

The Role of Parliamentary Petitions in the 21st Century:

reflections drawing from the 2015 House of Commons e-petitions system

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FIRST DRAFT

This is a first draft prepared for the *Parliamentary Scholars and Parliamentarians Workshop*, July 2017, Wroxton. It is likely to include typos and inaccuracies. Its analysis needs to be further developed and a Conclusion hasn't been added yet. Any comments, corrections or feedback, please send to: C.Leston-Bandeira@leeds.ac.uk or [@estrangeirada](https://twitter.com/estrangeirada). Thank you.

Abstract: This paper reflects on the role played by the new House of Commons' e-petitions system. This new system was launched in 2015 and has seen extraordinary volumes of usage, with over 31,000 e-petitions submitted in less than two years and 14 million of unique email addresses used to sign petitions. As the e-petitions site was launched, its support staff team put together and its Committee elected, the public took to the new system very quickly and, in effect, the system has been developed concomitantly to its introduction and development. This means that whilst it has had very high levels of usage, its actual role is still tentative; e.g. it is being defined as it is being used. This paper is based on an Impact Acceleration Account Fellowship thanks to which the author accompanied the Petitions Committee and staff for a period of seven months. The main focus of the paper is to reflect on how this petitions system relates to other existing systems, considering in particular the roles it performs. We identify a range of potential roles that petitions systems can perform and conclude that the House of Commons e-petitions system has played mainly a linkage role, exhibiting also policy and scrutiny types of roles.

Introduction

E-petitions have become very popular in the 21st century, after a general decline over the 20th century. And yet, petitions have existed for centuries. In a context of representative democracies that are increasingly challenged by opportunities given through participatory democracy methods, petitions have become once again a potentially useful tool to link governed and governance. After a few years of discussion and a couple of government-led e-petitions sites, the new UK Parliament and Government collaborative e-petitions system opened in July 2015. The aim with this new system was to mark a step change in the relationship between parliament and public. At the end of its first Parliament, of nearly two years of operation, we assess the role of this new e-petitions system.

This paper develops a reflection on the role performed by petitions in our political systems, focusing in particular on petitions to parliament. Our reflection on the role of petitions means to support an evaluation of the new House of Commons e-petitions system. After exploring the historical roots of petitioning in the UK and the wider role of petitions systems, we explain the advent of the new 2015 system and finish the paper with an overall analysis of the usage of the e-petitions system in the 2015-17 Parliament. We conclude that this system has performed mainly linkage types of roles, having however also made a contribution to policy and scrutiny type of roles. The paper is based on research developed during an Impact Acceleration Account Fellowship thanks to which the author shadowed the Petitions Committee of the House of Commons for a day a week for a period of seven months (October 2016-April 2017). This research encompassed the observation of 55 different sessions, 16 interviews with staff, MPs and petitioners, as well as analysis of online data on the actual petitions.

The role of petitions over time

Before understanding the role performed by the new e-petitions system of the House of Commons, we reflect on the roles performed by petitions in general. Petitions have become an incredibly popular tool in the 21st century, in great part thanks to what its online provision enables in terms of capacity for dissemination and mobilisation of support. So much so that we have seen an explosion of a plethora of online petition platforms such as change.org, 38degrees or Avaaz.org. Traditionally developed as a tool for the people to address grievances to the State (whether in the form of a Monarch, government, parliament or another political institution), petitioning has become so pervasive that today's versions happen regularly across public and private spheres, at national, regional and local levels. Petitioning is one of those activities everyone seems to know about, whilst simultaneously having little idea of their actual purpose, if for nothing else because this in fact varies considerably from system to system. Understanding the processes supporting petitioning and what people try to achieve with their petitions helps us understand the potential role performed by

petitions. In this paper we focus on petitions to Parliament, whilst accepting that people's perceptions of petitioning are shaped by various experiences of petitioning, most likely being unable to differentiate petitions specifically aimed at parliament.

Recent academic interest for petitioning has framed it as an advocacy democracy tool, which enables the reinforcement of participatory elements in our democracy, the opening up of our formal institutions to the public and the provision of a voice to the public into our political systems (Cain et al., 2003; Carman, 2006, 2010; Miller 2009; Bochel 2012). Thus, recent reflections inherently portray petitioning as a tool specific to our modern democracies, as a form to address declining levels of trust in political institutions. But the right to petition has a long history and has played a variety of roles over the centuries. It also embodies important differences across nations. Analysis of recent systems have identified all of the following roles performed by petitions: safety-valve (Carman 2006; Hough 2013; Leston-Bandeira 2017), fire-alarm (Saalfeld and Dobmeier 2013; Leston-Bandeira 2017), communication of information (Lindner and Riehm 2011), inform policy development (Hough 2013), effect policy change (Carman 2006; Hough 2013; Lindner and Riehm 2011; Escher and Riehm 2016), link between parliament and citizens (Carman 2006, 2010; Hough 2013), provision of a voice to the public in the political system (Bochel 2012), integration and legitimacy (Lindner and Riehm 2011), scrutiny of the executive (Hough 2013; Lindner and Riehm 2011), protection of individual rights (Escher and Riehm 2016) and mobilisation (Escher and Riehm 2016).

Reflecting each specific history, some countries do not have provision for an actual right to petition, though they may instead have a strong tradition of ombudsman (Scandinavian countries – Arter 2013; Riehm et al. 2014) or of citizens' led legislative initiatives (Latin America – Abreu 2007; Arnold 2013). In specific cases such as France and the United States of America, the right to petition is closely associated with their 18th century revolutionary Constitutions (Costa et al. 2013, p.40; Mark 1998, p.2195). In Germany there is a very strong tradition of petitioning, across all levels of governance, with the right to petition being recognised in Art 17. of the Basic Law (Constitution). In the UK and Portugal, there is also a long tradition of petitioning that goes as far as at least Medieval times (Ormrod et al. 2009; Tibúrcio 2010, p. 39). Many identify Magna Carta (1215) as the establishment of the right to petition, though petitioning long pre-dates it, as demonstrated in Connolly's analysis of petitioning in ancient cultures, such as in the Roman Empire (2009). Connolly explains that in such early cultures as in fifth century BC Persia, the power to accept or refuse petitions played already then an important role: "[a]nswering petitions helped ancient rulers appear caring and responsive. It also provided an effective and simple way for them to reinforce their authority and power" (2009, p.63). Although today's petitions to parliament are framed by very different formats and processes, in many ways part

of their role remains very similar: showing responsiveness to the public and legitimising parliament's power.

Petitions to Parliament in England have in fact over the centuries developed hand in hand with changes in Parliament's role; the history of petitioning is, in many ways, the history of parliament, particularly as it embodied a strengthening of the institution's authority in mediating grievances raised by the public. This is also true in Germany, where Linder and Riehm explain that the development of the right of petition has helped the strengthening of the institution of parliament (2011, p.37). In England, before parliament became the prime forum for citizens to present petitions, these were presented directly to the Monarch. As parliament's powers in relation to the King strengthened, so did parliament's ability to redress specific petitions. Petitions would usually be addressed to the King, though discussed in parliament as the most "suitable forum" to have these presented in (Dodd 2007, p.317). Mark explains that as the King required parliament's approval for the release of specific funds, the legislature often conditioned this on the resolution of specific grievances raised in petitions (1998). By the 15th century most petitions were directed to parliament and acquired an important role in the development of its powers. Dodd goes as far as to say that the role of petitioning was in late Medieval times a key reason why parliament was sustained during that time: "For what consistently made parliament an indispensable part of the political and administrative structure of the late medieval English kingdom was the conviction that it provided a crucial outlet for the satisfaction and resolution of private interests and conflict. Perhaps this, more than any other factor, explains why parliament endured in the late medieval period" (Dodd 2007, p.325). Thus, petitioning performed already then roles of safety-valve, helping to address conflict, as well as of grievance resolution.

Petitioning in the Medieval parliaments was therefore an important part of parliamentary activity, quickly coming "to dominate Parliament's calendar- indeed they often became the legislative agenda" (Mark 1998, p.2967). As petitions became an increasingly important part of parliamentary activity, they slowly became an institutionalised feature with associated processes and the creation of ad-hoc committees. By the 17th century petitions to parliament had adopted quite different characteristics to the ones from the Medieval parliaments. Whilst the early petitions related mainly to personal grievances, whereby the Monarch's subjects sought the redress of what they saw as individual situations of injustice, by the 17th century the issues covered became far more general; petitions were starting to be used to create political pressure and to raise issues of public interest (Leys 1955, p.46; House of Commons Information Office 2010, p.6). The focus and contents of petitions started therefore to change also, becoming more about applying political pressure than about redressing specific grievances; from this point of view, like many of today's petitions, petitioners were under little illusion that their petition would be addressed; the purpose of presenting a petition being instead to

make a political point. Likewise, whereas the early petitions related mainly to legal-judicial matters, by the 17th century, and as the Courts became better equipped to address issues of legality, petitions to parliament became more focused on policy rather than legal-judicial matters. Petitions therefore also acquired a role of policy-setting.

But petitions also performed important political participation roles. At a time of restricted access to the Monarch (rulers), petitions provided a channel through which to contact the ultimate authority in power. What's more, for a very long time, petitions were the tool that integrated those disenfranchised into the political system. Up to the universal suffrage, the vast majority of the population was formally excluded from the process of participating into the political system. Whilst not having the right to vote or the power to advise the Monarch directly, citizens could however present petitions. This explains why Mark (1998) considers petitioning as the most important channel to enfranchise those disenfranchised from the right to vote: "Because petitions became the basis for much legislation and because petitions were the vehicle for the expression of grievances with both public and private characteristics, they were a mechanism, indeed the formal mechanism, whereby the disenfranchised joined the enfranchised in participating in English political life" (Mark 1998, p.2169). Ormrod points out though that, in practice, and until the late 18th century, those petitions with most likely chance of success were in fact those favoured by the very few enfranchised: "although early modern parliaments received petitions from many and various groups of people who had no claims to the franchise, it remained true until the late eighteenth century that the petitions standing most chance of success were precisely those that self-consciously reserved the right of signature for men of substance who qualified as electors" (2009, p.2). Nineteenth century petitions such as the Chartist and the Corn Laws ones are good examples though of petitions that were inclusive of disenfranchised citizens such as middle-class women and working class men (Miller 2012; Chase, 2017). The importance of petitions during a time of considerable disenfranchisement explains in great part its decline in the 20th century, as the universal franchise expanded; as citizens could vote, the need to lobby parliament became less relevant: "With an extended franchise, accompanied by a greater degree of actual representation, came a decreased need to make one's views known to unrepresentative representatives. The vote became the master." (Mark, 1998, p.2230).

Besides political participation, the history of petitioning also shows that it performs an important role of mobilisation. This is particularly clear in the very large petitions of the 19th century, such as the Chartists petitions which gathered millions of signatures (1839, 1842 and 1848).ⁱ Chase points out that the Chartists knew full well that their petitions were unlikely to succeed, but the Chartist petitions were not so much an end in itself, but rather a means towards an end (2017). Petitioning was built around canvassing and signatures were often collected following a public meeting, through which the

people were mobilised to support the Chartist cause. Besides mobilisation, the petitions were an important recruitment tool, which helped to sustain the movement. As petitions were often collective, they also performed an important role of sustaining the development of a collective identity sustained by the sharing of a specific experience, be it a cause as Chartism and the sense of a working class identity (Chase 2017), be it, for instance, of specific professional interests (Mark 1998). In short, petitions provided a focus for people to unite for a cause.

Petitions have therefore performed a wide range of roles over the centuries, most of which are still visible in today's petitions systems. Whilst the format and processes of petitions to parliament have changed and their relevance has varied considerably, their role has resisted the passing of time. The advent of the internet has revived the popularity of petitions, and possibly reinforced their public engagement potential, but these are by no means a new phenomenon.

We summarise the type of roles fulfilled by parliamentary petitions according to four areas – linkage, campaigning, scrutiny, policy - in Table 1. Whilst we differentiate four areas within which petitions play important roles, it would be foolish to consider that these roles are performed separately according to linear developments. Different types of petitions may perform different roles, just as each specific petition may perform a number of roles. Likewise, specific roles such as “fire-alarm” may contribute towards both linkage between institution and public and to the scrutiny of the Executive.

Table 1: Roles performed by petitions systems

Areas	Roles
Linkage	<ul style="list-style-type: none"> • Legitimacy of the political system and specifically of parliament, by recognising its authority to deal with issues raised by the public; • Safety-valve/conflict-resolution, by finding an outlet to express dissatisfaction; • Grievance resolution, by providing a path through which specific situations of injustice can be identified and addressed; • Fire-alarm, by providing an outlet for citizens to raise bottom-up issues; • Education, by initiating citizens into the functions of political institutions, potentially leading to a better understanding of the role of parliament;
Campaigning	<ul style="list-style-type: none"> • Mobilisation, by providing a focus for citizens to unite around a specific cause; • Dissemination, by providing a means to disseminate a specific campaign; • Strengthening of a group's identity, by providing the means to sustain a sense of shared identity between members of a group;
Scrutiny	<ul style="list-style-type: none"> • Fire-alarm, by identifying issues of concern which would otherwise not be known to parliament; • Evidence gathering, by enabling the collection of information on specific issues of public interest; • Questioning, by providing an outlet through which government ministers can be asked for a response on a specific issue;
Policy	<ul style="list-style-type: none"> • Policy review, by identifying black holes in policy or policy not being applied in practice; • Policy improvement, by identifying ways to address poor policy and enabling the discussion of different alternatives; • Policy influence, by supporting the building of pressure on specific policy change; • Policy change, by eventually leading to change in policy.

Linked to the types of roles performed by petitions systems, one must also differentiate different types of petitions. As we saw above, petitions have broadly developed from requests to address personal grievances to requests to address issues of public concern. Today issues of a personal nature tend to come under the bracket of ombudsman systems or, in the UK, are often raised by constituents to MPs; much of MPs' casework could be seen as attempts to redress personal grievances. The differentiation between personal and public issue is often unclear though and requests may in fact fall within a number of systems. This is particularly relevant in the case of the German Bundestag's petitions system. In the absence of an ombudsman system, it actually encompasses both *res privata* matters (e.g. matters relating to personal grievances) and *res publica* (e.g. matters of general public interest), with each having since 2005 different methods to be considered (Saalfeld and Dobmeier 2013; Riehm et al. 2014).

As we saw above, petitions have also historically tended to move from legal-judicial matters to more political matters. Petitions in the UK have, for instance, become more clearly tools for political activism

since the 17th century. But within this bracket it is also possible to identify a number of categories to differentiate types of petitions. Table 2 identifies different types of petitions, according to the actions aimed by the petitions and the matters they tend to relate to. These types are not mutually exclusive, on the contrary; for example, a petition requesting for the re-establishment of bursaries to NHS nurses may be all of the following: party-political, public, protest and substantive; just as a petition asking all under-fives to be vaccinated against Meningitis is clearly a specific, national and substantive petition.

Table 2: Types of petitions

Type	Focus of the petition
Legal-judicial	Relates to a legal-judicial matter, may need to be referred to the Courts or at the very least to involve a conciliatory diligence initiative;
Party-political	Relates to an issue that divides political parties, may be part of a party's own manifesto or constitute an important part of their policy programme;
Generic	Does not identify a specific issue to be addressed, can often constitute a statement of principle;
Specific	Identifies a specific issue to be addressed, often pinpointing a specific action to redress the issue;
Private	Relates to a personal matter, often specific circumstances or a specific incidence experienced by the petitioner or someone very close to them;
Public	Relates to matters that affect the public in general;
National	Relates to issues that affect the whole country, or its vast majority;
Local	Relates to a local issue only relevant to that locality;
Protest	Aims mainly to show dissatisfaction with a particular situation, such as an action or policy from the government, often taking the form of a statement rather than the identification of an action to redress the issue, referring to ad-hoc and temporary situations and/or being reactive to specific events;
Substantive	Aims mainly to resolve an issue or to at least make progress in resolving it, refers to issues about which the petitioner feels very strongly about, either because it is an issue that has affected their personal lives or because it relates to issues of principle about which the petitioner feels very strongly about, often referring to long-term issues;
Cry-out-for-help	Aims to denounce a situation felt as a grave injustice, but without identifying a path to redress the situation, often because the situation has already taken place and cannot be remedied and/or because the authority to whom the petition is addressed to has no power over that matter.

Identifying different types of petitions helps to clarify the different purposes inherent to petitioning, as well as enhancing our understanding of the roles performed by petitions. We now turn to the development of the House of Commons petitions system, before analysing the role it performs.

The advent of the 2015 UK Parliament's e-petitions system

On the 20th July 2015, the new UK Parliament and Government e-petitions site went live at <https://petition.parliament.uk/>. This was the very final step of a process establishing a new petitioning system in the House of Commons, following a couple of e-petitioning pilots led by the government and a series of parliamentary reports, from the Modernisation Committee's 2004 report which identified petitions as an important tool to connect with the public, to the Procedure Committee's 2014 report which established the key principles of the new petitions systemⁱⁱ. In short the new system was set-up as a collaborative UK Parliament and Government venture, which established that there should be a Petitions Committee, that members of the public would be able to submit petitions directly to parliament (rather than through an MP) through a dedicated website, where the public would also be able to sign for petitions, and where any petition receiving at least 10,000 signatures would receive a response from the government and those with over 100,000 signatures would be considered by the Committee for a debate in Parliament.

The new e-petitions system was in fact an addition to the petitions system that has existed in the Houses of Parliament for centuries. Indeed the new system exists in concomitance with the public petitions system of the House of Commons,ⁱⁱⁱ whereby petitions are presented through MPs. The current public petitions system is effectively the restricted system in place since 1842, with further limitations introduced in 1974 as we shall see below.

The understanding of the public petitions system is important in informing our understanding of the e-petitions system. Members of the public write the petition and may collate signatures on this, before sending it to their MP, who can either informally place it the green bag situated behind the Speaker's chair, or formally present it in the main Chamber (Rogers and Walters 2015, p.298). This presentation takes place at the end of a day's sitting, just before the adjournment debate, and consists of a very brief introduction to the petition, which usually includes the indication of the number of signatures collated and the reading of the petition's text. There is no debate. The government may make observations to public petitions (e.g. in effect a response) and it has been suggested that petitions should be added to select committees' core tasks (Office of the Leader of the House 2005, p.5, paragraph 12). Except on the rare occasions when a campaign manages to orchestrate a concerted presentation of petitions, such as the WASPI (Women Against State Pension Inequality) campaign whereby 198 petitions on the same topic were sequentially presented by MPs in the Chamber within the same sitting (HC Debates 11 October 2016, cc261-274), these public petitions "are not a particularly effective way of making a case" (Rogers and Walters 2006, p.341; 2015, p.298). Other than the presentation, a government observation, and their printing on record, little else happens to public petitions. As Judge stated back in 1978, "petitions are at best an inefficient method of amplifying

grievances, at worst ineffectual." (p.404). As we shall see below, the usage of this system has indeed declined considerably since the beginning of the 20th century.

With the advent of the internet in the mid-1990s, electronic forms of petitions started to become popular. It was in this context that the Downing Street e-petitions site was launched in 2006, still under Tony Blair. Although this innovation was seen positively by some, as at least a step forward (Miller 2008; Hale et al. 2013), it has been judged as a poor system because it did not relate to institutional processes (Bochel 2012), it had no policy impact or it ignored the people (Wright 2015a, p.418). Likewise, Parliament's Procedure Committee raised the concerns that this site may have been "by-passing" parliament in an area that should traditionally be fulfilled by parliament: "we believe that Parliament should be the primary recipient of petitions from the public" (Procedure Committee 2007, p.18). With the Coalition Government (2010), that site was substituted by a new e-petitions site (based now in the Cabinet Office, rather than Number 10), which was inaugurated in 2011. The new system bolted in Parliament's input, despite the fact that Parliament was not consulted on this: the e-petitions site promised citizens that if their petition reached 100,000 signatures, it would be debated in parliament, delegating this responsibility to the then newly created Backbench Business Committee.

Despite quantitatively being considered very successful – over 33,000 petitions were accepted onto the Downing Street site, with over 12 million signatures (Wright 2015a, p.418) – the government-led e-petitions sites were considered to create significant challenges, particularly the Coalition government one. A key challenge related to the fact that the Backbench Business Committee now had an agenda imposed on them, to which they were expected to acquiesce despite the fact that Committee had been created to provide backbenchers with time to debate issues in Parliament. Linked to this, the e-petitions site created the impression to petitioners that their petition would be discussed in parliament, whilst not providing for suitable processes for this. By creating unrealistic expectations the government-led e-petitions site was risking "reputational damage to the House of Commons in particular, and an exacerbation of public disillusionment with the political system in the long-term" (Hansard Society 2012, p.5). But even the first government-led e-petitions system was judged to lead to considerable disappointment amongst petitioners, who felt they were not being listened to (Wright 2015b).

Following the Hansard Society damning report on the Coalition e-petitions site (2012),^{iv} the Procedure Committee launched yet a new inquiry to investigate possible models for an in-house e-petitions system in 2014, after the Leader of the House had accepted to support the creation of a House of Commons e-petitions system through a motion approved unanimously (Lansley HC debates 8 May 2014 cc311-314). The 2014 Procedure Committee report established the key principles of the new

collaborative e-petitions system, which was in the main followed when the new Committee was established in 2015. The report considered that the new e-petitions system would have “the potential to bring about a significant enhancement of the relationship between petitioning public and their elected representatives” (Procedure Committee 2014, p.31).

The Report put considerable emphasis on the role the new Petitions Committee would play; this is at the core of the new system’s potential. The establishment of a committee meant that there would now be a group of MPs who would lead responsibility in the consideration of petitions, besides the important ring fencing of a team of staff solely dedicated to support the moderation and consideration of e-petitions. International comparisons have noted that the existence of a Committee does help to enhance the consideration of petitions (Riehm et al. 2014; European Parliament 2015). When the report came to be discussed in February 2015, there was overwhelming support for the proposals brought forward and the then Leader of the House specifically considered the establishment of a Petitions Committee “the most significant recommendation” in the new system, representing “a major change and should be the catalyst for a fundamental change in the relationship between parliament and petitioner” (Hague, HC Debates 24 February 2015: c.256).

But strictly speaking, the Petitions Committee is not new, it is simply being re-instated. Although early petitions were listened to by the whole body of parliament, as the numbers of petitions increased and this became increasingly difficult, petitions were instead referred to committees (Mark 1998, p.2214). Leys refers to special committees set up in the 17th century “from time to time to review petitions” (1955, p.49). In 1832 it was proposed that a sessional committee should be established to keep track of petitions being submitted, becoming then formalised in the Standing Orders in 1842 (Leys 1955). This was then mainly a move to cope with the increasingly high number of petitions submitted at the time (Mark, 1998; Leys 1955; Judge 1978). The Public Petitions Committee was in place up to 1974, when it was abolished (Judge 1978; House of Commons Public Information Office 2010, p.5). The decision to abolish the Public Petitions Committee came following a review by the Procedure Committee. The Public Petitions Committee would have wished to carry on and suggested a review should consider a reinforcement of its powers (Judge 1978), as its powers were then essentially of an administrative nature to check petitions were in accordance to regulations and to report on the number submitted (Judge 1978; House of Commons Public Information Office 2010). Faced with the dilemma of how to deal with high number of petitions, rather than strengthening its powers, the review opted for dismantling the Public Petitions Committee on the 4 April 1974. Ironically this move then actually led to a slight increase in visibility for petitions, as these started again to be published with votes and proceedings. Therefore whilst the introduction of a committee in 2015 was seen as a

key element to ensure a considerable enhancement of petitioning, in the past it had been linked to a rationalisation of the procedure.

Another key element of the new system lies with the debate in parliament of petitions. This is an interesting feature of the UK system, nonexistent in other systems though interestingly recently adopted in the Welsh Assembly for petitions obtaining 5,000 signatures (National Assembly for Wales 2017). The Portuguese Parliament also foresees that petitions with over 4,000 signatures are considered in the Chamber, but this constitutes of a presentation of the petition's report, followed by respective statements from each parliamentary group rather than a debate as such (Assembleia da República 2007, Art.232º). Whereas oral evidence sessions with petitioners are a key element of the German and particularly the Scottish systems, in the UK the parliamentary debate is seen as the pinnacle of system. This is understandable seeing the arena nature of the UK Parliament (Polsby 1975) where debate and adversarial politics are a predominant feature. Adding to this the fact that the government dominates the parliamentary timetable, then it quickly becomes clear why being able to have a debate on a petition is seen as a golden opportunity to publicise an issue outside of government control. But it is of particular relevance in the House of Commons considering its procedural history in considering petitions.

As intimated above, faced with rising number of petitions at the beginning of the 19th century, the House introduced a series of changes to rationalise the time spent debating petitions: "In 1832, a select committee under the chairmanship of Sir Robert Peel proposed a package of reforms intended to counter the problems caused by the increased volume of petitions, and speeches on them, since 1815" (Miller 2012, p. 887). This set of reforms would be finalised in 1842, when speeches on petitions were considerably restricted. As Judge put it "1832 heralded the start of a ten year campaign to tighten the regulations governing the presentation, of petitions" (1978, p.393). Petitions became an important political tool at the beginning of the 19th century, providing for important opportunities to create debate in the Chamber. This is something the Radicals in particular made considerable use of, as a way of bolstering their minority presence in parliament and their claims for political reform (Leys 1955). Peel's reforms led to restricting the discussion of petitions to the start of each sitting before government business, which soon led to debates being held with very poor attendance particularly from the government side. Eventually, with the 1842 enshrining of Standing Orders on the matter, the presentation of petitions was moved to the end of each sitting day, just before adjournment debates, but MPs were limited to briefly introducing and reading out the petition; debating a petition was no longer possible. The introduction in 1999 of Westminster Hall as a 'parallel chamber' (Rogers and Walters 2006, p.297) opened up new opportunities for debating, providing a solution that was not available at the time of the 19th century reforms. Under Standing Order No.10.1.a), the Monday 4.30-

7.30pm slot is now reserved for the Petitions Committee which uses this time to debate petitions. Nearly two centuries later the function to debate petitions was therefore restored.

Finally another key feature of the 2015 system is the compulsory element of a response from government departments for any petition that reaches 10,000 signatures. As explained above, the UK petitioning system is collaborative between government and parliament; although this is in part due to the dominance of government in the UK parliamentary system, in practice it bolts in the government into the process of consideration of petitions. Obtaining a response from the government is a perennial difficulty of petitions systems and “most of the systems do not provide any legal deadline for the government to respond” (European Parliament 2015, p.24); systems such as the European, German and the Portuguese do foresee deadlines, though these are not always followed. Prior to the 2015 system there was no obligation for government departments to respond to petitions in the UK. As seen above, the government can make observations to public petitions and since 2007 it has agreed that all substantive petitions should receive a response from government departments (Office of the Leader of the House 2005, p.5, paragraph 13). However, there has been great variation in the proportion of public petitions that receive observations from the government, despite an improvement in the proportion of observations since 2007, as Table 3 shows.

Table 3: Average number of public petitions submitted and of government observations (1987-2017)

Years*	Petitions	Government Observations
1987 – 1997**	281.22	42.8%
1997 – 2007	130.40	62.6%
2007 – 2017	212.44	86.7%

Notes: *Averages calculated from values per Session listed in the sources; decade 1987 – 1997 corresponds to the sessions between session 1987-1988 and session 1996-1997, and so forth.

** Values from 1992-93 excluded as it had an extraordinarily high number of petitions submitted (2,651), which would have made for more than half of all petitions submitted during this decade.

Sources: Griffith and Ryle 2003; Rogers and Walters 2006; Sessional Returns for 2000-01; 2005-06; 2006-07; 2007-08; 2008-09; 2009-10; 2010-12; 2012-13; 2013-14; 2014-15; 2015-16; 2016-17.

The 2015 system establishes a deadline of 21 days for government departments to respond to petitions with 10,000 signatures or more (Petitions Committee 2015; 2016). As we see below, this is regularly followed up by the current Petitions Committee. But the very fact that this information is available online, on each petition’s page, for anyone to see, acts in itself as a strong persuasive factor for government departments to respond to petitions. The ability of making government departments to respond to citizens’ petitions is therefore a key distinctive feature of the UK Parliament’s e-petitions system.

The new system introduces therefore a number of key factors which make it potentially a strong petitioning tool for citizens; namely the fact it is supported by a Committee, it is integrated into parliamentary practice through the possibility of generating a parliamentary debate and it bolts the government into the consideration process. Besides this it is also worth pointing out that e-petitions can be very easily submitted online, as well as signed, with no need for registration, contrary to other systems which require registration. This may in fact explain the very high number of e-petitions submitted to the new system. In the next section we evaluate how the system was used during the 2015-17 Parliament to finally identify the role(s) fulfilled by this petitions system.

[The consideration of e-Petitions in the 2015-17 Parliament](#)

Over its first Parliament (just under two full years), the new House of Commons e-petitions system saw extraordinary levels of engagement with the public. On its first day live, 20 July 2015, nine petitions were submitted “collecting between them 60,580 signatures on that single day” (Leston-Bandeira 2015) and twelve months on, a total of 18,767 petitions had been submitted (Leston-Bandeira 2016). By the end of the Parliament, 3rd May 2017, over 14 million unique email addresses had been used to sign e-petitions (Caygill and Griffiths 2018) and nearly 11,000 e-petitions had been accepted, as Table 4 shows.

Table 4 – Petitions submitted in the 2015-17 Parliament

Submitted*	31,731	
Accepted	10,950	34.5%
Rejected	20,781	65.5%
With government response**	471	1.5%
Petition debates***	39	n.a.

Notes:*Besides the ones listed above, 5,000 more e-petitions were submitted but not published on the site, because they were considered to be offensive or libellous (Email to author by staff from the Petitions Committee (11/05/2017)). If we include these petitions with the overall values published, then the percentage of petitions rejected or not accepted due to their offensive/libellous nature rises to 70.2%, and the percentage of those accepted decreases to 29.8%;

** These were the values by the end of the 2015-17 Parliament, on the 3rd May 2017. Since then some petitions have now received responses from the government. Values at 26 July 2017 indicated 479 petitions had had a response from the government, with eight awaiting for a response.

*** Petition debates often include more than one petition, when more than one relates to the same topic. Overall 52 petitions were included in these 39 debates. This corresponds to about 0.2% of petitions submitted.

Sources: Author's own research, data from <https://petition.parliament.uk/> and <https://www.parliament.uk/business/committees/committees-a-z/commons-select/petitions-committee/>

By any measure, the new House of Commons e-petitions system demonstrates very high levels of usage, even when compared with the government-led e-petitions systems. Over 2015-17, an average

of 1,480 e-petitions were submitted per month. This varied considerably throughout the time of the year though, with clear peaks following the EU referendum in June 2016 and then again in February 2017, following the Trump state visit petition. The average per month during the first year was slightly higher at 1,564.

Comparatively with other parliamentary systems, this is a markedly high volume of petitions. The German Bundestag, which is relatively comparable to the UK Parliament's system in terms of powers and population size (Germany: 82 Million; UK: 63 Million), received an average of 1500 petitions per month in the 2000s (Saalfeld and Dobmeier 2013, p.62). This has dropped over the last few years and the average number of petitions submitted per month over 2014 and 2015 was 1,186 (Bundestag Petitions Committee 2016). The volume of petitions submitted through the UK system is therefore considerably high, particularly taking into account the differences in population size, but also the fact that the German system includes ombudsman matters as we saw above (the volume of actual public petitions is therefore considerably lower). There is also a sizeable difference in staffing between the German and the UK Petitions Committees. The German Committee has about 80 members of staff supporting it. By the end of the 2015-17 Parliament, the House of Commons Committee team comprised only 5.6FTE members of staff (an increase from four at the start of the Parliament). The Scottish Parliament's Public Petitions Committee deals with a far lower volume of petitions - an average of 14.6 per month, on the basis of the values for 2012-2015, when an average of 174.67 petitions were submitted per year (Scottish Parliament Public Petitions Committee 2015, p.36; Scottish Parliament 2017) -, but is supported by four members of staff (Scottish Parliament Information Centre 2017). The number of staff supporting the Petitions Committees is almost the same in the Scottish Parliament and in the House of Commons despite the fact the latter deals with over 100 times more petitions.

About 50 e-petitions obtained over 100,000 signatures and two achieved over a million; 487 had achieved the 10,000 signatures required for a government response and 97% of these had had a response from the government, despite the fact an unexpected election was called in April 2017. It has also led to an extraordinary increase by over 300% of readership of Hansard and of 900% of viewing of Westminster Hall debates (Petitions Committee 2016). This is thanks to a simple technique used by the Committee: to email all signatories of a specific petition when a relevant action takes place, namely when government has sent their response and when the petition has been debated in parliament. As Figure 1 illustrates, each of these emails lists the web links to where signatories can access the material in question, be it a response from the government or the actual transcript or video

footage of a debate. What's more, each e-petition page lists any relevant actions that may have taken place in relation to that petition, as Figure 2 illustrates.

Figure 1: Email sent by the Petitions Committee to signatories

Dear [REDACTED]

Parliament debated the petition you signed – "Make it a specific criminal offence to attack any member of NHS Medical Staff."

Watch the debate: <http://parliamentlive.tv/Event/Index/366cf329-dd6b-4b6b-83d6-7e13529f8b9d>

Read the transcript: <https://hansard.parliament.uk/commons/2017-02-27/debates/FE911759-410C-4322-A0D9-0D2B6E6661AB/AttacksOnNHSStaff>

The petition: <https://petition.parliament.uk/petitions/176138>

Thanks,
The Petitions team
UK Government and Parliament

Source: Email sent by the Petitions Committee, 01/03/2017.

Figure 2: e-Petition page listing relevant actions taken

The screenshot shows a closed petition titled "Make it a specific criminal offence to attack any member of NHS Medical Staff." The petition has 118,056 signatures. It notes that the petition closed early due to a general election. The topic was debated in Parliament on 27 February 2017, and the government responded. The petition was closed on 3 May 2017.

Petitions
UK Government and Parliament

Closed petition

Make it a specific criminal offence to attack any member of NHS Medical Staff.

There are 193 attacks on NHS staff a day in England. LBC's Nick Ferrari thinks this is unacceptable. Support his 'Guard Our Emergency Medical Services' campaign to better protect our doctors and nurses by making it a specific legal offence to attack them.

► More details

This petition closed early because of a General Election
Find out more on the Petitions Committee website

118,056 signatures

100,000

Parliament debated this topic
This topic was debated on 27 February 2017

Watch the debate • Read the transcript

Government responded

Assaults against NHS staff are unacceptable, and already criminalised. If the victim serves the public, an assault is treated more seriously. A new offence would not provide additional protection.
► Read the response in full

Date closed
3 May 2017

Source: Petition Make it a specific criminal offence to attack any member of NHS Medical Staff
<https://petition.parliament.uk/petitions/176138>

This is not dissimilar to other petition systems, with both the European and the Scottish Parliaments, for instance, also listing any relevant actions (with relevant links) on each petition's page; this tends to be mainly in the form of reports though, rather than actual links to proceedings. What makes the UK system particularly transparent however is the publication of all rejected petitions, with an explanation of why they were rejected, as illustrated in Figure 3. The European Parliament also lists "not admissible" petitions, though it does not list the reasons for their non-admissibility. As Figure 3 shows, in the case of petitions rejected because they duplicate others, petitioners are encouraged to instead sign a petition open on the same topic.

Figure 3: Site of a rejected e-petition

The screenshot shows a petition titled "All leaders of UK political parties to have TV debate before General Election". The petition's summary states: "I believe that all people eligible to vote should have the opportunity to see all leaders of each political party debate in a live TV appearance. TV today is still one of the most powerful ways of politicians delivering their message and being questioned on their manifestos and current issues." A large grey box at the bottom of the petition page contains the text: "This petition was rejected". Below this, the reason for rejection is explained: "There's already a petition about this issue. We cannot accept a new petition when we already have one about a very similar issue." It also notes: "You are more likely to get action on this issue if you sign and share a single petition." A link to the existing petition is provided: "<https://petition.parliament.uk/petitions/195600>". The petition standards are mentioned: "We only reject petitions that don't meet the [petition standards](#)." At the bottom left, the date submitted is listed as "19 April 2017".

Source: Petition “All leaders of UK political parties to have TV debate before General Election, <https://petition.parliament.uk/petitions/195745>

The system is therefore considerably transparent, as signatories can easily access all of the relevant information on their petition and are kept informed by the Petitions Committee. The petitioners we interviewed felt they were kept informed about their petition and valued the contact with the Petitions Committee. Furthermore, the system performs an important educative role in the way it introduces citizens to parliamentary proceedings, the reading or listening of parliamentary debates, or in the way it informs petitioners, signatories and potential petitioners about the criteria to accept petitions.

However, as Table 4 shows, not only is there a very high volume of petitions that are rejected (66%), but only a very small portion of petitions actually leads to any action. Whilst the current site has been praised for very good usability, being far simpler in structure than other parliamentary e-petition sites, it may in fact be too simple. As one petitioner said, “it is dangerously easy” to submit a petition (Interview Pet11, 15/02/2017). Whilst this facilitates the potential submission of petitions by a public not familiar with political procedures, it also facilitates the submission of a high number of petitions which may not have been fully thought through. The main reason for rejection is in fact duplication (Petitions Committee 2016). This is very clear with protest type petitions, when people want to show

their dissatisfaction in relation to a decision. For instance following the EU referendum of the 23rd June 2016, the team received around 9 times the usual number of petitions (Petitions Committee 2016), mostly to express petitioners' dissatisfaction with the referendum result; most of these were submitted over just a few days and were rejected due to duplication; this type of "wave submission" is typical of protest petitions.

Despite very high volumes of petitions submitted and signatures added to petitions, only a very few actually get the attention of MPs; these relate mostly to those achieving 100,000 signatures, which correspond to not even 1% of all petitions submitted or even of those accepted. In short the vast majority of e-petitions are not considered. This is partly due to the very high numbers of submissions, but also to the practical reality that there is only that much a team of staff can deal with and only that much parliamentary time available; ironically, some of the difficulties faced two centuries ago when the House of Commons rationalised its processes to be able to cope with the rising number of petitions. The vast majority of e-petitions submitted hardly gets any signatures either. The current site favours those petitions that are most popular; the more signatures a petition gains, the higher up it is shown on the site. This means that the vast majority of e-petitions submitted are not even viewed by potential signatories. However, seeing the volume of petitions submitted and the amount spent in moderating petitions to check if they conform to the standards to be accepted, the 100,000 signatures threshold has acted as a useful filter to select which petitions the Committee should consider more carefully.^v

Those petitions that do get MPs' attention have been considered mainly through the Monday afternoon Westminster Hall debates. The level of engagement with these debates by the public and by MPs varies considerably (Asher et al. 2017; Leston-Bandeira with Spaiser 2017). Some, such as the one on the petition requesting more funding for brain tumour research, have been packed, others lasted hardly an hour and were very poorly attended. Likewise, whilst some debates focus on the issues raised by the petitions, many veer towards other topics, with some, such as the one on the petition asking for a ban on grouse shooting, actually making more of a case against the actual petition (Asher et al. 2017). The Petitions Committee encourages engagement with these debates by establishing a Twitter hashtag for each petition debate. Analysis by Asher et al. (2017) shows that this engagement initiative does not necessarily lead to either the development of deliberative discussions on petitions nor to the dissemination of the petition's purposes to a wider public.

But besides government responses or parliamentary debates, the Petitions Committee has also led a number of other initiatives to elicit the arguments and evidence encompassed within specific petitions. Just as any other Select Committee in the UK Parliament, the Petitions Committee is able to

develop inquiries. Within the 2015-17 Parliament, it developed two full inquiries, each producing a report (on the petition asking for more funding for brain tumour research and the petition on high heels and dress codes). Besides these, it also led oral evidence sessions for other petitions such as the one asking for Meningitis B vaccination of under-fives, the one asking for a ban on grouse shooting or the one asking for a cap on young people's car insurance. The Committee also led countless of other engagement initiatives such as web forums asking for people to submit their evidence and views on specific petitions; see for example the web forums for the brain tumour research and high heels petitions, but also for the petition asking for all retail to close on Boxing Day, which received 8,009 comments just over a very few days. The Committee also used a range of other methods such as small face-to-face meetings between MPs and members of the public, such as for the petition on holidays during term time, and online discussions such as the one on Facebook about childcare. This wide range of engagement activity has had the main purpose of collating evidence on petitions, with the aim of informing MPs when they lead a petition debate. Observations made between October 2016 and April 2017 showed that the use of this evidence was, however, quite patchy; sometimes it was very well used and integrated into the debates, but not always. The two reports produced by the Committee are the best example of integration of public engagement evidence into a parliamentary output.

For many people petitions should be about changing policy though; or changing a specific situation. So far the system is geared mainly towards raising awareness of issues and for supporting wider campaigns, or marking a start for these. Still, the very fact each petition debate includes a response by a Minister is a powerful tool to support campaigns. It puts on the record the government's position on a specific matter; it sometimes even leads the Minister to acknowledge the case being made by a specific petition. This was the case of the brain tumour research petition. This received a very dismissive response from the government, which disappointed the petitioners greatly; but on the day of the actual debate, a few months later, the Minister actually acknowledged that more could be done to support funding of research on brain tumours. This was then followed by the constitution of a working group, which has worked on this issue with the government, campaign charities and a representative of the petition. It is difficult to identify exactly what leads to a change in policy: "changing policy is a messy process; (...) achieving change often requires long and convoluted processes of campaigning combined with moments of exerting pressure at the right time" (Leston-Bandeira 2017). Raising awareness of issues through petitions is one possible part of those convoluted processes. As the Petitions Committee exemplified in the case of the petition asking for a sugar tax, "(d)espite saying that it "had no plans" to introduce such a levy in its initial response to the petition, on Wednesday 16 March the Chancellor announced that the Government would be introducing a

sugar levy on the soft drinks industry in 2018. Obviously it wasn't the petition alone which led to this – but it was a significant part of the campaign which ultimately led to the changes." (2016).

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ⁱ Chartism was a movement of political reformers who sought an extension of political rights, namely for working class men. The movement was based on the People’s Charter, which established six principles, namely the right to secret vote and a move away from the linkage between wealth and the right to vote or seat as an MP.

ⁱⁱ See also all of the following reports which specifically addressed e-petitions:

- Procedure Committee (2007), *Public Petitions and Early Day Motions, First Report of Session 2006-07*, London, The Stationery Office, HC 513;
- Procedure Committee (2008), *e-Petitions, First Report of Session 2007-08*, London, The Stationery Office, HC 136;

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- Procedure Committee. (2009) *e-Petitions?: Call for Government action, Second Report of Session 2008-09*, London, The Stationery Office, HC 493;
 - Procedure Committee (2012a), *Debates on Government e-Petitions, Seventh Report of Session 2010-12*, London, The Stationery Office, HC 1706;
 - Procedure Committee (2012b), *Debates on Government e-Petitions: Government response to the Committee's Seventh Report of Session 2010-12, Fourth Special Report of Session 2010-12*, London, The Stationery Office, HC 1902;
 - Procedure Committee (2013), *Debates on Government e-Petitions in Westminster Hall, Sixth Report of Session 2012-13*, London, The Stationery Office, HC 1094;

Plus the following from other committees, which address e-petitions:

- House of Commons Reform Committee. (2009) *Rebuilding the House, First Report of Session 2008-09*, London: The Stationery Office, HC 1117;
- Backbench Business Committee (2012), *The Work of the Committee in the 2010-15 Parliament, First Special Report of Session 2014-15*, London, The Stationery Office, HC 1926;
- Backbench Business Committee (2015), *The Work of the Committee in the 2010-15 Parliament, First Special Report of Session 2014-15*, London, The Stationery Office, HC 1106.

ⁱⁱⁱ There is also a House of Lords petitions system, whereby petitions are also introduced through members, but this is even more rarely used.

^{iv} The Hansard Society 2012 report was a reflection of the discussions between officials, MPs and academics in a seminar that it co-hosted with the Backbench Business Committee in March 2012 in the House of Commons, specifically following a request from Parliament for an event which would lead to a reflection on the e-petitions system in place at the time.

^v Something that troubled legislators two centuries ago: if there was to be a filter, who and how should decide which petitions should be considered and which should not.