Committee (with quorum). This includes:

- *The submission of evidence via email and instant messaging*
- *The collection of evidence via telephone or like service*
- *Use of videoconferencing facilities.*

This authorisation should not extend where:

- *The respective Committee has resolved not to accept evidence provided electronically as a general determination of the Committee*
- *The Committee feels it will not be able to verify the identity of a witness using electronic communications technology*
- *There is the possibility that "in-camera" confidential evidence will be presented.*

Response to Recommendations 83 and 84

119. The Government supports recommendations 83 and 84. The Government notes that there may be cost and time savings generated as a result of implementing these recommendations.
120. In relation to recommendation 83, the Government will examine the necessity of amending section 19A of the *Constitution Act 1975* to achieve the proposed outcomes. It is the Government's view that the oath or an affirmation should be administered if required in the circumstances and that, therefore, the oath or an affirmation should be administered remotely where necessary.
121. It is the Government's view that the *Parliamentary Committees Act 2003* could be amended to include a part to deal with receiving evidence via audio and audio-visual links. This part could be modelled on Part IIA of the *Evidence Act 1958*. In particular, section 42Y deals with the administration of oaths and affirmations in such circumstances.
122. In relation to recommendation 84, the Government recognises that the concept of a meeting should incorporate the use of modern technology and the Committee's recommendation facilitates this outcome. The Government supports the proposed amendment to the *Parliamentary Committees Act 2003*.
123. Where appropriate, the Parliament will be consulted on such legislative changes.

Recommendation 84

The Parliamentary Committees Act 2003 should be amended to permit the constitution of Committee meetings with Members participating by audio or video link where:

- *The quality of this link is such that Members of the Committee attending physically can verify the identity of the absent Member.*
- *The participation of one Member remotely does not prevent the participation of another via a similar means (multiple participation by Members remotely).*
- *The Committee has resolved unanimously to permit the use of these technologies for Committee business.*

124. See response to recommendation 83.

Recommendation 85

The Parliament should provide Members with a specific funding allocation for the establishment of a personal website. This funding should be provided with guidance from the Parliamentary webmaster regarding:

- *Issues of accessibility*

- *Means to select an appropriate provider (including means to manage online content efficiently and with minimal technical expertise)*
- *Best practices regarding the syndication of content through the Member's site (including Parliamentary information and information from third parties).*

125. The Government notes the Committee's recommendation about funding personalised website for MPs. In order to consider any funding request from Parliament, the Parliament needs to develop a strategy for member websites, which should be aligned with the Website Management Framework.

Recommendation 86

The Information Technology Unit of the Parliament of Victoria should develop and publicise a clear application and approval process for non-Standard Operating Environment applications.

126. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 87

The Information Technology Unit of the Parliament of Victoria should:

- *Implement and maintain any SPAM filtering system with the utmost care to limit, to the greatest possible extent, "false positive" outcomes.*
- *Advise and inform Members about the advantages and limitations of applying these systems.*
- *Provide a clear means for Members to "opt out" of the use of these systems.*

127. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 88

The Information Technology Unit of the Parliament of Victoria should provide Members, upon request, with an additional email address.

128. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration.

Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 89

References to Members' of Parliament email addresses should be replaced with online forms, if requested by the individual Member.

These forms should provide for:

- *Means to conceal the Member's email address from web crawlers*
- *The capacity to provide a receipt, via email, to the author of the message*
- *The capacity (at the discretion of each Member of Parliament) to capture additional information from the author, such as telephone contact details, preferred means of communication, address, etc.*

129. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.

Recommendation 90

The bandwidth available to all Members' Electorate Office should be improved to a minimum level required to provide for access to streaming video (download) and application software grade videoconferencing services (upload and download).

130. The Government notes the Committee's recommendation. The recommendation is a matter that is properly for Parliament's consideration. Parliament, in considering the recommendation, should ensure that its implementation would constitute the best use of available resources.