

Digital Democracy Commission – Students’ Forum – Legislation

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Executive Summary

Legislation was the most active of the Student’s Forum’s threads, underlying its centrality to any prospective digital strategy. The legislative process is open and accessible but it is not utilising digital means to promote understanding and wider opportunities for citizens. Improving political and legislative literacy is essential. A digital strategy cannot tackle this alone but can help. The Forum proposes improving the digitalisation of legislation by simplifying and modernising language, integrating debates and information more effectively with social media. Moreover, reviewing the cap and providing additional online support for ePetitions will boost understanding and accessibility of the feature. The Forum makes a final recommendation to introduce a new legislative portal.

Introduction

This Students’ Forum report on legislation identifies weaknesses which are considered to exist within the current extended legislative process and how this impacts UK Parliament/citizen relations. Drawing on these weaknesses, the report outlines and evaluates potential remedies. This report recommends a combination of small adjustments and far-reaching proposals to be considered for any eventual digital strategy proposed by the Digital Democracy Commission (DDC).

On the theme of Legislation, some wider points emerged from the Students’ Forum worth noting. Of all the themed discussion threads, the *Legislation* thread received the most contributions, suggesting as a function, law-making - and the need for citizens to understand and engage in it – is of fundamental importance.

The Forum recognises the opportunity for simple, snappy and direct inputs/outputs, which are a strength of digital platforms, are more appropriate for scrutiny mechanisms than a legislation. Many characteristics of the legislative process, such as the complexity of law-making, the length of time and sovereignty, are less suited to achieve measurable outcomes for citizens. The Commission faces a challenge of managing citizens’ potentially unreasonable/unrealistic expectations. The Forum encourages the DDC to appreciate this issue but to continue considering *legislation* as a critical theme for any prospective digital strategy.

Limitations of the Current Legislative Process

1. Limited understanding of the legislative process.

As a forum of politics students, of which some specialise in legislative studies, participants collectively did not know many people with any significant understanding of how law is made in the UK. The lack of familiarity with the process immediately cuts a vast number of citizens off from contributing, as they are simply unaware of the opportunities available.

2. Consultations and other opportunities to engage are not open enough.

Leading on directly from point one, a lack of understanding creates a negative image for legislation. While the Forum appreciates that public consultations are held, and opportunities exist at numerous stages during the process for citizen input, people don’t know where to find out about a Bill; or how

to/ where to contribute. Legislation retains an image that 'lacks public participation' and is 'elitist and out of touch.'

3. Legislative drafting is overly complicated.

The aesthetics and content of legislation is overly complicated. The Forum understands precision of language is essential, but jargon-filled Bills using outdated language is 'a barrier to participation... [and] transparency. How can the public be expected to participate in a process that uses terms and phrases which they are unfamiliar with.'

4. Flawed ePetitions system.

The location of ePetitions on '.gov.uk', despite feeding into a Parliamentary mechanism, and the misunderstood non-binding 100,000 signature cap, misrepresents and complicates a genuine opportunity for digital and direct democracy. The lack of clarity of the system encourages misuse and poor expectations.

5. Inadequate integration with social media and opportunity for online contributions.

Overall there is a sense that Parliament does not promote legislation. Information on proposals, pre/post legislative inquiries and current Bills is widely accessible online, but a pdf download of a consultation evidence form only opens conventional access points. There appears to be limited integration with social media, and besides ePetitions, no innovative digital input opportunities.

Potential Initiatives

1. *Education*

Ample opportunities and ideas for the DDC to consider give the Forum a lot to be optimistic about. However, the Forum unanimously emphasises that a digital strategy can only partially resolve the fundamental weakness of the legislative process and the UK political system as a whole: political illiteracy. The Forum advocates the need for more basic political education to 'reduce the knowledge gap' and address 'the detachment between the conception of politics and the reality of what it is.'

Though the Forum appreciates the promotion of political studies in schools is far beyond the remit of the DDC, it is nevertheless a poignant and critical conclusion of the Student's Forum that should be relayed.

2. *Digitalise legislation more effectively on parliament.uk.*

- i. Introduce a digital copy of each Bill and eventual Acts. Remove/replace unnecessary, eccentric writing in the preamble of each Bill. The original velum copy could viably be retained. Each legislative proposal and Act should include a summary and explanatory notes written in 'layman's terms.'
- ii. Introduce an official hashtag for each Bill as applied in US Congress.
- iii. Encourage more social media integration overall. A Bills summary webpage on the UK Parliament website could include a Twitter feed. Participants observed the examples of Scottish and German parliament websites as steps in the right direction.

3. *Creating a new citizen portal/forum for legislation*

- i. Drawing on the promising national and regional examples e.g. eDemocracia (Brazil) and Better Reykjavik (Iceland), the forums advocate developing a specialist legislation portal. The Forum highlights some important factors associated with supporting/implementing the idea.
- ii. A new platform that can account for everyone may be more appropriate than using current social media for legislative purposes. This would support groups such as the elderly who are not subscribed to current social platforms. An 'attractive feature' of the portal could nevertheless integrate use of platform onto social platforms.
- iii. A new platform should have a logical domain to ensure clarity; connected to, or associated with, parliament.uk.
- iv. The platform could be for legislation discussions exclusively, but extending it to scrutiny functions is very plausible. The portal could provide access to resources in text, audio, video format; host interactive committee hearings; video-forums; and small polls.
- v. The platform would have to be mediated actively to prevent a discussion on a policy, a draft Bill or an aspect of a Bill, being 'hijacked by pressure groups'; undermined by extremist or irrelevant comments.
- vi. With increased resources, Select Committee secretariats or Members may have the capacity to mediate appropriate Bills flagged for pre-legislative scrutiny; and even proactively promote debates on inquiries. How genuinely organic the discussions would be depends on mediation.
- vii. An ongoing comment chain/thread on an issue would most likely be difficult to follow, potentially deterring new users. One solution could be to adopt a Reddit/YouTube comment-ranking structure. Users need not even comment but 'like' or 'dislike' others' contributions.

4. *Reform ePetitions*

- i. Process reform is essential in the short-term, but eventually it should be included into a legislative portal. The role of a signature cap, its web domain and the petition-handling committee all require further clarity to make the system more efficient and transparent.
- ii. A 100,000 signature or numerical cap could become binding for a debate. As one Forum participant noted, 'the public are not backbenchers... successful petitions deserve their own time.' Alternatively, a cap should be removed altogether to avoid disappointment.
- iii. A stronger digital and non-digital support structure should see staff and online resources be made available to support and advise citizens who start petitions, e.g. campaign techniques.