Response to "Making laws in a digital age - call for evidence"

Parliament endures.

There are many ways that Parliament can adapt to making laws in a digital age, and there are many aspects of the digital age where Parliament's strengths can solve otherwise difficult problems.

A Digital Deposit Library

The UK Census has a number of key points in which Parliament is involved. Questions, dates and statistics are all laid before Parliament. The facts about the country are seen as of vital importance, and the fixed points are those contained within in the House Library. The importance of the House in the process is, that they are laid before Parliament, and published simultaneously. It is not substantial, but it is important.

What is a "paper" in the modern world, in a forward thinking interpretation of a deposit library, in a way that is "contributing to a well-informed democracy? How should the current definition be updated, as it clearly is currently insufficient? I'd argue that a good working definition for now is "anything that can go in the National Information Infrastructure". But it is only since 2007 that papers deposited in the House Library have been routinely made available onlin, and then not exactly well.[1]

The Cabinet Office's GoodLaw project[2] includes a relatively simple hypothetical question, which is whether legislation would be better if it could include diagrams, rather than purely textual descriptions of the law. If that question can be asked of Law, then a wider question is most definitely applicable to deposits in a modern deposit Library.

A number of uncertainties of the transparency agendas come from the ability for reference datasets to disappear. The UK leads on development of a National Information Infrastructure[3], but there is little permanence to the datasets that are contained within it. When the Machinery of Government cranks, data gets squashed within the wheels[4], and there is no permanence to data.gov.uk beyond a policy acceptance that it is a good idea. The existance of data.gov.uk has been in severe threat at least once due to civil service priority disagreements where the budget

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[1] http://www.parliament.uk/about/how/publications/deposited/
[2] https://www.gov.uk/good-law
[3] https://www.gov.uk/government/publications/national-information-infrastructure
[4]
http://www.infoworld.com/t/government/where-you-cant-and-can-get-government-data-during-the-shutdown-228582

was suggested to be cut to zero. Not everything in data.gov.uk is part of the National Information infrastructure, but the critical parts are.

Parliament, enduring, should it be able to accept fundamental reference copies of datasets, as it takes reference copies of statistical outputs, and stand as the provider of last resort. Census publications are laid before Parliament, that does not mean that they are generally accessed via Parliament, but it is vital to the process, and has been seen as such for centuries.

Parliamentary processes in a digital age must take account of Parliamentary strengths.

Parliament enduring is it's unique strength, but it must be credibly doing the basics of a digital age competently. The recent review of Parliament by mySociety provides some guidance here, and Parliament has already moved rapidly to implement some of the low hanging fruit, which had been forbidden for so long. The duration of this change is not yet certain, but looking likely, and allows Parliament to credibly consider what ambition could achieve.

What would it take for all recordings of Parliament to be online, in web native formats? Embeddable by local news organisations, school children, and others? Not just on youtube, but also from Parliament. What would it take for Parliament to lead in this area?

What categorical guarantees can Parliament, and it's constituent bodies, make that data and material must not be destroyed. In the same way that Parliament fundamentally protects Hansard and the Archives, what are the current digital artifacts that must be maintained for the next several hundred years?

What should Hansard mean, in an era when a Member can sit in the chamber, wiggle their thumb, and have full immediate access to the entire wealth of Human knowledge, not just Parliament's knowledge, and how can those two be merged? What are the capabilities of the Library should it choose to serve a wider community at no greater effort than serving Members?

Given the workload that the Library saves because of the availability of wikipedia to Members' researchers, Parliament should support the "Wikimedian in residence" programme to increase information available to all[5], and reduce (or at least, change the style of) the workload on the Library in the long term.

Parliament endures.

Immediate actions

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[5] https://wikimedia.org.uk/wiki/2014-15_Wikimedians_in_Residence_applications

With the huge amount of physical material that must be preserved indefinitely, there are non-trivial problems with becoming a digital library, and the Library will likely never become a purely digital institution. But it can become a digital first institution, and start with relatively small incremental steps over the status quo:

1. Open Erskine May. It is unacceptable in 2014 that the rules of Parliament cost £311 for a Member to understand the constraints and process options for their job to serve the public. It is understood that Lexis Nexis have a veto over an electronic edition. Should they choose to exercise it, Parliament should clearly state that the next edition will be online only, without a paper edition. I'm sure that it will still be called Erskine May, with great affection, by the House, even if formally it is only A Treatise upon the Law, Privileges, Proceedings and Usage of Parliament.

2. To access a House of Commons bill committee debate from 1994[6], it is currently necessary to pay the House of Lords (where the archives are based) for a copy[7]. Currently, the Library website states[8]

> "If a particular deposit is not available electronically, you should write to the House of Commons Information Office, who will *make a hard copy available*."

changing that text, and the culture and processes that created it, to read:

> "If a particular deposit is not available electronically, you should write to the House of Commons Information Office, who will *make an electronic copy available where possible*."

would, over the next decades, ensure that the most used material is more available.

Parliament endures.

Sam Smith
April 2014

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[6] https://www.privacyinternational.org/sites/privacyinternational.org/files/page-attachments/intelligence-services-bill-commons-committee-1994.pdf

[7] That this money can be paid via paypal shows that there is no monopoly on progress within either House. That the committee could commend the House of Lords for this may say more about processes of the Commons.

[8] http://www.parliament.uk/about/how/publications/deposited/