

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

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Members

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Witnesses

Dr D. Adams, executive director, strategic policy and research; and
Ms J. Duffy, director, government and community information, Department for Victorian
Communities.

The CHAIR— Good morning. I declare open today's public hearings into electronic democracy by the Scrutiny of Acts and Regulations Committee. I welcome our first witnesses, David Adams, executive director, strategic policy and research, Department for Victorian Communities, and Joanne Duffy, director, government and community information, Department for Victorian Communities. It is not our intention to swear witnesses in because of the nature of the inquiry. However, anything you say in this room is protected by parliamentary privilege, but I would point out that does not apply if you repeat anything once you leave this room. In due course you will receive from our staff a draft of the Hansard transcript. That will be an opportunity to correct any inaccuracies in the transcript but not to state something the way you wish you had said it. I will start by inviting you to make some opening comments to the committee, and I am sure we will follow up with some questions.

Dr ADAMS— Thank you for the invitation to present to the committee. I will present an overview of the department, and then Joanne will do a presentation on some of the more detailed aspects of information services in the department. The reason for the presentation is, as committee members may be aware, the department is a relatively new creation of government and our links with many interesting policy issues, including the issues of e-government and e-democracy, are still unfolding so setting the scene helps to locate the department's role in this much broader debate. Because we are new, as we go through, or afterwards, members may have specific questions about my presentation.

Overheads shown.

Dr ADAMS— This is just the background to the government's decision to establish the department. It was primarily to focus on community strengthening. As members would be aware, there has been a lot of debate in the past 20 years or so about what it is that drives wellbeing and prosperity, particularly at the local level. There is a lot of new knowledge internationally and the department's mandate is to look specifically at those strategies of government which can drive active, confident, resilient communities. It has three foci: firstly, one around community strengthening as a strategy; secondly, a focus on joining up or linking up or connecting services, particularly within government but also between government and others— other levels of government, communities and business; and thirdly, we have a focus on people and place. Within those there are already obvious threads in relation to the role of information and communications technology (ICT).

Members would be aware of the nature of the department. It is a hybrid of a number of components. We have seven ministers, eight if we count the Premier. This is the evidence base, essentially, behind the creation of the department and its strategies— that is, particularly strong social networks are strongly correlated with important public policy outcomes around safety, health, control over one's life, feeling more valued and more involvement in civic life. I have some documents which outline that evidence— public documents from a number of sources— which can be made available. Even the Productivity Commission has now entered this field. In a fairly recent publication it also drew these strong links between the nature of strong local communities and lower crime rates, higher educational attainment, high levels of income, and improved economic performance in jurisdictions. Again, very important public policy objectives of governments.

Specifically, and this is some of the evidence in a report published last year called *Community Adversity and Resilience*, in this case the traditional correlation between low birth weights and high levels of drop-out at school was found, but where there were high social cohesion factors that correlation dropped significantly. A 0.1 correlation means that when A happens, B happens. In this case a 0.55 correlation would be considered quite high and the drop from 0.55 to 0.12 is a very significant statistical drop. High social cohesion in this case was simply measured by involvement in volunteering, involvement in sport and recreation, having people to turn to for support— very simple measures but very powerful effects in terms of correlations between, in this case, birth weight and school retention and completion.

The CHAIR— So that could be things as simple as having a local football club or an active unit of the Country Fire Authority?

Dr ADAMS— That is it. In one sense this whole agenda is not rocket science, it is often intuitive and commonsense. However, it is quite difficult to work out the actual causal connections between, for example, a football club and lower or increased rates of participation in school. Part of the agenda of the department is to work through those types of interventions which are likely to generate these sorts of effects, because of their significance to public policy.

These are some of the implications. The solutions in one sense are not complicated but they are hard to implement. It really also leads us towards a new approach to prevention and early intervention. It can reduce demand on the statutory systems. We are close to being able to quantify the cost-effectiveness of these types of interventions. Of course, this is a parallel debate around the whole e-government-e-democracy issue about the cost-benefit analysis of the infrastructure and other investments required to achieve certain effects. Particularly for disadvantaged populations, these types of strategies are seen to be beneficial.

All this shows is the types of outcomes we are trying to achieve and the connections between them. Just very quickly, our staff call this a cloverleaf diagram. At the top are the fairly traditional objectives of government around service delivery outcomes — access to services, improved educational achievement. To the right are the participatory outcomes — that is, getting people more engaged, more active in sport and recreation, arts, culture. Around to the long-term, community strengths which are really the icing on the cake of these sorts of strategies. If we can improve the services, get people more connected but also lead to, for example, increased confidence in civic leadership, then we are starting to have a much greater effect for what were originally quite traditional types of interventions.

Again, the civic leadership is another important connection with the whole notion of citizenship and engagement in government and democratic processes. While the department is not mandated nor primarily concerned, if you like, with the focus on e-democracy, our overall strategies keep leading us to the connections that occur between the engagement in recreational-social life and engagement in civic life. That is an important dimension, and I note a number of the submissions to the committee also noted the connection between the department and these sorts of debates.

This really is a parallel discussion about the importance of having a different approach to funding locally and the importance of more consistent approaches to engaging communities; more consistent approaches to consulting, for example, on policy issues; simpler approaches to, for example, accessing grants programs; simpler approaches to reporting regimes and so on. The reason I put this slide up is, again, to show a connection between the importance of online technologies to facilitate these sorts of changes. As part of our e-grants strategy we have in place now a number of these changes — for example, being able to access information through a single web site and to apply for grants online. Often they are very simple, on-the-ground strategies that we are developing.

This is just some of the work we are doing at the moment. We would anticipate that over time other parts of government — other departments — might also adopt a similar streamlined strategy. We have reorganised our grants program so there are three main streams: one around planning and research; one around provision of community infrastructure; and one around skills and organisational support. Again, I have put this slide up because often there is a connection between the nature and capacity of local communities to use ICT as part of what generates community strength.

This is a slightly more esoteric slide which simply shows that you can understand a different approach to government by simply saying that one of our objectives is to build strong networks across Victoria. We put it up partly because it is quite different to traditional approaches that focus primarily on programs. This approach focuses on what it is that builds strong social networks — we usually add the word ‘positive’ to social networks — and how can government strategies influence the creation and sustainability of these strong networks. Again, the role of ICT is quite important in this.

This is just some data that we have produced. It demonstrates that we are now able to understand and measure a lot of this community dynamic. If you look at these indicators you will see they are all things that are very important to Victorians. They are also things which governments generally are quite interested in. We are quite interested in understanding the extent to which indicators can be influenced by the way in which government operates and allocates its resources. It really is just a slightly different way of showing what governments do, alongside mainstream services like health, education and safety.

The CHAIR— Do I understand that correctly in that it is saying people are feeling safer but there is a drop in the number of people participating in organised groups?

Dr ADAMS— Yes. The organised group one is slightly contentious in that it relates to formal organised groups. There is a big debate among researchers about the counting rules. If you think, for example, young people nowadays often tend not to join the Country Fire Authority or the Country Women’s Association; they tend to be

involved in less formal voluntary activities. There is a lot of work going on to try to capture that sort of participation as distinct from the participation in organised groups. The significance again is these are the important issues for the public and for governments, and being able to understand how to influence them is part of the department's agenda.

Again, not unsurprisingly, we are starting to understand what are some of the factors that shape the relative strengths of communities and therefore where some of the areas are and what are some of the specific types of interventions that government might want to invest in to shape these. Some of these, such as the significance of sustainable local institutions, are critical to the whole ICT debate about how you build sustainability into an infrastructure that is constantly changing and which for individuals may be relatively high cost. Often the answer is what is the connection with local institutions such as bigger community agencies, business and local government. While it is a jargon phrase, it is actually quite an important one in understanding what it is that sustains community strength.

These two final slides note the significance of ICT from the department's point of view and, again, this is not new. The first and obvious one is it actually provides direct access to services and in some cases is a service in itself where, for example, you access online education resources. Secondly, and this is in part our department's interest, it can promote local participation and connectedness. Often that is as simple as people knowing when their next street party might be on. It is that ability to use ICT as a mechanism, particularly for excluded or at-risk groups, to feel part of the local community. These are all related. Thirdly, it can be a source of important local information such as bus routes or alternatives to public transport. Increasingly, this sort of information is becoming important, again particularly for disadvantaged populations and places.

This is a simple schemer about when you think about ICT, what do you need to do to make it happen? Firstly, there is an initial infrastructure issue about cables and wires and the capacity to actually facilitate it. Secondly, there is the hardware and software and with that the maintenance and replacement issue. Thirdly, there is the skills and training of people to actually use it properly. It is the fourth dot point which is significant — that is, the ability to have people who can make sure that the purposes to which it is applied do actually connect people into their local community. We have lots of examples where you might have the first three in place but it might not be effective. It is the fourth one which actually turns the focus from the ICT itself into what it is trying to achieve. That is often what we called the intermediaries — for example, a neighbourhood house or the local sporting club that actually use it to hook into leadership programs in schools. It is the ability to understand that connectedness that is crucial to whether ICT meets its objectives.

Thank you, we will switch now to Joanne's presentation.

Ms DUFFY — My area of responsibility is government and community information within the Department for Victorian Communities. That function operates on two levels — both as a direct deliverer of information to the public and across government to improve government's information performance. For us that is a very practical connection because on the one side you are dealing with the community itself and on the other side you are looking at how government connects. You get some good, practical feedback about whether what you are doing is of value.

As David said, information in relation to things like civic leadership is necessary for people both in their daily lives and to provide them with the opportunity to participate in the community; and it is partner to the community-strengthening initiatives of the department that relate more to improving both individual and organisational capacity to participate in the community in a meaningful way. So people have the information and then we work on helping them develop the skills set to use that information to contribute to their community.

The cross-government role of government community information is around things like publishing through both our own vehicles and providing advice to agencies and publishing mechanisms and getting it right; on establishing policies around information provisions, standards and guidelines; providing research — things like facilitating whole-of-government arrangements such as AVS data and Australia Scan or undertaking research such as how cult communities access information. When networking we run a lot of cross-government groups on information-related activities — things like how people use the Internet for information, and we provide resources particularly through Information Victoria and our outreach program for agencies to deliver their programs or participate in community activities.

The direct service delivery side is essentially around Information Victoria. Again, that is things like providing a vehicle for people to present their information to the public. It is a place where people can access free information. It is the public's first point of call for information about government, to get transferred to areas in government that they need to get to. It is providing actual retail functions for government legislation — publications, maps, those sorts of things; and increasingly information from other jurisdictions such as local government and the commonwealth, particularly now the commonwealth is not so centrally organised in that function.

There are some other peripheral community activities like community history awards which are focused on encouraging people to be involved in their community and to share information about their communities, and that is a key project in community strengthening. One of the things that has been identified as helping people to connect to their community is to look at where it has come from and where it is going and at how all the pieces fit together.

We have a significant outreach program, bringing information to rural and regional Victoria, and increasingly there is a use of ICT in that process so we can have an ongoing relationship with people in those communities. We send people out regularly. We have quite a large program of visits to libraries, local government electorate offices, local service groups. We will talk to anybody who wants information about government and explain how to connect, where the information is and how they can make the best use of it.

More recently we have had what we call the government point service network, which was a policy initiative from this government from 2002 to look at the one-stop shop concept of access to information services and information more generally. Our initial phase of that was a pilot with Bendigo Bank where we put in a self-help PC, effectively, and phone connection in small Bendigo Bank branches in regional Victoria. One of the key outcomes of that, which reflects the evidence that Randall presented yesterday about peoples' take-up of ICT in their homes, is that it works in very small communities where there is either very expensive or technically difficult access to the Internet, so if we have to put up a satellite you would find it in that community. Very few people have decent access to the Internet, so some sort of central function actually works for them. Over time we will have to change the model because those people will be connected, and then we will look at ways of doing it differently. In relation to government information products generally, the process is a very active one. Information provision is part of a broader activity and it needs to be linked to contact points and associated programs.

The next model, the circular diagram, is the guideline we use for helping agencies to create and deliver information products. Increasingly you find that information is produced in an ad hoc manner as an adjunct to either policy or program work, so the people developing information products are not necessarily expert in that field, and our role there is to provide tools to help them do it in the best way they can. As you will see from the diagram, it is circular, but it is very much based on an interaction with the communities that are to be the recipients of that information. The information environment itself is an especially dynamic one. It is constantly changing, evolving, developing, and I think the ICT example is a classic case of that. As people's needs and capabilities change we need to change the approaches we have, we need to stay aware of what is happening in relation to tools that people can use to access information and to use information, and to respond in a timely and appropriate manner. A significant amount of work is taken to try to stay ahead of the game.

I thought it would be useful to highlight the example of Central Station, which is the whole-of-government intranet. It is one of the ways we use ICT to improve government's information performance. It is something of a back-of-house function, but unless you get the underpinnings right what happens at the surface is not effective or is inadequate. Increasingly the intranet is being used a valuable tool for connecting across government rather than simply as a way of presenting information. The use of intranets across agencies has traditionally been as an information provider internally for things like HR news and pay packets and things like that, but there is still a pressing need for cross-departmental services. What we are finding, particularly as government is changing its approach, is that it is more one of moving across agencies rather than through silos.

The need to provide mechanisms to connect and to share across government is increasing, so Central Station's role is generally that it delivers a broad appropriate range of information. Departments use it to share information. It is a way of people finding out what is happening in other agencies that duplicate work, and hopefully that leads to a better service to the community because people are better informed. You probably recognise Central Station because it is available in Parliament as well, and that is just what it looks like.

In relation to information resources, there are all the traditional things you would expect to find on an information site. We have worked particularly over the last year to make it more self-managing so it is easier for people to use,

and if you increase the ease of use it means that people will use it more so it has more value. The main change over the past period was the addition of what we call the communities function, which represents an opportunity for people across government to work together online. It is a bit like a new version of the old Quick Place, which was a quite complex and technically difficult approach to sharing work across a number of agencies. This one is based on a no-training-necessary and anyone-can-use-it basis. We have divided it into three levels of access so you can have a public group — if you have an issue that you want to share with anybody, you can say, ‘Here it is’ and anyone who wants to participate can; closed groups where the title is there and if you wish to participate you can apply; and also fully private groups. There are some matters across government that agencies wish to pursue in an arena that is not visible and they can do it on this vehicle.

The next stage, which is a particularly exciting one in relation to what DVC’s main aims are, is extending that model into extranet capability so that people and groups within departments can engage with the communities that they are working with outside government in an online collaboration. In our department some particular examples of that would be the community capacity building projects, and there are I think 10 of those across Victoria where those groups have been funded to develop local capacity for engaging in their communities. This will provide an opportunity for them to work with the people in our department and other departments who are part of that project to collaborate online.

I guess the general message is that we rely heavily on ICT and are using it as an enabler for the work that we want to do. We do not lead the agenda by any means. As our submission said, we rely on the leadership of the ICIO for our within-government role and MMV in relation to how we engage with the community in an ICT capacity, but we are particularly interested in being part of the ongoing debate because of our heavy use of ICT as an enabler for us to produce our agenda.

The CHAIR— Could I refer you to pages 34 and 35 of your submission which shows a chart headed ‘Core indicators of community strengthening’, and item 4 ‘Do you feel that there are opportunities to have a real say on issues that are important to you?’. On the bar chart that is well down. Could I ask you to comment on that?

Ms DUFFY— I would say that is one of the motivators for the creation of the department. Its role is to look at issues that will address that particular situation. The community-strengthening programs in the department have a strong emphasis on improving the capacity of local communities to participate, and one of the things that was discovered early on through the community building projects, when community building was still part of the Department of Premier and Cabinet, was that people to a large extent were reluctant to participate because they did not feel they had the skills or that they knew what the mechanisms were; they felt it was divorced from them. So a key aspect of that community-building agenda was to try to redress that, and hopefully we are making some progress.

Dr ADAMS— There are two other observations from a research perspective: the first is that we now understand that most of the research and measures around so-called social capital are done on a population basis — that is, a sample of the Victorian population. What we also now understand is that increasingly where you find effects from changes in government policy, they tend to be localised more than population wide. What I mean there is that while there are macro trends over time that are driven by demographic and socioeconomic and other factors, most of the so-called social capital effects are seen to be related to local level interventions, hence the ability — and it is an important public policy question — to shape on a statewide basis any of these sorts of indicators is quite a high bar. The ultimate objective would be to understand sufficiently what the drivers are to change them. As Joanne said, on a local basis it is not all that difficult to shift these indicators, but on a statewide basis the interventions that might be required and the costs of them are still things we are learning about.

The CHAIR— Last year when we were in the United States and Canada we saw an example in Canada of government engaging the community in the decision-making process. There was a Canadian parliamentary committee reviewing what they call their pension scheme, by which they meant a scheme for people with disabilities, so it was not an age or superannuation scheme. They conducted that inquiry very heavily online as a way of engaging people with disabilities, which enabled them to participate in a way that would not have been possible if they had had to come to Ottawa. Have we got examples of that in Victoria? Are we at that stage in Victoria?

Dr ADAMS— I am not aware of other departments that may have such strategies. Certainly in DVC we are developing a strategy in relation to youth, given the significance of disconnection of young people from

mainstream experiences. Increasingly that has become a focal point and we have youth as one of our responsibilities. Again, there is no doubt that online strategies can work. The question is always: what is the cost benefit of the investment and what is the specific purpose of the investment? As members would be aware, Canada and the United Kingdom have invested quite heavily in online technologies to address very specific issues, such as family violence, and they have been seen to be effective, but there remains debate about whether it is the most appropriate strategy for governments to invest in. It is fair to say in Victoria as well as in other jurisdictions in Australia that governments are looking at these sorts of options.

The CHAIR— Where would you see there currently being gaps in ICT services?

Dr ADAMS— Again, because we are only marginally connected with ICT infrastructure — that is, as it relates to community-strengthening strategies — I can only talk about where we might observe them in relation to our portfolio objectives as distinct from whole of government, and some of these are not unusual. There are some types of communities where access to ICT and the existence of ICT infrastructure is below that of the norm, particularly again associated with the disadvantaged population groups and with particular places. It also relates to the point I made earlier about while there might be good technology in some places, good training and skills and good maintenance, the existence of processes to use the technology in a way that strengthens communities is sometimes a gap — for example, putting computers into kindergartens. If you put a computer into a kindergarten the effect is you have a computer in a kindergarten. Whether it can be utilised to better connect families who might not access kindergartens or to strengthen the relationship between the parents and the kindergarten depends very much on the relationship that has developed between the people involved and not primarily on the technology, and understanding that relationship is one of the gaps.

The CHAIR— What is your understanding of the various responsibilities in the Victorian government for electronic democracy — your responsibility to the chief information officer, responsibility for multimedia, VICNET?

Ms DUFFY — I suppose it depends on the definition that you put on electronic democracy. E-government is a responsibility of the OCIO; MMV's responsibilities are around the broader macro-economic ICT environment in Victoria; the CTO looks at implementation of what comes out of the OCIO. I would think that in relation to e-democracy you are probably looking at the Parliament involvement there. Our interest is around things like using ICT to improve our consultation, for instance, which I think is a priority with all government departments, and to improve our service delivery and our internal working.

The CHAIR— In asking that question I was trying to distinguish between e-government and e-democracy. So where you refer to the CIO as being responsible for e-government, does the CIO also have responsibility for electronic democracy?

Ms DUFFY — I would not say so. You would probably have to ask them when they come along a little later. I think the general understanding of the term e-democracy in the public mind is related to Parliament and voting and elections — at that level of government — which is essentially a matter for Parliament rather than the public sector.

The CHAIR— Certainly it would be if the proposition was, 'Shall we have electronic voting on the Internet or ...'. That would be presumably the responsibility for a government or Parliament with taking advice maybe from bodies like these and obviously the findings of this inquiry. But what I am trying to flesh out is: as government agencies and departments consult over policy, how do they engage the citizens? Are they engaged successfully?

Ms DUFFY — From our perspective we would say that it is a shared responsibility, that all government agencies and those who lead this field in government are interested in pursuing opportunities in that field. The Office of Chief Information Officer has a particular responsibility in relation to delivering e-government but all i@ agencies have a responsibility to engage with that agenda in relation to their own services and their own constituency.

Mr LOCKWOOD — You were asked if it were successful, and you have not answered that. The Chair asked if the process was successful. You did not answer that part.

Ms DUFFY — I think it is working quite well, yes. There is a high level of collaboration between departments and the OCIO. The OCIO is a fairly new organisation and it has a very large agenda in relation to delivering effective and efficient ICT services for government. That is where advice to government on investment in ICT will come but it is up to departments to put their case around the mechanisms that they think are valuable for them. I think that relationship is working well. It works well in our case.

Mr LOCKWOOD — You talked about e-democracy and consultation. I see consultation as part of e-democracy but you did not seem to think so. You do not see it that way?

Ms DUFFY — Sorry. I was simply reflecting what we see as the public's interpretation of the word 'democracy'. Certainly we have an interest in encouraging people to contribute to decisions that are going to affect them. One of the focuses of DVC is to look at facilitating decision-making at a local level based on local needs. That is an interactive process. So to the extent that that is defined as a democratic process, then definitely.

Mr LOCKWOOD — That would be fairly fundamental. Lots of people are trying to insist that they be consulted more often on various things at various levels of government. You referred earlier to normal levels of ICT connection and some communities having below normal level. What is the normal level of connectedness in our communities?

Dr ADAMS — I do not think there is an agreed level anywhere internationally. It depends much more on the purposes to which the connectedness is applied. For example, I mean particularly for disadvantaged populations the use of ICT technology to promote better educational participation, retention, and completion is a more important objective than for example the extent to which families might use it just for recreational purposes. So there is not an agreement made internationally that jurisdictions should aim for in terms of connectedness.

What is emerging is a recognition that certain types of connectedness are increasingly important in order to meet objectives. Again I use education. Increasingly education has an online component and increasingly there are expectations in schools that children will have knowledge of and access to computer technology at home; hence the important public policy objective of any government is, 'What is the appropriate role of government in terms of supporting home-based technologies and relationship between home and school?'. All we have at the moment are a lot of examples of different jurisdictions developing different objectives and different levels of investment in that area. What is known is the importance of the connection between access to online technologies and better retention, participation and completion rates.

The CHAIR — Whose responsibility is it to bring all that together? Are you saying these are different projects and initiatives in the examples?

Dr ADAMS — At this stage apart from the role of the OCIO, which is a matter for them, individual departments have program responsibility where it interfaces with ICT. As Joanne noted, where there are common objectives, common populations, or common places then departments will normally work together but otherwise it is on a program or department-by-department basis.

The CHAIR — Do you see the opportunity for your department to take a greater role in developing school skills and changing the culture?

Dr ADAMS — It has certainly been an issue that has been on the table. That is primarily because of our department's mandate to focus on public policy through the lens of people and place and in particular where interconnected objectives and departments come together and where service delivery comes together — in other words, where there is a common issue across departments, where there are common objectives and common delivery. An example would be delivery through local government or a community agency. Then we have a mandate to look at where the government can work better and how it might strengthen communities. The extent to which the whole issue of ICT falls into that category, we have an interest in it. To date our focus has been on understanding what happens locally and our capacity to influence what we are doing within our own department and the interfaces with the major issues in the other departments, not a whole-of-government-approach. That would be a matter for the government and the OCIO.

The CHAIR — Say something about your work with local government.

Dr ADAMS— We have a traditional role with local government in terms of the administration of the act and the regulatory role. But we also have a developmental role with the government. One of the issues around the international evidence on community strengthening is the importance of local institutions — that is, entities that are democratically elected, general purpose, close to the people and sustainable. Local government in principle jumps out as being one of those entities. Therefore we have an interest through the community-strengthening LANs. We also have an interest through the joining-up LANs in that frequently local governments are at the coalface where multiple departments come together around an issue and in many cases local government is capable of being more involved in planning and delivery. An example of the issues that we are all familiar with is the multiplicity of local government plans, many of which are required by government departments. One of the things we are looking at is whether there is not a more sensible approach to the number of plans required and the way in which governments work with councils around at least the planning side of things.

Mr PERERA — Do you have an opinion of the value of New South Wales community building web site model?

Dr ADAMS— I am reasonably familiar with the web site. The two or three things I would say are just a personal opinion, as distinct from a formal opinion of the department. First of all it was ahead of its time in the idea of using it both as a network for providers as well as a network for users. That is an important distinction with their web site that it was actually used to connect up the people working in community building as much as it has been to connect those who were actually engaged in community building on the ground. There have been debates about the various departments involved in the web site and the extent to which those sorts of web sites are better owned and operated by community-based organisations as distinct from government departments but overall — and I think this would be a view from people in the field around Australia — the community-builders' web site has been a largely successful enterprise and that has showed us quite a lot about what to do and what not to do around community-building strategies.

Mr PERERA — You do not think it should be emulated in Victoria?

Dr ADAMS— It is something that has been considered. Given that they were some six or seven years ago before they thought of it, we are really at the early stages of looking at what is the best way to join up both the providers around the community-building services and those who are on the ground doing it, and we have got a number of pilots under way. Joanne mentioned the ten statewide flagships we have got at the moment. All of those have an ICT component and as the evaluations of those are completed we will look at whether we could develop a broader model. So there are a number of pilots in train that are looking at how we might do this in Victoria.

The CHAIR— Can you flesh that out a bit; take one of those as an example and flesh out the ICT component?

Dr ADAMS— There are two ICT components. One is how do you make sure that from the government, or if you like the institutional side, all the players are connected? Part of the web role is to make sure there is essentially an online clearing house function for the various departments that might be involved in jointly planning and funding these projects. Then on the flip side there is the connectivity of all the parties that are involved in the community-building project. I do not have one with me but I have an example of what that looks like when you get multiple agencies coming together around common objectives. This is just an image, and it is a public document, of what Whittlesea council has done around a single human services plan. So the same concept with the community-building project should have a single plan around community strengthening. You bring all the partners together. Where possible you look at pooling your resources; you look at a common governance arrangement. So there you can see that the connectivity side of this is quite significant and it is a different way of operating to actually have a series of partners coming together around common issues.

The community-building project is basically the same sort of logic, so you need to connect up the governance level and resourcing level electronically, as well as those engaged on the ground. That is what we are testing. Then the important question that New South Wales asked is: 'Should and can that be elevated up to a statewide resource as distinct from a series of local resources?' That is one of the challenges we are looking at at the moment.

The CHAIR— Historically in Victoria we have looked to VICNET to do a lot of the work— for instance by Connected Communities. I do not know if you have had a look at the submission from the Monash University's

centre for community networking research which highlighted some issues. Would you like to comment on whether in your view VICNET has lost its focus or whether there is a need to refocus VICNET?

Ms DUFFY — Firstly, VICNET has done an excellent job over the years.. The My Connected Community component is particularly successful. I think it is fair to say that the environment has changed significantly from when VICNET was created to today. I understand that there was a review on the future of VICNET and what its core functions will be.

The CHAIR — Who was that review by?

Ms DUFFY — That was by the OCIO, in the Department of Premier and Cabinet late last year. I do not know what the outcomes of that review have been. Personally I think there is probably quite a bright future for the parts of VICNET like My Connected Community that actually offer that sort of service to people in communities.

Mr PERERA — Do you have a view on new electronic software employed for freedom of information applications, like exempting deletion of information?

Ms DUFFY — I really do not know enough about what that would be to pass a reasonable comment.

Dr ADAMS — Neither do I.

Ms DUFFY — I think in theory the idea of being able to access a freedom of information process electronically seems a reasonable one. What that would look like practically I do not know.

The CHAIR — Do we currently have the capacity within the state government to do online consultation? Do we have the policies in place, the necessary skills with public servants, and a clear understanding of whose responsibility it is?

Ms DUFFY — That is probably a matter of layers and depends on the complexity or sophistication of the consultation process. In our submission we mention the ‘Have-your-say’ trial at the Department of Premier and Cabinet a little while back. The area that was not clear when that trial was undertaken was the process and protocols for managing the outcomes of the consultation process. Technically it is quite a straightforward process. There are lots of models in place. There are departments using online consultation mechanisms for very simple things such as Youth Central’s simple question-and-answer mechanisms, such as, ‘Do you think there should be more skate ramps?’. They pose those sorts of questions and then they provide a response: 60 per cent of young people think that there should be more skate ramps, or whatever. I am not aware of anything at the level of the original ‘Have-your-say’ trial which was a real-time publicly accessible commentary on a public policy issue. I am not aware that there is a robust policy framework around how you deal with that situation.

Dr ADAMS — I think that there is an important point here about the capacity for online consultations around specific issues and programmatic issues. It is quite high. The question you have raised about whether or not the capacity is there statewide is quite a different issue, so there is a high level of capacity at the program and issue focus within a portfolio, for example. Most departments have and are implementing that capacity and have the requisite skill set. It is a different question when you are looking at whether the infrastructure is there to manage such a process for a statewide consultation on a whole-of-government issue for all Victorians.

The CHAIR — If a minister announces an inquiry into a policy or legislative area does his or her department in providing the advice automatically build in an online consultation?

Dr ADAMS — We can only speak from our portfolio point of view. The answer is that it is an option that is considered in almost all cases now. Again it partly depends on the difficulty and the nature of the issue in terms of whether online consultations are utilised along with a raft of other mechanisms that are available, in particular the more traditional submission-based approaches and face-to-face contact type consultations.

The CHAIR — I want to return to a question I asked earlier about the interest, capacity or appropriateness of your department taking a greater lead in online consultation. I am aware, for instance, of your department’s work on the community building program. My own electorate has had one such project. If we are to have a Department for Victorian Communities doing that sort of work, it seems an obvious question to be asking whether or not the department should also take the lead in online consultation or at least a greater role in it.

Ms DUFFY — In terms of the principles around engagement, consultation and connecting with communities, there is probably a role for DVC because that is our primary remit — engagement with communities. But there is a very large component of that solution around things like infrastructure and how government utilises ICT and its investment in that capacity, which fits more with the role of the Office of the Chief Information Officer. Probably with most of these things, as technology is an enabler, then agencies with an interest in utilising it need to work in partnership with the OCIO so that both of those objectives are met.

Mr PERERA — Do you think neighbourhood houses play a big role in online consultation?

Ms DUFFY — Traditionally neighbourhood houses have been a fairly important point of contact in local communities. It would probably depend on the sort of consultation you were doing, the issues you were wanting to consult about and the groups you were wanting to connect to. Probably with our department it would be an option that would be investigated in relation to any online consultation that was proposed — to see whether it was an appropriate gatekeeper.

Mr PERERA — What is your view on Men in Sheds?

Ms DUFFY — They look really interesting. It would be the same. Our experience is that there is a very strong role for gatekeepers, mediators and advocacy organisations in local communities to work with the community and with government to try to get people involved and to support them in that involvement.

Mr PERERA — At the moment do you have a lot of interaction with Men in Sheds?

Ms DUFFY — In terms of my organisation, I do not think so. Our outreach team is out in the community constantly so they may have worked with them in relation to giving talks and providing information and so forth, but I am not aware that they have.

Mr PERERA — Do you think it is useful for improving connectedness among men or imparting knowledge from older men to younger men and vice versa?

Ms DUFFY — Yes.

Dr ADAMS — I was in Cape York last year with Noel Pearson, and we were astonished at the extent to which a number of the indigenous Cape York communities had adopted technology to transfer their indigenous history, and how engaging it was for young people who, as Noel pointed out, were not that interested in traditional ways of understanding and recording history, but were absolutely fascinated by the capacity of modern technology to become the new medium through which indigenous history and culture is understood and transmitted. It is not something a lot of us would initially have picked, but it shows that the potential for information and communications technology in a whole lot of areas is still not well understood, and the transfer of knowledge and values from one generation to another is something that we still do not properly understand in the same way as we still do not properly understand, for example, the new medium of SMS texting as a source of important judgments for young people. In other words, it is a type of community that we are only just beginning to understand, and these are important public policy issues that all governments will be dealing with in the future.

The CHAIR — We were provided with similar information in North America about some of their indigenous communities, and there was a passing reference made at our hearings yesterday. Do you know of any work being done in Victoria with our indigenous communities?

Dr ADAMS — If there were not some going on locally, I would be surprised. But it does also relate to the question of the neighbourhood houses and what the Monash people call ‘The Intermediaries’. That is that fourth category that I noted, concerning support and connectedness with online consultations. For most ICT connectedness to be useful it needs intermediaries, and again the Noel Pearson view was that it was the teachers, in this case, who were the intermediaries between the technology and the indigenous children, and their histories. It may well be in the future that very local institutions like neighbourhood houses become more important — as everyone has access to the technology — as the intermediaries make it interesting, engaging and a productive form of consultation.

The CHAIR — Does your department’s web site comply with World Wide Web consortium standards for people with disabilities?

Ms DUFFY — I believe so. The departments web site still has links and leftovers from original web sites. I know the new home site was developed in accordance with World Wide Web consortium guidelines.

The CHAIR — Is there anything else you would like to say about people with disabilities accessing Victorian government web sites?

Ms DUFFY — I understand that people with disabilities are a key target group for the second wave of the Connecting Communities program. I would assume that that issue is taken up within that policy framework. We do not have a particular role in web development from that perspective, but we will comply with whatever comes out of that process.

The CHAIR — We will wrap it up there. Thank you very much for your attendance this morning, and in due course we will provide you with a copy of the transcript for your perusal.

Witnesses withdrew.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

Melbourne — 17 February 2005

Members

Mr A. R. Brideson
Mr M. A. Leighton
Mr P. J. Lockwood

Mr J. Perera
Mr M. H. R. Thompson

Chair: Mr M. A. Leighton

Staff

Executive Officer: Mr A. Homer
Research Officer: Dr P. Chen

Witnesses

Dr S Hodgkinson, deputy chief information officer, Office of the Chief Information Officer; and
Mr M Bini, assistant director, government branch, Department of Premier and Cabinet.

The CHAIR— Welcome to Dr Steve Hodgkinson, the deputy chief information officer and also Mr Marco Bini, assistant director, government branch, Department of Premier and Cabinet. Anything you say to this committee is protected by parliamentary privilege, but if you say anything naughty outside this room it will not be covered by parliamentary privilege. In due course our staff will provide you with a transcript and you will have an opportunity to correct any inaccuracies, but it is not an opportunity to rewrite the way in which you said it. It is my intention to ask you to make a presentation to the committee and I am sure that will be followed up by questions from members.

Overheads shown.

Dr HODGKINSON — I am Steve Hodgkinson. My current role is deputy chief information officer and I have been in this role for 18 months. Prior to that I was the director of e-Government strategy and policy within Multimedia Victoria, and I believe you had a presentation from Randall Straw yesterday. I will present a perspective on the role of the office of the CIO and how that touches on issues of e-democracy, and also some specific activities that are under way which will set platforms in place to enable some e-Democracy initiatives. Would you like to take questions during my presentation or shall I just present?

The CHAIR— We will allow the presentation to proceed unless there is something not clear in it, but I would prefer to hold the questions over until later.

Dr HODGKINSON — In terms of context, the span of e-democracy and its content is well elaborated in your working papers. The office of the CIO has a focus on a particular part of what you might regard as the e-services and e-government spectrum. In particular, our focus is currently very much around the notion of e-services and the enablement of e-services provided by government. I will talk a little bit more about the difference between the role of the office of the CIO and the role of Multimedia Victoria in this regard. The focus of the office of the CIO is on innovative use and management of ICT within government to improve services for Victorians and to improve the way government works.

I will go back to how we got an office of the CIO. The origins of all of this came about during the late 1990s when there was a program called Government Online where the focus was all around putting government services online, essentially for the first time. Throughout the 1990s, and particularly in the late 1990s, there was an intense burst of activity to put government services online. In Victoria this led to targets to have a certain number of websites created by certain dates, and at the end of that program a very large number of online services were created. There were 350-plus web sites and as many as over 400 web sites, depending on how you count them. There were hundreds of thousands of webpages and online services in terms of tenders, forms etcetera. It substantially met the target of online services by a certain date. I can characterise that agenda as a ‘more-is-better’ period.

Government is a very complex organisation and the outcome of that activity was an online representation of the complexity of government: hundreds of entities represented by hundreds of web sites, thousands of programs and services available online, and the confusion of federal, state and local government in terms of what is provided. In that mix there is a constant changing of structure and names. So the outcome of all that, shown through surveys et cetera, is perceived by most citizens as a very fragmented, difficult to understand, inconsistent online space. In that space people have an expectation now from the private sector and dealing with banks and other organisations that it should be easier to deal with larger organisations online. In particular it should be easier to interact with government online.

In 2002 a policy document was created called *Putting People at the Centre*, which you will be familiar with, which has as its aspiration — coming out of that government online era — a more fundamental transformation of what is going on enabled by ICT. The vision statement of assisting Victorians to meet their everyday needs through ICT. The four pillars of *Putting People at the Centre* drive at substantially improving support and services, providing better community engagement through effective democracy, using innovation to do things better and creating a framework for reform within government. So really the two key thrusts coming out of that are better services and reform of government enabled by the power of ICT, and along the way better community engagement.

How might we categorise this in terms of the evolving maturity of the way government uses ICT? This curve was put forward by some academics — Nolan and Norton — in the late 1970s to show the dispersion of computing technologies into large organisations. They charted it as going through these waves of initiation, contagion — which is where we have come out of the government online phase — to a period of widespread adoption driven by

technology opportunity meeting business need in a largely decentralised manner. They charted this phenomenon of the curve flattening off once you get all that stuff out there because it is not quite starting to hang together, people start worrying about the cost of it, efficiency and quality, and we have a period of recentralisation where the huge rate of growth has to slow down in order to make stuff hang together a bit better in order to climb up the next part of the value curve where we can start talking about standardising things, integrating systems more effectively, sharing information and genuinely transforming services enabled by technology.

This evolution is characterised in many different industries and technologies and the path that we have gone through from government online towards the aspirations of putting people at the centre can be characterised in this way. The issue we have right now is that it is very difficult for government to contemplate the broader government aspirations of sharing information, joining up services and reforming service delivery without taking some time to put some checks and balances in place, more controls, more standardisation and more policy in order to get the various pieces to hang together. That led to the thinking which established the office of the CIO, and also in the context of looking at the way government operates and the managerial challenges created by the structure of government. It is easily characterised as the major silo departments each providing their individual and discrete outputs to citizens in their individual and discrete ways and creating this fragmented service delivery pattern that we talked about before.

There are opportunities to add value from the centre in the structure and there are three main areas where the foundation thinking for the office of the CIO is focused: firstly, on establishing better common and shared infrastructure to support these different departments and agencies of government where they have common needs; secondly, trying to get more control and organisation of the electronic front end of government in terms of the way it is presented and the capacity to coordinate and integrate services more effectively using ICT; and thirdly, to look at those functions and activities of departments and agencies which can and should be standardised because they are essentially all the same and they are currently duplicated just because that is the way they have emerged with the restructuring and the way government has organised itself.

So there are areas which are in a sense hygiene factor things from a service point of view because they are in the back room to do with each HR system, finance system et cetera, where there are significant opportunities to both improve the way that government functions and reduce costs by more coordination from the centre. So there are three areas of focus that the office of the CIO is focusing on adding value: the infrastructure, the front end of government and those common functions. All of those have an ICT character to them, and all of those require the notion of an enterprise perspective, so changing the culture of the way these things are thought about and managed away from departmental silos and towards more recognition of the value of cooperation and an enterprise view of IT.

The role of the Office of the Chief Information Officer has four key platforms: advising government on matters of ICT strategy and investment and the whole idea of taking a portfolio view; better planning and coordination of ICT projects; the notion of creating a town plan or an architecture; specifically increased sharing and reuse of standardised infrastructure —building the share utilities in the town— consolidation of data centres; sharing of corporate applications and also driving a transformative agenda and stimulating innovative new ICT projects and opportunities. That ordering is actually conscious in the sense that going into the thinking about how putting people at the centre might be implemented the inclination was to say that the primary focus is the transformative agenda and the new services that can be created. The issue there is that in the main the way we manage technology is a huge potential barrier to doing the things that we want to do, because we need to take a portfolio view, we need to get the town plan and we need to build those shared utilities in order to support the capacity to do things more innovatively.

I come onto the separate roles of the Office of the Chief Information Officer; the chief technology officer (CTO), and Multimedia Victoria. Essentially I used to run e-government strategy and policy within Multimedia Victoria. What has happened is that that agenda, the internal use of ICT by government, has been taken out of Multimedia Victoria and scaled up and put into the Office of the Chief Information Officer within DPC. What is left in Multimedia Victoria is the agenda that Randall talked about yesterday — implementing the various policy platforms, which are focused on the external use of ICT; the use of ICT by Victorians in the community, whereas the offices of the CTO and CIO have focused on that internal agenda; the government's own use of ICT; the CIO having the investment advice strategy infrastructure standardisation and innovation role — effectively, that is strategising — and the CTO having the delivery of projects role in terms of managing whole-of-government contracts, delivering major projects and operating centrally operated infrastructure.

The CHAIR— I might interrupt here with a question. Are you saying that CIO does not have responsibility for e-democracy?

Dr HODGKINSON — I come back to how we define the threads of e-democracy. At this point the responsibility is divided in a sense between Multimedia Victoria and the Office of the Chief Information Officer, and it all depends what you are talking about. If you are talking about, for example, the whole issue of community engagement and the establishment of resources in the community to enable people to access the Internet and get online, that is clearly a Multimedia Victoria responsibility — it is more about the use of ICT by Victorians than about what government does with ICT. If we are talking about — to go back to that slide at the start — things to do with e-voting, it is not something that the Office of the Chief Information Officer has any policy involvement in. Things to do with the infrastructure and tools that government creates and how they are managed are squarely on the Office of the Chief Information Officer's agenda.

The CHAIR— If a minister announces an inquiry into a policy or legislative matter, to what extent will their departments routinely build into that online consultation? If they decide that they want some advice, will they go to you or will they go to Multimedia Victoria?

Dr HODGKINSON — At this stage they would probably go to both. The advice that we would be giving would be restricted to matters of how to go about it technically rather than whether to do it or how to do it in terms of consultation. The reason is that how to do consultation — disregarding the use of technology to support that — is a core function of the portfolio agencies, and they have expertise in making consultations and policy development et cetera. The Office of the Chief Information Officer does not have expertise or involvement in those processes.

The CHAIR— So are you saying that you would restrict your advice to matters like: technically this is how you can design a form online that can then be submitted, and providing that sort of technology?

Dr HODGKINSON — Yes, and, once again the departments also have their own IT departments and competencies in the running of systems and the development of web sites, so they would within their own departments have the expertise to do with the running of consultation and policy development and also the construction and development of web sites. So the areas of value-add to the Office of the Chief Information Officer is seeking to play in are those areas where we can support or complement the activities of the fairly autonomous departments by focusing on those things which are common and shared across them and specific areas where there is perceived priority to fix an issue. So we have not actively — I will talk a little bit more about this — been working in the areas of e-democracy above the space of e-services and the technical construction of the infrastructure at this stage.

Mr PERERA — If a department wants to buy a particular piece of software, would it go ahead and do it or would it contact you?

Dr HODGKINSON — We will talk a little bit more and then I can come back to that question at the end, if you would like?

Mr PERERA — Yes, that is fine.

Dr HODGKINSON — The roles of the different offices are reasonably clearly delineated but there is overlap, which needs to be coordinated. The simplest way that I can articulate it is as I have done here. The CTO and CIO are focused on government's own internal use whereas MMV is focused primarily on use of ICT by Victorians. As I mentioned at the start, there is a spread of things that you might regard e-democracy as being about, and I made the point that the Office of Chief Information Officer is at this point focused very much on those bottom issues to do with e-services and e-government. The rationale for that is primarily that a key element of the whole sort of faith of people in government is the capacity to access information and services when they need it and increasing the use the Internet. Our view is that this is our primary focus in terms of these debates until there is clarity regarding some of those other issues, which I guess is the role of this inquiry.

The CHAIR— How would you define e-Parliament, just looking at that last slide — presumably things like webcasting —

Dr HODGKINSON — Yes.

The CHAIR— Would you see e-petitions as a subset of e-Parliament?

Dr HODGKINSON — The terms are various. I would define e-Parliament as being the broadcasting of parliamentary debate. A crucial element of getting the basics right with regard to that online services agenda is the whole issue of improving the quality of the way we deliver the online interface of government. The huge issues that have been created out of the government online agenda so far are all created by a very fragmented approach to managing this.

It is characterised as ad hoc, and web site and online services come about in many different places for many different reasons. They have tended in the past to be highly specific to individual programs or departments and agencies with no consideration of how they interact and interrelate. The whole concept of a thousand flowers blooming — it is fragmented and inconsistent in terms of their look, feel and character; the notion of a sort of cottage industry — small companies are developing web sites; they may be developing one or two web sites, and those web sites may be hosted in small companies; the whole notion of having a priority at the time to support a program or a service and to just bung up a web site and work out what happens to it in the future, has led to the situation we have today. Also combined with that, not marketing those and not having a clear strategy for how we will attract traffic to those web sites has led to a situation where the character of it is underinvested, undercosted, underutilised and difficult for citizens to find and use.

The whole concept of what we are trying to drive is: fewer, better, more strongly marketed, more easily found and more frequently used online services by making them more planned, designing citizencentricity in from the start so that there is consideration of how an individual service relates to all the other services that exist, improving the quality of those, having them driven by the executives rather than the grassroots, needing a business case, needing to get approvals et cetera, and looking more fully at the life cycle of those things.

Targeting the basics in that issue is a major part of the programs of the Officer of the Chief Information Officer through some initiatives that I will quickly talk on. Firstly, in the area of making it easier to access quality government services, a new portal, Victoria Online, has been launched; a program of web site rationalisation is under way and there is a program for improving the way web sites are managed. In the area of making it easier and less costly to provide online services, there are new approaches to web site management and governance, which I will talk about, including the whole issue of architecture and standards, shared ICT infrastructure to support these things, a project called Rosetta to create a new directory infrastructure for the authentication of people using services, content management systems to standardise the systems used to create and host web sites, shared hosting arrangements to avoid fragmented little bits and pieces of web sites everywhere and a lot of work in driving communities of practice to share information around all these things.

In the area of mobilising innovative new online services I highlight the Victorian Business Master Key, which is a project I will talk a little bit about. It is a sign of the way things will be in the future rather than the situation we have today. You have probably seen that Victoria Online is the new government portal which provides better discoverability of government information through indexing and metadata tagging of information which has had a librarian-style focus to it to index material properly and has proven to be very successful.

In terms of web site management, there are new governance arrangements which have been implemented within departments and agencies. There are mandatory policies and standards for online services being created. Some have been created, and more are in progress. There is a tender in the market at the moment to purchase a standardised content management system for all of this stuff, and there is a lot of activity around sharing good practices, reusable elements et cetera. The whole notion is to say that anything to do with online services in the future has to pass the test of a business case — it has to explain its audience, what it is doing, how it is going to do it — it has to be compliant with standards — the reuse standard infrastructure — and then it is subject to whole-of-government monitoring in terms of reporting of usage rates: who is using it and why, whereas in the past virtually none of that happened.

In terms of standards, I noticed one of your questions was on the approach to, for example, accessibility standards. Accessibility is one of a portfolio of priority standards which are being developed. The process for developing these is that the Office of the Chief Information Officer facilitates the creation of a draft standard and then works that through all the departments and agencies for as many months as is required to knock all the edges off and turn it into something that has had the impact of its implementation assessed and is capable of being agreed as a mandatory standard.

Those standards have already been agreed on as the basis for discoverability, content approval and review, legal compliance of web sites and privacy and accessibility, and policies and standards are in development for recordkeeping which is principally compliant with the Victorian Electronic Records Strategy legislation and for making sure that elements of the web sites are consistent and that a no-name policy is clearly understood. Information architecture is one of the most crucial issues which concerns the organisation of information within government web sites so that people can find information more easily and there is a consistent logic to it. There are certain minimum things that must be in place on all web sites, and there are processes for making sure that when online services are created— given that they create a cost to government which is ongoing — that there are processes to monitor usage and determine when that cost is no longer worthwhile.

The CHAIR— Just before we move on from that slide, there is a specific area I want to ask you about. I understand you to be saying that from now on any web sites have to comply, for instance, with World Wide Web consortium standards of accessibility for disabilities. What is the current situation with government web sites— those that have been around for a while?

Dr HODGKINSON — There is a great variety of degrees of compliance. Under the web site rationalisation project, which is a project being run out of the strategic communications branch of DPC, one of the things they did last year was an extensive review of web sites and looked at web sites which should be removed because of combination of factors to do with lack of compliance with policies, lack of usage, no clear purpose and being historically redundant. So there has been a major housekeeping exercise done, and all departments are working under a program to remediate web sites that do not comply. In the main, compliance is actually quite good today after all that effort.

The CHAIR— So is there an audit being done?

Dr HODGKINSON — That characterised an audit, so it has been done. As I said at the start, there is the notion of mobilising new online services. I mentioned as an example of that the Victorian Business Master Key, which has been gestated— dare I use that word— in the Office of the Chief Information Officer and is being implemented within the Department of Industry, Innovation and Regional Development. It is an example of the new breed, if you like, of online services which specifically aim to integrate the sources of information and services for citizens to deal with their needs holistically. It aims to manage the complexity of information and services that are available to help people understand what is there, to reduce the paper burden of creating the concept of an account and processing a new business — from applying for a business name through to opening and applying for licences etcetera — and there is also the concept of government having a memory that a person has talked to it before, managing that information in an account sense over time and then coordinating service delivery by bringing together the services of the State Revenue Office, Business Names Victoria and having access to the tax office, for example, under a coordinated framework to simplify the way of doing business.

That is not just a web site, it is a significant transformation of the processes and the background and the way government organises the delivery of its services to citizens. This is all in the character of an evolving strategic agenda. As I mentioned before, it is focused on the concept of strategic ICT management, standardisation, shared services, architecture and corporate applications. We are coming now into the next wave of planning for the next wave of government now that we have mobilised some of that hygiene-factor type activity — you might call it — and to think more clearly now about where that might go forward in terms of what options are enabled by the more connected infrastructure and how we manage information, how we make decisions, how we share information more clearly around the system and how that enables new innovative business applications.

This is my final slide, in conclusion. The offices of the CIO and CTO are focused clearly on creating the new capability to manage ICT from a portfolio strategic perspective. The current agenda is getting the basics right to enable more integrated processes and services to create the platform for things like Victorian Business Master Key. That platform will also deliver the capacity for innovations in things like e-democracy once decisions are made around what government's policy is on having consultations, for example, and these sorts of things. So, the focus of the office of the CIO is not on e-democracy right now. It is on fixing up some platform issues, and participation as much as anything in the outcomes of this inquiry, and decisions by government to where it wants to travel with these things.

The CHAIR— Who do you see should be driving e-democracy then?

Dr HODGKINSON — I do not think e-democracy can be divorced from the drivers of the processes which it enables, if I can use that term— for example, the consultation. It is clear that Internet technologies offer significant new ways to do consultation, but that should never be driven by a focus on the technology; it should be driven by the people in government responsible for the processes of consultation. My view is that is not necessarily, for example, the office of the CIO; it is something that is more clearly the responsibility of the portfolio agencies in terms of the way they go about their consultative policy development processes. I think it is true for many of the other things. We try to avoid, with regard to the office of the CIO, getting into a situation where technology is perceived to be driving the business agenda of government. Your question was who I think should be driving it. It may be an outcome of this inquiry to stimulate some activity, and it is possible that the office of the CIO may pick up some policy development role out of that. In terms of the way we developed the agenda, the priority of the office of the CIO is not at this point on driving e-democracy. The priority is fixing the capacity of government to deliver quality online services. Some of those services may be of an e-democracy character. The primary task is to get the infrastructure and the basic capacity to deliver stronger, and then we may pick up some projects in future which have an e-democracy character to them in the same way that we pick up projects that have a service delivery character to them upon demand from the portfolio agencies.

The CHAIR— Are you able to give us an example of a very successful online consultation in any government department?

Dr HODGKINSON — No, I personally am not.

The CHAIR— For instance, when we were in Canada last July or August the Canadian Parliament had been conducting a review of their pensions scheme — and by pensions I mean for people with disabilities rather than age or superannuation. While you could participate in that inquiry in the normal ways of hard copy or appearing before the committee, because of the nature of the inquiry they put a lot of emphasis on online consultation, and it enabled people with physical disabilities who could not easily have come to Ottawa to participate in that inquiry. That was held up to be a very successful example.

Dr HODGKINSON — My answer is no, because there are a great many things that happen across the Victorian state government that the office of the CIO is not aware of. The departments and agencies have responsibility for doing consultations as part of their core role; and they do that in many ways, some of them using online tools. But it is not something that we are actively involved in.

The CHAIR— Do you see a greater role for the Department for Victorian Communities?

Dr HODGKINSON — Potentially. That is a decision for the Department for Victorian Communities.

The CHAIR— What about VICNET? They have traditionally done a lot of that work.

Dr HODGKINSON — VICNET provides services to the departments and agencies that consume services provided by VICNET, so the demand comes from the departments and agencies and their portfolio responsibilities. VICNET is a service provider providing a service and being funded to do so out of programs coming from the departments and agencies.

The CHAIR— Have you had a chance to look online at the other submissions we have received? The one from the centre for community networking research at Monash certainly raised some concerns about VICNET.

Dr HODGKINSON — I do not have any comment on those concerns.

The CHAIR— A couple of our witnesses have referred to a review of VICNET.

Dr HODGKINSON — The office of the CIO conducted a review of VICNET, which was primarily for the purpose of looking at its future viability. It determined that VICNET served a useful purpose and added value, that an advisory committee be created under the State Library of Victoria to determine the charter for VICNET going forward and to reinstate or reaffirm the legitimacy of VICNET and its viability in terms of the services it provides and its sources of funding et cetera. That review effectively confirmed the value added by VICNET and the need to re-legitimise its role and its basis.

Mr PERERA — What is your official view on electronic voting?

Dr HODGKINSON — It is a matter for the electoral authorities. There are a great many different views on electronic voting. I am not sure that my personal view has much value. There are a great many difficulties and challenges. It is up to the Victorian electoral authorities to determine how they want to do it. Again, it is not something that we have a policy position on because we do not perceive any demand from government to act in that space.

The CHAIR — If government got to the stage where it was contemplating introducing electronic voting — and you should not take that as indicating any sort of recommendation from this committee — and government sought your advice about whether it could be secure, what would you say about that? I do not know if you are aware that in the United States the Pentagon put a lot of resources into developing Internet voting and a panel of computer scientists it engaged effectively sank it by writing a report warning that there were risks.

Dr HODGKINSON — The one thing we know and have learnt through many hard lessons over the years with regard to anything to do with online services is that, as in all things in life, you get what you pay for. If you talk to anyone in a major bank, security — particularly online security — is one of their biggest and most expensive headaches. If government is prepared to fund all the infrastructure costs required to secure electronic voting, no doubt it could be done securely. But the costs — —

The CHAIR — Although that was the case with the Pentagon and the computer scientists who reviewed the work said that the best possible people had done the best possible work on it, they still said it was not secure because of the nature of the Internet.

Dr HODGKINSON — That is right. I guess what I am saying is that it is unlikely government will ever invest enough money in it to make it secure; therefore security will be a huge issue.

The CHAIR — Could I just come back to the review of VICNET for a minute? Is there a published report? Can we have access to it? What is the status of it? Is it still being implemented?

Dr HODGKINSON — It is still being worked through. It is a formal document so it would be available.

The CHAIR — I might get our consultant or our staff to follow up with you on that. The other one I also wanted to return to was web sites complying with disability standards. Have you been able to put any sort of figure on those that do not? Is there a program of retiring those sites or upgrading them?

Dr HODGKINSON — The audit work was done, so the figures would be findable if you request me to provide them.

The CHAIR — Yes.

Dr HODGKINSON — The issue with regard to compliance in the end comes down to funding. What is in place is a program, as I have explained, of making minimum standards mandatory, and through that process to establish time frames through which compliance will be mandatory, then making that clear to departments and agencies and giving them the opportunity to establish compliance with all of the mandatory standards by the required time frames. Over that time frame they will do their own business case justifications for investment to make them compliant. At the end of the time frames there will be a review to check whether or not they have been compliant. Not all are compliant today. Where standards say they must be compliant by a certain time they have got that time to do so. Once that time is up they then will be reported against and reported back to the government's processes as to whether or not they are compliant.

The CHAIR — In lay terms could you give an explanation of what you are looking for in a site in complying? I assume it is things such as people with vision impairment having software that will read the site?

Dr HODGKINSON — That is right.

The CHAIR — Could you flesh that out a little bit?

Dr HODGKINSON — There is a set of common practice guidelines for the way web sites should be laid out to make them accessible. As you mentioned, we have got a W3C, and it relates to the layout of text on the page, the non-confusing nature of the language, the technical construction of the page in terms of its capacity to be read by a reasonably simple technical environment, things like readers for blind people so that the text is simple and

there is not too much reliance on complicated graphics or things that cannot be interpreted by that software, that the pages are not so heavy in their data size that they download very slowly or cannot be read over anything but a broadband access line — these sorts of things. It is a general approach to make sure that the information that is on the web page can be accessed by the majority of people in the community.

The CHAIR— Would you like to express any views on the social usefulness of the technology for people with disabilities? What I am getting at is that when we started this inquiry the obvious questions we were asking as parliamentarians is that if you do online consultation what protects you from getting swamped with thousands of people from Queensland wanting to express a view on gun control, women's choice or something like that? What was put to us very early by Professor Stephen Coleman from the Oxford Internet Institute was that their experience was that if you focused it correctly they found that with some online consultation — —

There was one on gene therapy where there were people with disabilities who because of the nature of their disability could not sleep and were going online in the middle of the night to participate.

Dr HODGKINSON — Yes.

The CHAIR— I do not know if you want to respond to some of the wider social issues.

Dr HODGKINSON — Yes. I know Stephen well. I did a doctorate at the Oxford University, so I have had many conversations with him. The broader issue comes down to the sensible design of the consultative process in the beginning, regardless of the technology issues. That is really around the notion of how do you ensure that you have a clear view of the cross-sector of the population that you are seeking to consult with, and how do you ensure that you actually do consult with your target population. The issues that online consultation can create is a biasing of consultation because of the fact that the population that uses the Internet is not necessarily representative of the average of the population. That is the crude issue. That is not an issue that is anything to do with the technology; it is all to do with the design of the consultative process in the first place — for example, you can similarly distort a consultation by only walking around the street to talk to people in a certain suburb. The issue is that technology creates constraints and issues around your capacity to access a target population. They can all be designed for, but it means that the consultative process needs to be properly designed and implemented and must take advantage of Internet channels as well as other channels — the television, the post, personal interviews et cetera. Each of those channels introduces its own biases and constraints. In that regard the Internet is no different. It will enable you to target sectors of the population that will be difficult to target with other means, and it will also distort your results by perhaps giving a stronger voice or a stronger response to a sector of the population that may already be well represented in the sample.

The CHAIR— On one of your earlier slides, I think at some stage you talked about setting common standards across government for web sites. Could you elaborate on that? Is it your office that sets those standards?

Dr HODGKINSON — I talked briefly on the process for that. One of the key roles of the office of the CIO is to be the authority for mandatory policies and standards with regard to ICT. The policy and standard-setting process is one where the office of the CIO consults with departments and agencies on an issue — for example, accessibility — creates a draft accessibility standard based on best practice from around the world et cetera, socialises that with departments and agencies and once there is sufficient agreement that it is not too onerous or unimplementable or impractical, that is endorsed by a governance process and becomes a mandatory policy and standard.

The CHAIR— Have you got to the stage where you are looking at the next standards for the next standards of devices so that I can access government web sites with my BlackBerry, a PDA or a 3G device?

Dr HODGKINSON — That is a future issue; it is not a burning issue right now. I presented the portfolio of standards that we are going through. Accessibility of whole web sites by PDAs is potentially the nearest term issue for that, and should those web sites be designed for that. But, quite frankly, it is a relatively minor issue in the scheme of improving the overall quality of services for the majority of citizens, bearing in mind the number of people who are currently using those devices. But it is certainly on the radar in terms of something to be looked at in the next tranche of policies and standards.

The CHAIR— What involvement or progress has your office had in providing better community engagement and more effective democracy and the elements of the Putting People at the Centre policy document?

Dr HODGKINSON — At this stage there are things that I have outlined and then the agendas at work. That area of Putting People at the Centre is not something that we have pursued strongly, in part because we believe there are stronger priorities, as I have outlined, and in part because we have been waiting for the outcome of this inquiry, which has been delayed, in order to get a sense of clarity as to the priorities of government for how it wants to pursue, for example, matters of e-voting and community engagement. That is bearing in mind, as I mentioned, the fact that we are not doing anything on it proactively does not mean that the departments and agencies are not all doing activity associated with community engagement and using the Internet to do so.

Our focus at the Office of the Chief Information Officer is to say, given that these things are going on in the departments and agencies anyway, where can we add value from the centre by complementing those activities and in particular by doing things in the three areas I talked about — infrastructure to support, which is common; trying to standardise the front end so that citizens can find and access more easily; and focusing on those common applications. If you take consultation, bearing in mind that departments and agencies are all doing their own things to do with consultation, it is not a priority area for us at the moment to add value to their activities by central coordination, given the other priorities we have.

The CHAIR — At the moment for a parliamentary committee to meet and form a quorum we have to be in the same room. One of the things people float from time to time is whether you could conduct meetings by videoconferencing. The member for Murray Valley is a member of this committee. Is the infrastructure there to do some form of videoconferencing and enable country members to participate if we are meeting in Melbourne?

Dr HODGKINSON — There are extensive videoconferencing facilities within the government — within the Department of Justice and the Department of Human Services. It is really just a matter of organising and managing the task of scheduling access to those facilities and arranging for their use.

The CHAIR — Would I be correct in assuming that you are saying that there are no technical barriers for us; it is really just a policy decision which would have to be translated into legislation?

Dr HODGKINSON — Exactly.

The CHAIR — Do you have any wisdom to give us on webcasting?

Dr HODGKINSON — Wisdom?

The CHAIR — What we have been hearing is that the technology itself is fairly straightforward, that it is really a cost implication and consideration and the big issue is the archiving of it — the experience is that people are unlikely to be simply online watching proceedings but rather they will hear about a debate or a speech and want to go to it.

Dr HODGKINSON — I do not have any particular wisdom on that. It can be broadcast and if people want to watch it, they can. It is really just a question of having the funding to do so and to organise the infrastructure, securely if that is what you want to do, and provide storage for the archival material.

The CHAIR — Has any other consideration been given to webcasting any other activities across government, or is it seen as something specific to the Parliament?

Dr HODGKINSON — Again, it is something specific to departments, it is not something that we would have a view on because at this point it would be a fairly minor activity in the overall scheme of the service delivery priorities of government.

The CHAIR — I think we have exhausted ourselves. There will need to be a bit of follow-up between our staff and you to obtain some of the information and documents which we referred to. Obviously our staff will also need to provide you with a copy of the Hansard transcript for correction. I thank you very much for your attendance today.

Witnesses withdrew.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

Melbourne — 17 February 2005

Members

Mr A. R. Brideson

Mr J. Perera

Mr M. A. Leighton

Mr M. H. R. Thompson

Mr P. J. Lockwood

Chair: Mr M. A. Leighton

Staff

Executive Officer: Mr A. Homer

Research Officer: Dr P. Chen

Witness

Mr J. Taylor, deputy ombudsman, Ombudsman Victoria.

The CHAIR— I declare us reconvened for this afternoon session of these public hearings by the Scrutiny of Acts and Regulations Committee into electronic democracy. It is my pleasure to welcome before us Mr John Taylor, deputy ombudsman. I indicate at the outset that anything you say in this room is covered by parliamentary privilege but once you leave this room it is not so covered. We have Hansard here to provide a transcript. You will be given a draft of that with the opportunity to correct only inaccuracies, not to rewrite it into what you wish you had said. With those introductory remarks, I invite you to make some comments to the committee. I am sure members will then have some questions.

Mr TAYLOR— Thank you, Chair, and members of the committee. I appreciate the opportunity to come along and perhaps speak for a few moments on what the Ombudsman Victoria is doing, particularly in the area of freedom of information. You may be aware from recent media that the Ombudsman has actively conducted a number of own-motion investigations; a power that the Ombudsman Victoria has always had but one which has not been exercised very much because in the past there was a lack of resources. At the moment we have on hand five own-motion investigations, one of which relates to how agencies are using the Freedom of Information Act. The Ombudsman has been of the view since taking up office that Victorian government agencies are not handling freedom of information requests particularly well. I raise it in this context because I think it impacts upon electronic communications; I will expand on that shortly. There is no doubt that freedom of information is one of the pillars of modern democratic government. A lack of trust in the willingness of government to administer the Freedom of Information Act in accordance with the legislation is an issue we are grappling with at the moment.

I would like to outline briefly how we are conducting the own-motion investigation. We have liaised with the 10 major departments and Victoria Police. From that consultation we have prepared a discussion paper. That discussion paper will be released publicly within the next week or so, including on our web site, with some limited media attention simply to make the public aware that we are conducting a wide-ranging review of the Freedom of Information Act. We have had a lot of cooperation from government departments, but the issues we have identified so far may be of interest to the committee.

One area of preliminary concern is that part II of the Freedom of Information Act relates to the publication of certain documents and information. Section 7 requires the publication of information concerning the functions of an agency, including a statement of the categories of documents that are maintained in the possession of an agency. Sections 8 and 11 are also relevant in this regard. I am particularly focusing on part 2 because the Victorian and the United Kingdom FOI acts are similar and you make reference to the UK act in your inquiry papers. The acts are substantially similar in their requirements for the publication of statements of information, with the UK act being less prescriptive and therefore requiring broader interpretation.

Victorian departments and agencies have substantial amounts of information on their web sites, similar to that required by the UK act, only this information in our experience and in our preliminary view to date is not always easily found or accessed by the public. It is worth noting at this point that most Victorian government agencies are currently not complying with part 2 of the act in all respects, and many of them have not done so for some time. In fact our web site needs updating. It is an issue which I think requires addressing by all of the agencies we have dealt with, with one exception.

The CHAIR— When you say even your own web site needs updating, are you referring to the world wide web consortium standards for people with disabilities?

Mr TAYLOR— More so part II of the FOI act, which provides members of the public with details of departmental guidelines, departmental documents that are accessible under freedom of information and other records that are available under freedom of information. One of the issues which was identified when the Freedom of Information Act was initially developed in the early 1980s was that it was recognised that FOI required some information to be available to applicants so they could formulate their requests. At the time the Premier, Mr Cain, described this as a need to be aware of the existence of documents of interest and the ability to make a wider search to identify the material which might be of interest. In fact in our paper we talk about making visible what is invisible. Some people have a very clear idea of what they are looking for — it may be a health record, a criminal record or a personal record that they are aware of because at some stage they have had an interaction with a department. Other people go fishing, looking for documents that might or might not exist. The general applicant is looking for documents which should exist but cannot be easily found. That is the background of our project.

In addition, I think it is fair to say that many departments are unable to readily find material, particularly if it is held in an electronic way within their organisation. They may, for example, have requests that relate to exchanges of information between departments, departments and ministers, departments and advisers and so on, and those sorts of requests are very common, particularly from the media.

The CHAIR— That could be particularly by email?

Mr TAYLOR— Yes. Of concern to us is that very few departments have the capacity to adequately track all correspondence, including electronic communications. I would finally draw on my experience. Not long ago I was a senior assistant ombudsman in the Commonwealth Ombudsman's office and I managed the commonwealth ombudsman's state and territory offices. We found over the past five years an exponential increase in people wishing to lodge complaints electronically to the extent that last year it represented over 5 per cent of all complaints. I am seeing a similar trend in Victoria. I am also seeing an increased capacity of members of the public to have access to the Internet and to use it.

The CHAIR— Just to interrupt you again, when you were saying to make complaints, are you talking about complaints to your office that they have not received? They have made an FOI request — —

Mr TAYLOR— Correct, and complaints in general. It may be about a whole range of things, but it illustrates to me the need for agencies to have the capacity to respond electronically to electronic questions, and very few do.

The CHAIR— Could I ask you to set out what is currently possible to do? If I want to put in an FOI request, do I have to do it by hard copy and sign a cheque or can I do that electronically?

Mr TAYLOR— At the moment I am not aware of any agency where you could make an FOI request other than in writing and provide a cheque with it; yet officers of many of the departments generally have access to email and are able to communicate internally by email. Some departments may have some limited capacity to receive communications by email in particular circumstances, but not for freedom of information, and I do think that is a missed opportunity.

The CHAIR— If I want to complain to your office, can I do that electronically?

Mr TAYLOR— Yes, you can. I have nothing further to add.

The CHAIR— You made reference to the United Kingdom. I understand that it has also put in place publication schemes?

Mr TAYLOR— Yes.

The CHAIR— So could you outline your understanding of those and whether that has application in the state of Victoria?

Mr TAYLOR— As I understand the United Kingdom legislation, there is provision for a publication scheme — that is, to make publicly available a list of those records, documents and information that the public can gain access to. As I said earlier, part II of the Victorian Freedom of Information Act also provides for that, but in our preliminary assessment to date in the development of our discussion paper there is only one department that adequately addressed the mandatory requirements of part II of the FOI act.

The CHAIR— Which department is that?

Mr TAYLOR— I must say I do not know. I am simply the person supervising the project so I have not asked that question myself, but I can say there is only one department we have identified out of the 10 departments and Victoria Police.

The CHAIR— Have you got to the stage where you have formed any views about what mechanism you should put in place? You have obviously reached a strong view about failure to comply with the act and make the information accessible, but have you gone to the next step? You have said your discussion paper is about to go online?

Mr TAYLOR — Correct.

The CHAIR — Will that have proposals?

Mr TAYLOR — It raises a number of issues which I think are perhaps a little early to comment on because again as part of the process we want to engage not only the agencies but interested parties as much as possible. We do not claim to be experts in all aspects of government; we feel it is an opportunity to have a fresh look at those issues that trouble us. One is the non-compliance with part II; another is the delay in the administration of the FOI act; another is the charging regime, particularly in relation to voluminous requests; so what we are looking for are perhaps some sensible outcomes.

Mr PERERA — You mentioned at the outset that government departments are not handling FOI. Is there anything further than what you just said?

Mr TAYLOR — I think it is fair to say it is one of the areas that trouble us in that delay is a big issue. In particular those agencies that attract the largest number are also those that seem to have the least capacity to meet requests, and often simple requests, in a timely way. You may be aware that agencies are required to respond within 45 days. One solution posed to us was, ‘Why don’t you recommend that the time frame be extended?’. I do not think that is the answer; that just compounds the individual’s concerns about getting access to what is often reasonable material that they should be given access to.

I think there is also an opportunity for agencies to think about dealing with freedom of information or requests for documents outside the act. Let us say John Taylor applies to a department for copies of documents that the department has collected from John Taylor over the years. Why require me to make an application and pay a fee for copies of documents that I was either the author of or the contributor to? Why not deal with those in an expeditious way outside the Act and simply say, ‘Here are those documents; there is no dispute?’. Where it becomes more difficult is when a member of the public seeks access to documents that they are not the author of or where they are not directly involved. They may involve government policy, or they may involve communications with the minister. That is a different kettle of fish.

The CHAIR — That was going to be a follow-up question from me. Obviously your office is concerned about obtaining information under FOI, but what about other mechanisms. With other things like discussion papers or whatever that might have particular sensitivity are government departments forthcoming in saying, ‘Yes, we have that. It is available and here is a copy by return email’?

Mr TAYLOR — I think from our investigations — and we do actively investigate complaints by going to departments and looking at records and asking for searches to be made in our presence and so on, so I think I can speak with some authority on that— the biggest concern tends to be the inability to track records through a large department because a large department may have multiple sources of records about one or more people. Take the Department of Human Services: it may have records that relate to a family, to a member of the family, to a child in a family, to relationships with other agencies, to communications with ministers and so on, and they may be kept in a whole range of areas within the department. There is no one source of checking and tracking documents, and that is an issue that can be embarrassing at times when documents are later on discovered.

The CHAIR — Could I clarify? At the moment to make an FOI request can you do it centrally, or do you have to go a particular government department?

Mr TAYLOR — You have to go to the department of the area in which you are making the request and you have to do it in writing and pay a fee, which I think is \$20.50, but I am not sure.

The CHAIR — What is your experience of requests being sometimes directed to wrong departments?

Mr TAYLOR — Generally that is not an issue. Generally complainants or applicants know the department they want to deal with. There are occasions when an applicant for whatever reason will fish between departments looking for some documents, and that can arise when a number of agencies are dealing with one set of issues. It is not uncommon for, say, Victoria Police and the education department to have a common issue.

The CHAIR — Is there is a case for the one entry portal, or is what you are mainly advocating that it should be possible to also apply electronically?

Mr TAYLOR — I think there are two answers to that. I cannot see that centralised processing would necessarily be very successful because agencies know their own processes best and they should retain the responsibility of processing of freedom of information requests. But implicit in what I have said is that there is a need for applicants to be able to make a request online, particularly if it is a simple request relating to their own documents. An issue that then arises is how can an applicant pay a fee if they are applying online? My answer is that we book plane tickets and theatre tickets online these days and pay a fee without any problems; so I do not see that there is any issue with the technology.

The CHAIR — Coming back to the problems you were raising with searching for and identifying documents, that is a difficult issue, is it not? From my knowledge of IT, nobody has really resolved it satisfactorily. I understand that the development of the next version of Windows has been bogged down — that is, one of the things that Bill Gates is now having to give up on, a new file searching system.

Mr TAYLOR — I think it is incumbent on agencies to be able to adequately track their own records. I think it is essential and it is a part of good public administration to be able to find what you are the custodian for.

Mr LOCKWOOD — In the days before computers departments always had a registry for correspondence and things like that. I would not imagine it would be all that difficult to create an electronic form of a registry and to track files.

Mr TAYLOR — Indeed, but where it becomes a problem in our experience is those large departments that will have a number of divisions where they might all hold records in relation to a particular person or a particular set of circumstances.

Mr LOCKWOOD — In that case you might have a group of registries, one for each division. It would not be that difficult then.

Mr TAYLOR — I think in theory you are right; in practice it does seem to be an issue.

Mr PERERA — Are there better practices in other jurisdictions, new softwares in, say, Queensland?

Mr TAYLOR — I think freedom of information is generally seen as an issue in administration around Australia. That is why we took on the project to have a look at it and to see whether we could come up with some sensible solutions.

The CHAIR — What about emails; is there an expectation that every email would be kept?

Mr TAYLOR — There certainly is an expectation on our part when we look at documents held by agencies that that should include a search for electronically held records. Increasingly agencies are scanning in records and communicating internally and externally by email. Those sorts of records should be maintained in my view and should be capable of being searched.

The CHAIR — Are you aware of the Public Record Office Victoria development of VERS?

Mr TAYLOR — Yes. I cannot say I know enough about it to make any sensible comments.

The CHAIR — So is there a relationship between the Ombudsman and the Keeper of Public Records?

Mr TAYLOR — Only so far as we have sought advice from time to time from the Keeper of Public Records on how we manage our own records.

The CHAIR — I thank you very much for your attendance today, and in due course our staff will forward a transcript to you for your perusal.

Mr TAYLOR — Thank you for the opportunity.

Witness withdrew.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

Melbourne — 17 February 2005

Members

Mr A. R. Brideson
Mr M. A. Leighton
Mr P. J. Lockwood

Mr J. Perera
Mr M. H. R. Thompson

Chair: Mr M. A. Leighton

Staff

Executive Officer: Mr A. Homer
Research Officer: Dr P. Chen

Witnesses

Dr C. Noone, acting executive director, corporate services; and
Ms I. Braun, manager, information and privacy, Department of Justice.

The CHAIR— It is my pleasure to welcome our next witnesses from the Department of Justice, Dr Claire Noone, acting executive director, corporate services; and Ms Ingrid Braun, manager, information and privacy. Anything you say in this room is protected by parliamentary privilege. However, once you leave this room if you have said anything naughty and repeated it outside that would not be so protected.. We have Hansard taking a transcript. We will provide you with a proof of that. I ask that you check it for any inaccuracies in transcription. You have provided us with a presentation and it would be my intention to invite you to speak to that first and take the committee through it and then we will follow up with some questions.

Dr NOONE — Thanks for the opportunity to address you today. This is a very short presentation to provide something of an overview and perhaps to provide answers to some of the specific issues that were raised in the invitation to attend here. First of all, just to confirm the context, particularly the Freedom of Information Act and the particular emphasis on access to government information, then to look at just the legislative basis for access found in the Freedom of Information Act, to talk about how new technologies are currently being used and from our understanding and experience to inform you a bit about FOI on line which is a targeted web site for FOI, and to look at some of the new opportunities for access to information that e-democracy new technologies might provide for us.

First of all I am just looking at access to government information and really to provide a context for understanding freedom of information and the context for us in our discussion today as a cornerstone of participatory democracy and for a better informed public, and particularly in the context of the FOI Act around government policy-making processes and services and generally how government operates. It provides a framework for accountability of government and importantly to ensure that personal information that is held about people is accurate. The legislative basis for that access is found in the Freedom of Information Act. The rationale for the Act really rests around the individual's right to know what is contained in government records about themselves and the government being more open to scrutiny and accountable to electors, which is fundamental for e-democracy, and also to ensure that people are informed about government policies so that they can be more involved in policy making. That is derived from the second-reading speech in October 1982. Those foundations for the Freedom of Information Act are as relevant today as they were then.

Specifically the Freedom of Information Act provides for publication of information — and that is set out in the Act. It requires publication of information about departments and how departments work, what the structure and function of those agencies are and various reports that they provide, various policy documents, contracts, guidelines, useful things, and how people can get access. It provides for annual reports to be produced on request and also and importantly the FOI Act encourages disclosure outside of the Act itself. It has an underpinning philosophy of access rather than non-access and disclosure outside of the Act, so it is not necessarily requiring an FOI application for information.

The CHAIR— That is a point that our previous witness, the Deputy Ombudsman, was making. He felt, I think it is fair to say, that that was not working altogether properly and that there should be greater capacity to do it outside the Act.

Dr NOONE — Are you asking from a comment on that, Chair? I think there is already a shift, if you like, since 1982 in the paradigm of information provision and transparency. That is reflected not only in the FOI Act and the way in which information is being made available, but in other requirements such as the Financial Management Act, the provision of FOI information in annual reports and a range of much more transparent approaches that are not just required by the Act — other requirements that mean that more information is available. I think the Act itself encourages disclosure outside of the Act. It is probably true to say there is a wider scope for that to be applied, remembering that there is already a lot of information available.

Further on that, and moving from the more general information or publication of that information to providing access to government information through specific requests, which is what we are more familiar with from an FOI Act perspective, that provides for access to personal information and also provides a means to correct personal information that might be incorrect. It provides a general right of access to information, but, of course, sets out some limitations where government information may be exempted from disclosure for a number of reasons, some for the effective operation of government and others for protection of personal information of individuals so that that is not disclosed in an inappropriate way.

As I mentioned at the start, new technology is being used by government to enhance access to information now. You will be familiar with many of these initiatives, various web sites such as Legal Online, Land Victoria and Better Health and FOI online. The department web sites are also a source of the lot of information about the various roles of agencies, media releases, legislation, listed publications, and annual reports and so on. Those sorts of publications as envisioned by the FOI act are now widely available and published in web sites and in new forms. It is true to say that when the FOI act came in in 1982 it did not envisage publication via a whole range of technologies. It envisaged paper publication and there would be some scope to widen the act and bring it more in line with current technologies than just envisaging that people would get a copy of a piece of paper and that departments would hold things in paper form. In regard to that, it is envisaged there is scope for review of the act. I know you have spoken to the deputy ombudsman. That is something we would understand would be part of the review that the deputy ombudsman has been undertaking.

I will just give you a bit of insight to FOI online, which is a specific web site for access to information. It was launched in July 2002. It has information about the FOI process: how to apply, what documents are available, frequently asked questions and a range of information for people about how to make applications. It also since 2003 has enabled you to actually make your FOI application online as well. At the moment it is covered by 10 departments and VicPol.

The CHAIR— Is that being utilised? Are departments coping with it?

Dr NOONE — Yes, 4 per cent of FOI applications are made online. That is in the context of a large number of FOI requests for individual information made to smaller agencies, but 4 per cent is online at the moment.

The CHAIR— Do you anticipate that that is going to grow?

Dr NOONE — There are a couple of ways in which it might grow. One is as people become more familiar with online services generally and start taking up online services your users will start to pursue online. So that in itself is just an organic growth, I suppose.

We can move to expand FOI online to additional users, beyond the 10 departments and VicPol who are engaged at the moment. Whether or not that is beneficial is a question that individual agencies are likely to determine themselves, given the cost in approach— for example, if you only have one or two requests a year, is it worth while from your point of view to actually make that investment? That would be a question that individual small agencies might ask themselves. The other, if it were thought to be useful, is to actually make it better known that you can apply for FOI online via an FOI online site. So there are some opportunities to expand that if it is considered to be appropriate.

Other than these improvements and opportunities we would say really web sites are your best source of information and the way in which they are developing — use of meta data, better taxonomy, better search facilities, better organisation of web sites — is increasingly becoming the case. That is not dissimilar to the publication scheme that has been introduced in the UK which in effect is an index for looking at how you might get that information. One prospect might be for a whole-of-government taxonomy and architecture that enables you to search for different categories of documents as a way of actually getting access and understanding what types of documents are available by way of some sort of index or a categorisation or taxonomy. We think there is a lot of power in search engines and using web sites better as an opportunity to enhance access to that information.

The CHAIR— So if you are saying that is for 10 departments, that means in a lot of the out-of-sector agencies, public hospitals or whatever, you still have to do it by hard copy application?

Dr NOONE — That is right. You cannot apply at the moment online to the, I think my numbers are, 378 other state government bodies that are subject to FOI. So we are talking about only a small number that are in that category of people for whom FOI online is available.

The CHAIR— We have got the MAV attending later, but what about local councils?

Dr NOONE — Local councils are not online. Yes, that is right.

The CHAIR— You mentioned search engines. Would you like to say more about the challenges of searching for information? The deputy ombudsman identified that as an issue.

Dr NOONE — I was speaking of search engines from the perspective of people wanting to have access to FOI. I am not sure that the Deputy Ombudsman was speaking in that context. He may have been speaking on the difficulty that departments have of actually conducting a search within the department. Which would you like me to address?

The CHAIR— Both. Even for sort of confident users like myself there are times when I feel that I am having to jump across a few hurdles to find the document online that I know is available.

Dr NOONE — While it is not my area of expertise— and I should make that clear; it is something that is being managed from a whole-of-government perspective through the communications review group as well as the chief information officer — there are new standards being rolled out for the architecture of web sites so that these standards, once applied across the whole of government, will provide that there is a standard architecture and standard taxonomy which will make searching across web sites much simpler. I know that some departments have spent a lot of time and energy in actually conducting user research, so that the basis for effective research is to say, ‘How do users actually get their information and then how do they intuitively search for it?’, and designing a web site search and web site architecture and taxonomy on that basis. So that is something that the Department of Justice has certainly been looking to do and, as I understand it, from a whole-of-government perspective that is also occurring.

The CHAIR— What interaction do you have with the Keeper of Public Records?

Dr NOONE — From our own perspective as an organisation, our interaction in relation to archiving and so on is as part of our ongoing records management and our ongoing business to make sure that we are effectively managing our records and our files and appropriately storing those files and appropriately managing their disposal. That is our ongoing relationship.

The CHAIR— You made a passing reference to the UK. Do you have any knowledge of its publication scheme?

Dr NOONE — I have no first-hand knowledge. I have only limited knowledge of the small amount of research done to attend here to assist you today. That background involves understanding the publication scheme as an index or as a way of actually finding the information. It is almost a list of what is held and what is required to be prepared by each government department. I am suggesting that that sort of index file is useful as a taxonomy or a guide to your search, and that would be the best use to which such an index might be put.

The CHAIR— On a different matter, do you have any comments to make about what the justice system can offer in video-streaming? I know it is from left field — —

Dr NOONE — No, there is a range of areas. If you look at the whole justice system, if you look from the point of view of changes for witnesses, for example, and the use of the taking of video evidence, particularly in sexual assault-type situations or child abuse situations, that sort of video technology can form a useful basis and certainly that has been recommended by the Law Reform commissioner. The use from the other end of the spectrum, if you like, from the prison end of the spectrum, where you might have an interim hearing or a bail hearing without use of video or videoconferencing-type facilities, you need to transport a prisoner back into the city to the court. You might be able to dispose of matters by use of video linkage with the magistrate at one end and the prisoner at the other. That can have some real benefits and cost savings associated with it. Ingrid just said there is a hearing tomorrow and the prisoner will be attending by video. So that sort of thing is currently being utilised.

The CHAIR— The motive behind my question was the operation of parliamentary committees. It is a challenge at times for MPs to get together and form a quorum, especially if you are only going to meet for an hour and you are going to have MPs who spend all day coming from country electorates and then returning. Is there sufficient infrastructure across the state?

Dr NOONE — That is not something within my knowledge. We have some infrastructure. I cannot make an assessment of whether that is sufficient. We would probably all say that it is not sufficient, that we can always have better and more infrastructure, but I am not in a position to say that.

The CHAIR— You have found that the quality is sufficient, that people who are part of whatever proceedings, if they are in a remote location, they still feel that it is part of the proceedings and the people in the main area of the court or whatever — —

Dr NOONE — I have not heard any dissatisfaction with it. Another very useful and interesting use of the technology available is in the recording of cases. That is all done remotely, rather than having your stenographer inside the court. So country courts, for example, are linked up and all the transcript and so on is taken via tape and via linkages to Melbourne. Those sorts of uses of technology in the system are occurring now.

Dr NOONE — The deputy ombudsman expressed concerns about whether departments were complying with part 2 of the FOI act. Would you like to respond to that?

Dr NOONE — I think that is an issue. To the extent to which Part 2 envisages paper production and paper publication, I think it would be fair to say that in some circumstances it is not necessarily in paper publication form that departments are complying. It is a general proposition that the spirit is being complied with in the sense that the documents are available. Whether or not they are strictly published in the sense envisaged by Part 2 of the Act I think is perhaps a prospect for where the Act might be clearer; that publication can also mean by other technology. When the Act came in it was envisaged that it would be paper rather than some other form of publication.

The CHAIR— So does the legislation need amending?

Dr NOONE — There are areas, particularly in relation to ensuring it is clear how new technologies can be best utilised, or that it is sufficient to do so, to comply via the technologies. That is not certain, and I envisage that is part of the Ombudsman's review of the Act.

The CHAIR— Have you given any thought to whether the next generation of devices will have any implications for FOI when people have information stored on personal digital assistants (PDAs) or are doing things with third generation phones?

Dr NOONE — I have not given any thought to that. I think the principles will remain the same. It is what is defined as a document. That is where, again, you have to envisage what will be a form of publication that we did not know about or do not know about now. How you define what is a document, what is publication and what is information in that sense of it is all moving, and we need to continuously refine those definitions as technology moves forward.

The CHAIR— So there will be some challenges, particularly with convergence?

Dr NOONE — Yes, I think that is right. Just what is information, what is publication, what is a document becomes an issue not just under the FOI Act but under a range of other pieces of legislation as well — for example the Evidence Act and the laws of defamation. I can see a whole suite of areas in which these issues will continue to arise and where legislation will need to be continually updated to meet the changes in technology and communications.

The CHAIR— Returning to the keeper of public records for a moment, do you have a comment on the Victorian electronic records strategy?

Dr NOONE — I am not familiar with VERS. I am not the right person to speak to on that. I assume there are people in our department who are conversant with that strategy, but it is not within my knowledge.

The CHAIR— On defamation, one issue for the Victorian Parliament and for other parliaments has been the publication of reports interstate. Some years ago I was on a continuing inquiry into the building industry. We produced a number of reports for the life of the inquiry and we were going interstate. We were warned by our clerks that when we went interstate we should not be dishing out copies of our last report because we were making inquiries on corruption, and potentially we would be opening ourselves up to defamation proceedings — that it was okay for someone from interstate to come to Victoria and collect a copy, but we could not take it with us. When the committee had some of the parliamentary officers before it yesterday they agreed with the suggestion that there are further implications with transmitting information electronically into the state. Do you have a view on any of that?

Dr NOONE — That is not within my area of expertise.

The CHAIR— Do you have any involvement generally with any discussions on defamation law?

Dr NOONE — I do not personally. That would be a matter for our legal policy area to provide advice on.

The CHAIR— It would be useful if the committee could have some contact with them, even just through our consultant, because one of the implications in considering electronic democracy is that there are potentially greater restrictions than there are in the United States — that there is less threat of defamation proceedings for people who engage in political debate online in the United States than there is in Australia, so that is the motive behind that question.

Dr NOONE — That is something we could take on notice, either through a written response, or we could make someone available to speak to your consultant if you wish.

The CHAIR— In the first instance it would be helpful if our consultant, Dr Chen, could be put in touch with them for a conversation.

Dr NOONE — If you get in touch with me, I will put you in touch with the right person.

The CHAIR— Dr Noone, thank you very much for your time this afternoon. Our staff will forward to you a draft of the Hansard transcript.

Witnesses withdrew.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

Melbourne — 17 February 2005

Members

Mr A. R. Brideson
Mr M. A. Leighton
Mr P. J. Lockwood

Mr J. Perera
Mr M. H. R. Thompson

Chair: Mr M. A. Leighton

Staff

Executive Officer: Mr A. Homer
Research Officer: Dr P. Chen

Witnesses

Mr A. Davies, communications officer; and
Ms C. Murrell, policy development officer, Victorian Local Governance Association.

The CHAIR— It is my pleasure to introduce our next two witnesses from the Victorian Local Governance Association, Mr Alan Davies, who is the communications officer, and Ms Clare Murrell, policy officer. Welcome to both of you. Anything you say in this room is protected by parliamentary privilege, but anything you say or repeat once you have left the room is not covered by privilege. In due course you will be provided with a copy of the Hansard proof, which will be an opportunity for you to correct any inaccuracies in the transcription only — not to rewrite it into a different form. I invite the pair of you to make some opening comments, and we will then follow up with questions.

Ms MURRELL— Thank you. The VLGA is a unique peak body for local governance and the community that advocates for social change and empowers local governments by strengthening their capacity to engage with their communities. We acknowledge that this inquiry defines the term ‘electronic democracy’ broadly as how modern communications and computer technology can change the relationship between government and its citizens. In this context we discuss e-democracy in relation to consultation and engagement. The VLGA is concerned that online consultation and engagement should not be seen as a ‘tick-the-box’ or straw polling exercise, but should be a genuine interactive process. Consultation is an important component of the ongoing dialogue between council and community, which is essential for engagement and good governance. Consultation can be defined as the process of informed communication between the council and the community on an issue prior to the council making a decision or determining a direction on that issue. Participants — that is, citizens — need to know what happens to the opinions and information they provide and the outcome of consultations and discussions needs to be reported back to participants and the general community, otherwise community input seems to disappear and community confidence in the process is undermined.

Genuine and effective consultation leads to connected and empowered communities. Online consultation and engagement should not be seen as a cost-saving exercise or a replacement for other methods but a complementary method of consultation and engagement. One of the outcomes of the Darebin City Council’s study was that its online discussion engaged one group which was unlikely to have been involved in civic debate otherwise — in this case, time-poor professionals who would not have made time to attend a meeting or write a letter, but who could engage in online discussions. The basic principles of community consultation and engagement — that is, focus, inclusiveness, accessibility, and diversity, provision of information, timing, responsiveness and feedback, evaluation and reporting — should apply to online consultation and engagement.

What can the state government do? I have made several points underneath this question. The first one is incorporating e-consultation practices into consultation and engagement strategies. E-technology is an important medium and opportunity to add to consultation and engagement strategies and practices, but not as a replacement for other methods. There is a concern that genuine consultation may be compromised by online methods — for example, results from an online survey should not be valued more than results from a telephone or postal survey. Another point I make concerns partnerships between levels of government. All levels of government should explore and pursue e-democracy initiatives, as these can make a positive contribution towards growing democracy within our community. New initiatives and practices must be implemented and used in partnership across all levels of government. Local government should not miss out, or, on the other hand, be considered an area for experimentation for e-democracy initiatives.

My next point addresses the digital divide. Internet-based consultation is proving to be a way of reaching the hard to reach, such as time-poor or geographically isolated communities, but it fails to reach those who are unable to access Internet technology, such as those who are suffering financial difficulty or who lack skills. Appropriate funding for the development of e-democracy across Victoria would assist the development of competencies and expertise for local governments, and accelerate the take-up of these initiatives. Training programs for staff and councillors would develop a skill base around online moderation, linking e-democracy and policy development and other technological options. As governments take-up e-democracy initiatives, increased support and funding will be essential for public library infrastructure, including hardware and staff training; affordable computer hardware and internet access in private homes — such as the Infoxchange Green P.C. initiative — and increasing infrastructure and access opportunities for marginalised communities such as the Atherton community enterprise based at the Atherton Gardens public housing estate. I will now hand over to Alan Davies, who will make some more specific comments.

Mr DAVIES— I want to raise three issues that seem to be significant stumbling blocks to e-democracy initiatives in local government. The first one is defamation. This has come up once or twice, in fact several times, in specific discussions. It seems that whenever you start talking to somebody from a council and saying, ‘Well, what

about an online discussion group? What about an email group, or something like that?', all of a sudden the word 'defamation' comes out and people get very concerned about the liability that they might be exposing their council to. For example, if it runs an email discussion group, the emails that people contribute are posted on a web site, somebody says something that is defamatory, the council starts to get very concerned that it might be liable for that defamation, and defamation is serious stuff. That is one thing that seems to be an obstacle, especially to discussion groups and online forums.

The CHAIR— So what is the answer: a good moderator, legislation, or what?

Mr DAVIES— Good moderation is definitely one, and that relates to another point that I wanted to make, but also clarification of exactly what the liabilities are and who is responsible for defamation online. The legislation needs to be looked at.

The CHAIR— We cannot offer you a quick fix. I am not sure if you had entered the room when our last witnesses from the Department of Justice were speaking, but I asked them about that. We are conscious that there is freer speech online in the United States than there is here, but given, for instance, the Gutnick decision, it is not something that the state of Victoria could easily fix.

Mr DAVIES— Yes, I appreciate that. I might move on from there to the point about moderation. Moderating an online discussion is quite a specialised skill, and looking at some of the online forums and so on that have already been tried in local government, that job often seems to get handed to a council officer who may have no training in that area. That can create some quite difficult situations where the moderating is not as good as it might be and the person feels very much under stress. It is also one of those things that seems to make councils very wary of taking on such things because of their concern about who will run it. It is quite a daunting and difficult task. Specialised training for moderators that was available to councils would be very helpful. The third thing that seems to be an obstacle is a lack of pilot projects. From discussions with staff at various councils there seem to be quite a lot of councils that are interested in doing this sort of thing, but there is still a lot of confusion about how it will work and what councils will get out of it. They say, 'Why should we bother? How do we go about it? What does it mean?'. There have been pilot projects but there is still not very much awareness of them. The City of Darebin did a really good one which was written up and well reported, but I think there is still a need for well written up pilot projects with easy to read reports, which are well publicised and distributed in the local government sector, so that councillors and decision-makers who are a little sceptical can say, 'Yes, it has been done here. There are the results; it works, it does not cost a fortune, it does not bring disaster'. Those are three specific stumbling blocks that we are aware of in the local government area.

From there I will move on to a brief run down of VLGA initiatives and what the VLGA has been active on in this area. In 2002 we supported a social science student who did a survey of all local governments to gauge how much they were using electronic democracy. Briefly, the survey found that there were a very small number of quite adventurous councils, a large number who had a bit of a toe in the water, and the great majority who were not doing anything much. The results might be a little different now but that provided us with some useful baseline information. Late last year we started convening a group of council officers who were either working on existing e-governance initiatives or who were interested in doing so. That group is going to meet again soon and shares ideas and reports on the progress of existing projects. Generally we are trying to keep our members informed of the current thinking and developments by becoming involved with conferences such as the Australian Electronic Governance conference held last year which we sponsored. I will hand over to Clare for the next item.

Ms MURRELL— There are two areas of work that the VLGA already does where we could include more about e-democracy. One is our consultation and engagement program which is a very well-established and comprehensive program that aims to facilitate and support local governments in new and effective methods of consultation and engagement. One of the really successful outcomes of that program is that in partnership with the state government we have a web site that is well used by local governments, which is a resource for them to look at e-consultation practices and how they are implemented online. As an accompaniment there was a call not just for a Web-based resource but for a hard copy published document to go with that Web resource, so we did both and they are used by local government. That is one way where we are already able to implement e-democracy initiatives, and that can grow. The other area is that we have a very well-established accredited training program for councillors and mayors, so we are quite well placed to facilitate staff and councillor training to develop skills around what I mentioned before, which is the online moderation which Alan also talked about, linking

e-democracy with policy development, which is really integral, and managing email lists and other technological options, developing them within what we already do.

Mr DAVIES — One more point is about electronic voting. The VLGA believes the systems, including electronic voting, should be across all levels of government. That is to say, local governments should not be treated as a test case. Local democracy should not be seen as having different or lower standards when it comes to the democratic process. So if electronic voting is to be considered at the local government level, it should also be considered at the state and federal levels. In a different forum we have already expressed that opinion with regard to postal voting.

The CHAIR — That is what all sorts of other people have said to us, that if we are going to try it, try it at a local government level.

Mr DAVIES — That is not our view.

Mr PERERA — Why not use local government as a test case? It is much easier than using a state election as a test case.

Mr DAVIES — We believe that while it might be considered easier, local governments consider that they should not be used as a test case because local democracy is just as important as state or federal democracy. Why should local governments be a test case?

Mr PERERA — Should we not start somewhere?

Mr DAVIES — The issues are the same at all three levels, so if there is going to be a consideration of it, then it should be considered equally across all levels.

The CHAIR — In the United States of America we had a close look at the SERVE program which was developed by the Pentagon to provide for Internet voting in last November's presidential elections. Being the Pentagon, a lot of resources were put into it. They had the best people available and the best security. They were very attached to the program, particularly as it was going to be aimed at young service personnel overseas. They engaged a panel of computer scientists to advise on it, and their advice effectively sank it on security grounds. Do you have a view on that?

Mr DAVIES — I would probably take their advice.

Ms MURRELL — Did you want to give an example of our own e-voting experience recently, and the security comments on that?

Mr DAVIES — We ran a bit of an experiment in our own recent board elections and we accepted votes by email. The system worked pretty well but there were some security concerns. I can only agree that there are real security concerns about it.

Ms MURRELL — It would take a long time and a long period of discussion with the community for it to get onside of such a system. I think there would be mistrust. That is what we experienced with some of our community members; not mistrust of us, but people being unsure and unhappy that their email address was being sent in to express their vote.

The CHAIR — Earlier you made a comment about the training for mayors and councillors. What is your experience of elected representatives at that level, and their use of the technology? Are they comfortable? Are they using it?

Ms MURRELL — One area of online technology is councillors and elected representatives providing their email addresses. It is a very easy and quick way for people to contact them. It is a non-intrusive way of councillors being able to get information from their communities and respond back. It is fairly similar to some of the research that came from our student intern who said that a small number of councils are doing a lot, and that councillors within those councils are the ones who are driving it; they are the ones who are really keen to embrace new initiatives. But then there is the wider majority who are a bit unsure and who perhaps need a bit more awareness and training of how they can use e-democracy and use new and innovative ways of engaging.

Mr LOCKWOOD — You commented earlier on the digital divide. Is there much of a role for local government in bridging that divide? Are there methods that councils could use to do that? You are the first group to have mentioned it.

Ms MURRELL — The three examples I used included public libraries because at the moment the provision of affordable computer hardware and Internet access in private homes is from community-based organisations, and local governments could really play a role in assisting that type of program. In particular, there is a role for local government in increasing access for marginalised communities. Any role of local government needs the support of state government in terms of being able to resource those needs, whether it is public libraries, in the home or with marginalised communities.

Mr LOCKWOOD — In broad terms do you have a sense of how many people have access to the technology?

Ms MURRELL — The Australian Bureau of Statistics releases that kind of data, but I do not have the figures off the top of my head. I think that something like 40 per cent of Australian homes had computers in 2002.

The CHAIR — I think it is substantially more now.

Ms MURRELL — It would be now.

The CHAIR — For those who do not, to what extent is it by choice and to what extent for socioeconomic reasons? In other words, what is the extent of the digital divide?

Ms MURRELL — That is right. I do not have the actual data available. I am sure it is easy to access.

Mr LOCKWOOD — It varies by area too I guess.

Ms MURRELL — Absolutely.

Mr DAVIES — Another aspect of that is that you might have the computer in your home; you might have an Internet connection; but whether you have the knowledge and confidence to log into an online discussion and have your say in an online consultation with your local council is another issue. The state government already provides training through VICNET but easy access to such training is going to become more and more critical the more we start relying on e-democracy.

The CHAIR — Do you want to make a comment about VICNET? Where do you see VICNET is at? Is there any need to refocus its activities?

Mr DAVIES — I know there was a bit of a carry on last year about VICNET losing funding. I do not know how much of an impact that has had on its ability to provide especially its training services. Its travelling roadshows are extremely important and are going to become even more so.

The CHAIR — Who do you look to if you want to talk to the state government about electronic democracy, VICNET, Multimedia Victoria or the chief information officer? Do you think there is a greater role for the Department for Victorian Communities?

Mr DAVIES — That seems like a very logical link if we are looking at electronic democracy and such things as community-building exercises. Why would that not belong within the Department for Victorian Communities?

The CHAIR — In the last round of council elections in November, to the dismay of a lot of participants and observers they found that candidates' statements were not posted online by the VEC. Do you have a comment on that?

Mr DAVIES — I thought they should have been. I thought that candidates' statements should have been available. From memory it seemed to be a fairly strict legalistic interpretation of what they were and were not allowed to do which led to those being taken off. It seemed unnecessary and it would have been better if they had been posted and available for everyone to read.

The CHAIR— Do you want to make any comments about webcasting?

Mr DAVIES— Webcasting is cool! Making council meetings available? A handful of councils are now doing it. I am not sure how much it is actually used but what a great way of making a council accountable to its electorate. I think it is a great idea and we encourage it.

The CHAIR— To what extent are they archiving?

Mr DAVIES— I do not know. The only one I know that archives them is the Shire of Wellington but others may be doing it as well. We need another student to do another survey.

Mr PERERA— Do you think that information on which way councillors vote on particular issues should be available to the public?

Ms MURRELL— If it is from a public meeting.

Mr PERERA— From council meetings?

Ms MURRELL— I do not think there should be a difference whether that information is online or if someone comes to the front counter of the local council. If it is unavailable in that instance it should not be available online.

Mr PERERA— It should not be available online?

Ms MURRELL— Not if it is not available by other methods. So if someone cannot ring up and find out how a councillor voted, they should not be able to find it on the Internet either.

Mr LOCKWOOD— They would look through the individual minutes to see if there were divisions, otherwise it is not recorded.

Mr DAVIES— I am not sure if that is required to be made public through non-electronic means. There is a certain amount of documentation of council meetings.

Mr LOCKWOOD— The minutes and the votes are. It is only if there is a division. I am a former councillor.

Mr DAVIES— Right. If it is available in public documents then I do not see any reason why it should not be available online.

Ms MURRELL— That is my view.

Mr DAVIES— If it is available as a public document then there is no reason why it should not be online.

Mr LOCKWOOD— You have obviously seen a role for your organisation providing a resource for all councils. Do you see that as a way to go for electronic democracy generally for local government; that there is a statewide resource or groups of councillors together, rather than each one going its own way; that they operate to a standard and share resources and things like that?

Mr DAVIES— Sharing resources, definitely. Councils might be wary of operating to a standard because they might feel that they are being told how to do it, but definitely sharing information, as I said before, and providing pilot projects or role models, that will really encourage and support councils to move ahead in this area if they can see other examples.

Mr LOCKWOOD— Standards just make sharing more possible, that is all.

The CHAIR— Thank you for your time and contribution today. In due course you will receive a transcript.

Witnesses withdrew.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Electronic Democracy Subcommittee

Inquiry into electronic democracy

Melbourne — 17 February 2005

Members

Mr A. R. Brideson
Mr M. A. Leighton
Mr P. J. Lockwood

Mr J. Perera
Mr M. H. R. Thompson

Chair: Mr M. A. Leighton

Staff

Executive Officer: Mr A. Homer
Research Officer: Dr P. Chen

Witnesses

Mr R. Spence, chief executive officer; and
Mr J. Hennessy, sector development consultant, Municipal Association of Victoria.

The CHAIR— It is my pleasure to welcome from the Municipal Association of Victoria the chief executive officer, Mr Rob Spence, and also Mr John Hennessy, sector development consultant. Welcome, gentlemen. It is not my intention to swear you in; however, anything you say in this room is covered by parliamentary privilege. If something naughty or defamatory is said and you go outside of this room and repeat it, you would not be covered by parliamentary privilege. We have Hansard here taking a transcript. You will be provided in due course with a proof of that transcript, which will be an opportunity to correct any errors in the transcribing. We are happy to keep this fairly informal. I suggest we lead off by inviting you to make some opening comments in the presentation, and then we will follow that up with questions from members.

Mr SPENCE— Thanks for the opportunity to talk to you about what is a very interesting issue. It is an issue that the MAV has been floating around for some time. That is why I have brought John Hennessy along with me, because he is the one who has been really involved in trying to get up a model of council meetings online. We have done some pilot work on that, and I thought it would be good for him to be able to talk about that experience as a starting point to the discussions. Maybe if I hand over to John he can tell you what our experience has been.

Mr HENNESSY— We have gone through a process over the last three or four years of a change in local government from being 79 discrete organisations all with separate systems, policies and practices to trying to get them to converge into more of a common approach across the state. That was assisted by a grant that was given to local government nationally from Networking the Nation, which Peter would know about. That was used to assist especially rural councils across Victoria in coming up with policies and practices to try and assist our process of conversion towards a common system. In particular we modernised the council web services whereby they became much more sophisticated and transaction orientated, and with those web sites and web services was the potential for the community to consult with councils, ask questions, interact, have forums, discussion sites— —

The CHAIR— Can I interrupt you on that while I think of it. Are council web sites generally compliant with W3C standards?

Mr HENNESSY— We modernised 54 of them under the process I just described, and at that time they were all compliant with W3C. Since that time some of the personnel who went through that process and were trained and became committed have passed on, and there has been a bit of a decline. But I think in the main they are fairly compliant.

Mr SPENCE— We did a survey just before Christmas using an external consultant to do a quick assessment across the state, and I can actually give you the numbers of what it looks like now if you are interested in that.

The CHAIR— Yes.

Mr SPENCE— It has dropped off a bit since the work was done on NTN, which is a bit sad really.

Mr HENNESSY— It is probably because of the pressure under which the IT people in councils operate when trying to manage such a wide variety of functions across the sector. Their commitment to something like W3C is probably not as great as it could be if there were some drivers in place to sustain that.

Mr SPENCE— As a result of identifying the problem in relation to IT capacity the MAV has just entered into an arrangement, and we have got 54 councils in it now. We have set up a structure to provide IT support and the accumulation of intelligence across the sector so that there is better sharing of ideas and practices — to use the big councils to support the little councils — and they actually enter into combined purchasing deals. Instead of having everybody having separate technology, they actually try to align to some of the big providers.

Mr HENNESSY— So that is the big picture. With the NTN process that we went through, which is that convergence, it is true to say that the councils did appreciate they can do far more when they are acting together than when they are acting individually. There was a number of classic examples we went through. With processes like the payment of bills online and e-purchasing etcetera, councils have seen the very substantial benefits they can get by acting together with the sector rather than by each council trying to do their own thing. So I think the penny has now dropped. Since the commonwealth funding has finished the councils have all been demanding that we continue the process of collaboration, and that has now led to the councils becoming self-funding, to continue that themselves and to keep marching on down that path. The improvement to the council web services via sophisticated content management systems and distributed publishing has led to a cultural change across councils.

In particular in terms of e-democracy the webcasting of council meetings in five councils was really a bit of a trailblazer, certainly in Australia, and that has led to in excess of 1000 people viewing some council meetings. The ability to view the agenda for a council meeting and to choose which part you would like to tune into — —

The CHAIR— What about archiving.

Mr HENNESSY— Yes, they are archived on the web site. You can go to the web site and download a particular council meeting from, say, six months ago and look at what part of the council meeting you would like to access. Also at the end of the meeting in some cases you are able to ask questions of the mayor or councillors and get a response.

The CHAIR— Online?

Mr HENNESSY— Online, in real time. That process was piloted within five councils, and in some cases that has been successful, and in some cases it has dropped off since the pilot.

The CHAIR— What was the recipe for success?

Mr HENNESSY— Probably the commitment of the councillors and the council officers and the amount of promotion that took place.

The CHAIR— Has it got particular application, say, in rural shires?

Mr HENNESSY— Yes. There were some extremely positive stories coming out of places like Wellington where some people used to travel in some cases, say, 200 kilometres to attend a council meeting for a particular purpose. Instead they could watch the council meeting from their house and get the same information they required, and in some cases people from the media who were covering the council meetings could have a similar experience. There was some very positive feedback from those outlying shires in terms of overcoming the tyranny of distance and enabling far greater participation in council meetings, and in some cases not just the council meeting but also the subcommittees of council were also being webcast.

The last thing we should be saying is that I suppose our major challenge is to pursue the sector-wide strategy. The things your committee are looking at for online training, community involvement and perhaps even e-democracy and the trials happening in Britain we feel are all possible in Australia. The sector has a commitment to it in terms of philosophy, but in terms of practical implementation we probably need a far stronger partnership with the state government in terms of being involved in the planning and design of these programs and trials and not to be brought in at some point after they have been trialed. The state decides what it wants to do and then it tends to involve local government as an afterthought. It would be far more productive to have a whole-of-government approach so we can piggyback off each other. It certainly is not a case of looking for funding; it is a case of being involved in the planning and design stages for some period — 2, 3, 4 or 5 years in the future — and each party being aware of what the other party is intending to do and being able to have a partnership.

The CHAIR— If local government were involved from the start as an equal partner, would it be prepared to be the guinea pig?

Mr SPENCE— I think it would. It is about shared intelligence. What we see is that when the state shares the intelligence in the IT area with the councils we get really positive outcomes. With the programs we are running at the moment there is a strong link between state and local government, with purchasing PCs, the Microsoft deal in the state being rolled out to local government, and a whole lot of programs like that. TPAMS is rolling out to local government in a common state–local government program. It shows you that there are real synergies in purchasing practice and intelligence coming out of state and local government combined. I think that is really the way to go.

The CHAIR— I have referred a couple of times today to the United States and the Pentagon developing its SERVE program, which was going to be Internet voting and not kiosk voting. It will particularly assist defence force personnel overseas. It engaged a panel of computer scientists to provide advice, which said the best people have done the best possible job, but that it is still not secure for all the reasons we know about the Internet. Do you have a comment on that?

Mr SPENCE— We were debating that on the way over, and the pilots that are being run in the UK and how they are managing the control of the vote. Still in Victoria we have attendance voting in a number of councils

for particular reasons. It is a pretty radical move to having an IT base, but I think we can get there if you can get assurances when someone is voting that they are in fact the person who should be voting and that there is security in the system. It is possible. It is a matter of having checks and balances and guarantees to ensure it works properly.

The CHAIR— While we are talking about voting, do you have a comment about the decision of the VEC in last November's council election not to post the candidate statements online?

Mr SPENCE— I think they should have been posted online. I think you should be able to see the whole shooting match. Someone should not have to go and search for the candidate statements from a different source than the VEC site. There was a lot of tension around the sector about that at the time. It did not seem logical. One of the real problems we have in local government, as you would well know, is trying to work out who the candidates are. One hundred and fifty words do not help much, but it is more than you get, and if you cannot get that through the common sources, which would potentially be the VEC site — and there is now sensitivity about councils promoting anything about the election — I would say it is a no-brainer.

The CHAIR— Given that the VEC's defence, if you like, was that it had legal advice which called that into question, assuming the legislation was clarified would you go a step further and extend that to statements for attendance voting?

Mr SPENCE— I would say so. The problem we have with this model is that people do not know who the candidates are. You can get past all the politics of it, but you should be able to get from the candidate statements some assessment of the reason for the person standing. When you stand for state Parliament we understand the principles that are behind you and what you are running with because of your party background and what you say, but in council elections it is a raffle to an extent because you do not know who you are dealing with. I would say the more information that gets out there and the more it is easy to access the better off we will be.

The CHAIR— Absolutely.

Mr SPENCE— So when we get 50 or 60 candidates in an election you will be able to unscramble the egg.

The CHAIR— Is there anything else from you, John?

Mr HENNESSY— I would like to reinforce that last statement. We all probably have a vision of what we are talking about here for some point in the future. The starting point to delivering that in a coordinated way is a structural partnership between local and state governments, and we probably need some sort of coordinated consultative committee so we can start to plan and design these things in a far more collaborative way.

The CHAIR— Local government, or councils, are providing information online, so I can find out what day the garbage collection is. There are various services online. I can pay my rates online. To what extent are local councils engaging their citizens in the decision-making process?

Mr SPENCE— Online?

The CHAIR— Online.

Mr SPENCE— It is patchy really, isn't it?

The CHAIR— Yes.

Mr SPENCE— I would have said it is patchy. There is information provided, but the gap is in the connection between what goes out online and what comes back online.

The CHAIR— Can you think of a good successful example?

Mr HENNESSY— There are some regional clusters of councils which have some online consultation mechanisms for community groups to access, etcetera.

Mr SPENCE— We could chase them down if you are interested in the detail of them.

The CHAIR— You just mentioned clusters of councils. Is that the way you see that this should be — either statewide or councils grouping in clusters for various forms of electronic democracy?

Mr SPENCE— That is the way we are thinking about the shape of rural Victoria particularly, because metropolitan councils have the capacity to deal with this stuff on their own. But in rural Victoria we think the advances you make in the models for a whole range of things will be more subregional or regional. When thinking about trying to improve IT services in the north–west of the state you realise we have very few councils with the capacity to run decent IT systems. We think we will end up ultimately with some sort of shared services model and regional activity hubbed off one site. Under that sort of model we will get the capacity to do the stuff much more effectively. They are communities that are very much involved in the use of the Internet.

They do business on the Internet, and they have a strong interest in their local community and really want to transact with their council at a high level. They do not want to travel the 150 kilometres to do it; they want to be able to do it through the Web. I suppose the whole range of things we are looking are that probably 10 years out we will see much more of the notion of shared services in rural Victoria. We cannot see the cash capacity for them increasing significantly over time. There are lower populations and a declining revenue base. Unless the commonwealth starts handing out money, which is not something it does very often, we think you have to change the design of the model— that is, not to deconstruct the councils, but provide the services by aggregating up. People are not particularly concerned what the back end does; it is the front end of the system that they are interested in.

Mr LOCKWOOD— Even city-based councils I presume would have some cost problems with some of the forms of electronic democracy.

Mr SPENCE— I think you are right.

Mr LOCKWOOD— They may need to go down a similar path.

Mr SPENCE— It is quite possible we could see some shared services models occurring in metropolitan Melbourne over time too, but at the moment — —

If you are interested in looking at them, we have details of all the systems that are in the councils. We know what their back ends are, we know what software they are using and we know the cycles for changeover, so we know what the sorts of costs are and when reform potentially could occur when they consider rolling their systems over. If you are interested, or if Peter is interested in having a look at that, it would give you a pretty good sense of the sort of state of play.

The CHAIR— Have any councils considered moving to open source?

Mr HENNESSY— Yes, I think councils would like to do it, but at this stage they probably have not got the necessary confidence to take that step. I think philosophically they would like to pursue that.

Mr LOCKWOOD— Do you have any thoughts on the digital divide that we have heard about, the people who do not have access necessarily to the technology and how local government might be placed to play a role in overcoming that?

Mr HENNESSY— I think in the metro the latest figure I have seen is that about 72 per cent have access to the Internet and are actually using it compared to just under 50 per cent in rural. We are involved in, and I think the councils have been involved in, the black spot process for improving broadband access in the rural area, and we have been talking nationally with the federal government about the same process for metro councils. I think part of the problem is that Telstra is strapped as to what to be doing in the short term in terms of priorities to try and overcome some of those black spot areas.

The CHAIR— Is there any feeling whether new and emerging technologies are going to resolve that— wireless, 3G, even broadband by powerline?

Mr HENNESSY— You would be aware that this stuff can certainly be done to have the connectivity for the last kilometre or for the last 100 metres, whatever it is. It is just a question of cost.

Mr SPENCE — We would be getting probably one business idea a month coming in — that is probably conservative — or one every two weeks coming through the door of the MAV suggesting a solution for this.

The CHAIR — This is from companies trying to sell you their — —

Mr SPENCE — Yes. They are trying to pitch into this market, but the experience has been that it is hard to get past the Telstra model. The advice we get back from councils is that you get something seeded locally and then Telstra will come in with a deal that wipes out the idea and they take you out of the market. Obviously people get frightened by that.

Mr HENNESSY — There have been a couple of case studies done in the greater green triangle in south-west Victoria where things did not go too well. I think this frightened people off that a bit as well.

Mr PERERA — What is your view on the introduction of electronic voting to councils?

Mr SPENCE — Do you mean campaigning in council elections, or councils voting electronically?

Mr PERERA — Not that.

Mr SPENCE — I like to see their hands. I think any model where you cannot see the whites of their eyes is not a good deal. Part of the beauty of the process is that you actually see the cut and thrust of it, like you do in state Parliament.

Mr PERERA — Not in the council meetings, but for election of councillors.

Mr SPENCE — For voting for councillors in elections? I think we were saying before that the complexity is in ensuring that the system is bulletproof. Experience in the US at the election before last did not give anyone too much confidence. But when we get to a situation where it is a bulletproof system maybe we will move to it. As I said before, we have some councils that still like attendance voting. They are usually the old Labor councils. The tradition is, 'Let us see the whites of their eyes'. I am a lover of that because I think it is part of the theatre. I do not like voting in the mail. I like to see who I am voting for and I like to see the guy standing out the front handing out the tickets, but maybe we are moving away from that. Whether we are far enough advanced to deal with it — —
People still raise issues, whether they right or wrong, about the postal voting system.

The CHAIR — While we do not have electronic voting we do have some electronic counting in council elections. Do you have any views on that?

Mr SPENCE — I have not heard any issues about it. People seem to think that it works okay, yes. We are in a slow transition on these issues. It is changing, but it is all about how robust the system is ultimately.

Mr HENNESSY — The participation rate in voting in Victoria is four or five times higher than what is happening over in the UK anyway.

Mr PERERA — Do you think it is because of compulsory voting?

Mr HENNESSY — Yes, I think so.

Mr SPENCE — Yes, I think it is.

The CHAIR — If you want to talk electronic democracy to the state government, whom do you talk to? Multimedia? The chief information officer?

Mr SPENCE — The chief information officer and Multimedia Victoria, but if we were trying to make a serious push we would go into the ministers' offices. Our standard way of working is to check out the bureaucracy and then into the ministers' offices.

The CHAIR — What is your understanding of the demarcation between Multimedia Victoria and the chief information officer?

Mr SPENCE — The way I see it is that Multimedia Victoria is more the operational side and the Office of the Chief Information Officer is the planning side. We have a great relationship with both of them. We have spent a lot of time thinking through strategy with the chief information officer. We understand what he is trying to do inside the state system, and we are trying to do the same thing inside local government — that is, get the benefit of having some sort of simplification of the number of systems there, so you can get the benefit of aggregation, and thinking through carefully about the standards that are in the sector in relation to information technology. The work we do with Multimedia Victoria will be around the TPAMS deal, around the Microsoft deal — —

The CHAIR — So you have come in on TPAMS, have you?

Mr SPENCE — Yes. We are in TPAMS. We have been promoting it, and we are on the back of the Microsoft deal. Now we are looking at moving into the desktop tender next time it goes through so that we can get a match on standards. We know that the local government sector will get significant benefit from sharing its buy and its intelligence with the state, and there is real acceptance of it across the sector. I sat down with the steering committee and our IT group the other day and when they looked at their options going forward everyone was saying, ‘We need to do all this stuff with the state. The state has got the purchasing power. If you add our purchasing power and thinking power to theirs, then we have got a really good model. So it is not pushed back from it; it is really interested in getting involved.

The CHAIR — VICNET?

Mr HENNESSY — I suppose councils have not had a great deal of participation with VICNET for a whole variety of reasons. I suppose that is part of some of the issues that the rural councils have with the broadband access. In some cases it goes into the building beside the town hall, but the council cannot get access to it. There is a bit of a segregation of supply of broadband that we probably need to look at so we can see how to overcome that sort of constraint.

The CHAIR — That is in VICNET’s role as an ISP?

Mr SPENCE — Yes.

Mr HENNESSY — Yes.

The CHAIR — But what about other work it does, such as My Connected Communities?

Mr HENNESSY — There are some councils that are participating in those programs. Yes, certainly. Perhaps it is a question of what Rob said. We have just seen with things like the Microsoft deal that we have to plan four and five years ahead. Because the state government is changing over in 2008 for its next cycle with Microsoft councils can try to migrate towards that time frame. I think it is the same with those sorts of programs. We need to start planning more collaboratively together because we cannot do things overnight; it can take up to four or five years to start to merge these planning processes.

Mr SPENCE — If you look at our relationship with VICNET, probably five years ago we would have spent some time with them on strategy. We have moved away from it. We are not getting any strong feedback from councils that we should be participating in it or be involved.

Mr HENNESSY — The cost has been too high in some cases.

Mr SPENCE — People feel locked out of it, I would say. That is anecdotally.

The CHAIR — So are you saying there is a need to refocus VICNET?

Mr SPENCE — I would say so, yes. That is anecdotally. I have not done any work on it. If I think of the comments that are passed to me about VICNET, it is always as if it is at a distance. If it is a product that people want to participate in, they will be hammering us saying, ‘How do we get into the deal? Can you cut a better deal?’, but nobody is saying that.

Mr HENNESSY — It is almost like it is a separate channel and the costs are too high.

Mr SPENCE — Yes, too high.

The CHAIR— Can you see an enhanced role for the Department for Victorian Communities?

Mr SPENCE— The opportunity is there as DVC advances in its new role, through the regionalisation approach that it is starting to take, to see a stronger involvement of that department in this stuff, but it is hard to see it getting too far in advance of the stuff that is occurring. With the chief information officer and with Multimedia Victoria basically we have got rubber on the road.

The CHAIR— Are the elected representatives— mayors and councillors— comfortable in using the technology?

Mr SPENCE— Some yes and some no. Some of them do not like being filmed while they are performing and others love it. I would say that the anecdotal experience is that when the meetings were opened up publicly that they were quite sophisticated in the way they were run.

Mr HENNESSY— Also there was some feedback that the behaviour was more ordered.

Mr SPENCE— Anecdotally you could say that it does change behaviours there was a real interest in it because they thought that they were getting to the members of their community more effectively than you can with having 10 people in the audience at a council meeting and then relying on the local media to communicate what happened with whatever bias there might be in that. You do get a chance to state your case.

Mr PERERA— Should councillors be on a permanent full-time salary?

Mr SPENCE— I did not know that was on your terms of reference. Some would say yes and some would say no. I am not willing to comment.

The CHAIR— Thank you very much. I think we have covered a fair amount of territory in the time we have had with you. I thank both of you for your attendance. In due course you will receive a proof of the transcript.

Mr SPENCE— If there is information that you are interested in that we have, just give us a call. We do have details on all the hardware and software of the councils. We have a complete database, and we know when the rollovers occur.

The CHAIR— Thank you. Today's hearings are closed.

Committee adjourned.