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Terms of Reference

The Legislative Assembly Standing Orders Committee is considering:

- (1) Should any restrictions, or guidelines, apply to members' use of hand-held electronic devices in the Chamber and committees, including accessing social media to comment on the proceedings?
- (2) Should any restrictions, or guidelines, apply to the public and media using social media from the galleries to comment on proceedings or committee hearings?
- (3) Do the Assembly's procedures and rules need modernising to reflect the opportunities and challenges provided by social media?
- (4) ~~Is the current rule, preventing any reflections on the Office of Speaker, other than in a formal motion, still appropriate? If so, should the rule still apply to reflections made outside the House and to reflections made on social media?~~

Question 4 not answered as part of this submission

Legislative assembly Inquiry into the use of hand held electronic devices in the chamber and committees, including accessing social media, with consideration of restrictions or guidelines, in relation to comments during such sessions, and the public using electronic devices, from the gallery to accesses social media.

1-Restrictions and guidelines, or can we say restrictions, should and always apply, to the use of hand held devices within the chamber and committees, therefore the only guidelines needed are guidelines as per restrictions, for the prohibited use of devices, including phones, portable recording, data pads, or computers, for the purpose of posting, or updating comments, opinions, or commentary of proceedings, onto any social media, such as blogs, Facebook/My space, or similar.

Proper procedures should, and are, in place for the participation in, and holding of, such parliamentary sittings, and committee hearings, in a way that proper parliamentary procedures and records are completed and archived. Social media, within the direct public sphere, in way of updates to social media, as described above, insult, and degrade such procedures in a way that decreases the importance of such sittings, and the information generated by such sittings, and translates this formal procedure, into an in-formal personal opinion, posted or updated, in a way, that denies proper accountability of issues discussed, and enables that post or update, of personal opinion, or comments, to be placed within a context of social media, in a way that such comments can be considered as personal, heresy, rhetoric, or even un-authorized criticism, that is not accountable, in the same way as comments and opinions, to be adhered to criticism, such as quotes, or reports in daily newspapers, or press conferences.

In other words, a parliamentary members comment posted or updated to social media, avoids proper criticism, analysis, or public opinion, as the context of social media, such as blogs, or such media as Facebook/MySpace, avoids that context, and is not

regarding as such within academic, or intellectual, or proper political, outlets of opinion.

2- One would think that the above question applies to this question also, however, if a person attends such sittings of parliament, or senate committees, within a designated and authorised public space, then one could argue that if posting onto social media, as discussed, using the portable devices, also described, within a public area, then that comment or opinion, would be already within the public sphere, gained from an already public context, and not subject to parliamentary rules and regulations. However, what is required of the public, in our case a non-parliamentary elected person, or employee of the government, but wholly a, for definition, a public citizen, that is giving evidence within a senate hearing/ committee, or a parliamentary inquiry, or any other formal, or official government procedure? One could argue that the rules and regulations discussed in question 1 would apply, because the private citizen, in our case of argument here, a non-elected government representative, or government employee, then crosses that threshold from private/public, into an official process, as similar to a commonwealth or state court of law, therefore comments and opinions should be then considered official parliamentary business, therefore comment, heresy, or baseless opinion should be avoided.

3- There is no case for the idea, or promotion of social media, in any form, in the context under discussion. Not every industrial, academic, or government context or situation must, or has to be, commented upon, reported, or analysed, within, or by other participants, of any social network or media. Parliamentary processes are a formal act of business, under the formal arrangements of the commonwealth, and individual state government departments, including elected representatives, elected by public elections, within a democratic society. Social media has no place within this formal structure, unless it is beneficial for the process of democratic government procedures. Social media should only be thought of in terms of formal discussion of topics, or individual perceptions of

government. Elected government, and legislation, is not subject to social criticism or reporting, it is subject to proper social laws of sound government decided policy, and law and justice. This formal process has no benefit, or use, for social media, in any context, unless it was subject to full public disclosure and opinion, which most parliamentary sittings, or parliamentary/senate inquiries are completed without a full public disclosure or commentary, in the first instance, except official notes or reporting that is available for public scrutiny within an official and formal public process, mainly through the release of all reports, and procedures.

This is available in written form, accessible from government departments and archives, such as government department internet pages. To use social media, such as Facebook/MySpace, to allow comments/opinions, beyond such an official process, is un-ethical, and allows a break-down of formal process, which means that democracy, and law and justice, is compromised, due to unregulated commentary and opinions, that is, under formal processes, subject to regulation, accountability, unless made in total privacy, within total confidentiality, something in which mainstream social media does not, and does not have to adhere.