

**The
National
Forum
Limited**

Submission to

Scrutiny of Acts and Regulations Committee Inquiry

on

Electronic Democracy

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Executive Summary

The Internet provides the potential for increased and expanded participation in democratic processes - there is a compelling case for synergy between digital developments and democratic possibilities. This potential, however, is not being fully realized anywhere in the world. The best uses of Information and Communication Technologies (ICTs) have tended to be in political campaigning, which, while very important, have showcased the potential for the Internet to divide communities as much as to unite them. Used in this way the Internet has a potential to degrade our democratic practices. This submission is about increasing the value of our existing democratic practices.

We are advocating creation of a publicly and community owned corporation to meet the challenges of the Internet and to build an Australian “electronic commons”. Just as in the 1930s the ABC was the answer to many of the democratic imperatives produced by wireless broadcast technologies, the 21st century and the digital technologies call for a similar and complementary approach – a body which can do things that left to its own the marketplace will not.

We believe that the Victorian Parliament could take a national lead in progressing this vision by becoming the first government member of our organisation, the National Forum. The Victorian Parliament would be supporting a national approach to the issues using a government and community owned entity, which is developing technologies, including Internet sites, standards and practices to realise the potentials of the Internet for electronic democracy.

A collaborative approach has advantages over acting alone. By sharing information, techniques and technologies the risks to any one government are limited; it allows for faster development via collaboration; and it limits the resources required from any one government. A collaborative approach, as proposed by the National Forum, is also best suited to the network nature of the new technologies as well as to the democratic opportunities that they offer, at the same time it would increase social and political capital by spreading the group of stakeholders as widely as possible. Curriculum Corporation, a body owned by the state and federal education ministers, is a precedent for this approach.

We are realistic about how much change is possible in our democratic practices, believing that change must be evolutionary, not revolutionary; serving the needs of citizens and their representatives as much as possible within existing structures. We favour a model based firmly on representative democracy.

For citizens the opportunity is to interact more closely and more transparently with their representatives than ever before. They also have an opportunity to interact with their fellow citizens to form communities of interest as and when required. ICTs also have the capacity to break down some of the structures that alienate citizens from the process, including policy and information "silos". Many of those citizens who for reasons of disadvantage and disability cannot currently be involved have opportunities to change this using ICTs. ICTs also give citizens the opportunity to more perfectly realise their

varying roles in the process, as well as understanding better what they are thinking and doing as a group.

For elected members the opportunities are to relate more closely with constituents, and to reach out beyond some of the existing constraints, such as media gatekeepers, at an affordable cost.

To fulfill the potential of electronic democracy the Victorian Parliament and Government need to get fully into the business of Internet publishing. It needs to publish websites which are responsive and personalised; where constituents are entertained as well as informed, and have some control over the agenda; which are interactive; using technology allowing information to be shared across different publishing systems; and where citizens can talk to each other as well as government and parliamentary representatives.

This will require:

- Brokerage systems, using the Internet and email, which allow matching of constituents with information needs;
- Aggregating materials from committees and elected representatives to provide an alternative news-service;
- Providing stakeholders with a content management system which provides them with an effective, integrated and distributed web-presence;
- Adopting a common XML schema for use in the aggregation of material;
- Producing information, in collaboration with other parliaments, organisations and individuals, and then segmenting it so that it is useful for a range of users; and
- Providing tools on sites so that citizens can converse with each other as well as with the parliament or government, in some cases in the form of deliberative discussions, in others as forms of opinion polling.

It needs to do all of this within a reasonable budget and in a high trust, neutral environment. In our submission, the best way of doing most of this is via an arm's length body such as The National Forum.

Our major recommendation is therefore:

That the Victorian Parliament become a partner in The National Forum's project to set-up an Australian electronic commons, what we call an "ABC of the Internet".
(Recommendation 1, par 4.1.6)

The Internet is already being used for democracy and there is nothing that we can, or should, do to stop this. The opportunity that parliaments, governments and parliamentarians now have is to use their influence to ensure that the way that democratic use of the Internet grows fulfills its potential and makes interaction between all of us easier, not harder.

Graham Young
Executive Director
15th January, 2005

List of Recommendations

1. That the Victorian Parliament should become a partner in The National Forum's project to set-up an Australian electronic commons, what we call an "ABC of the Internet". (Par 4.1.6)
2. That the Victorian Parliament adopt an aggregation strategy towards material from its committees and members so as to provide an alternative news-service and allow it to collaborate with other online publishers. (Par 4.3.5)
3. The Victorian Parliament provide a content management system with a standard interface which provides its members and associated entities with an effective, integrated and distributed web-presence. (Par 4.4.4)
4. The Victorian Parliament, seek to co-operate with other parliaments to adopt a common XML schema for use in electronic democracy. (Par 4.4.5)
5. That the Victorian Parliament take a tiered and segmented approach to online information, providing short and entertaining pieces for users with less interest, knowledge or time. It should ideally do this in collaboration with other parliaments, organisations and individuals with similar interests. (Par 4.5.5)
6. The Victorian Parliament build into its electronic democracy sites the capacity for citizen to citizen interactions as well as tools to enable citizens to interact with government, the bureaucracy and parliamentarians. (Par 4.6.4)
7. The Victorian Parliament adopt an electronic petition system. (Par 4.6.5)
8. The Victorian Parliament should make drafts of bills available on its website. (Par 4.6.6)
9. The Victorian Parliament incorporate tools for deliberative discussions into websites wherever possible and that it make collaborative arrangements with organisations who can provide access to appropriate participants, as well as the tools and expertise required to interview them properly. (Par 4.7.5)
10. The Victorian Parliament should find appropriate partners to use ICTs to obtain continuous feedback from citizens, and this should be done on a transparent basis so that all participants are aware of the outcome. (Par 4.8.8)
11. There be a cross-government vehicle to play an ongoing role in policy development, development of standards, and education for the use and development of ICTs for electronic democracy. (Par 4.9.4)

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1 Introduction

1.1 The Dream

- 1.1.1 The possibilities for promoting an expanded conception of democratic political participation through Information and Communications Technologies (ICTs) have been observed by many (Tsagarousianou et. al. 1998; Blumler and Coleman 2001; Simon et. al. 2002; Rushkoff 2003). Stephen Coleman has argued that “there is a compelling case for synergy between digital and democratic developments [since] the potential to utilise the inherent feedback paths of digital technologies in order to facilitate public policy deliberation and two-way governance is too important to remain confined to techies and e-enthusiasts (Coleman 2003a).
- 1.1.2 Debates about electronic democracy and e-government, and the new possibilities for interactive and inclusive public communication through ICTs, have been framed by three factors.
- 1.1.3 First, there is the democratic deficit or the crisis of democracy, where “old styles of representation have come under pressure to change [as] traditional structures and cultures of policy formation and decision-making are perceived as being remote from ordinary citizens.” (Coleman and Gøtze 2001: 4).
- 1.1.4 Second, opportunities have been identified to develop networked forms of social capital through ICTs defined as both (1) bridging social capital, characterised by dense and cross-cutting networks of interaction and mutual engagement (Aldridge et. al. 2002), and (2) linking social capital, characterised by the transformation of vertical forms of interaction to more horizontal forms of linkage and policy co-development (Macintosh 2003; Thompson 2003).
- 1.1.5 Third, online citizen engagement with the policy process has the potential to provide new sources of policy ideas, information and resources, raise the quality of democratic engagement, enhance government transparency and accountability, embed trust relations for managing perceptions of risk, and strengthen civic capacities (OECD 2003; Van Loon 2002; Mulgan 2003; Curtain 2003).

1.2 The National Forum

- 1.2.1 The National Forum was founded three years ago to realize the opportunities provided by the Internet for electronic democracy in Australia. The National Forum is a public company limited by guarantee and publishes a number of sites, including www.onlineopinion.com.au. It is funded by a number of organisations including the University of Sydney and Queensland University of Technology (QUT). The University of Melbourne is a contributor through the Department of Politics and the Centre for Applied Philosophy and Public Ethics. The organisation is very broad and pluralistic. Other members of the company include Oxfam/Community Aid Abroad, Church Resources, Australians for Constitutional Monarchy, and the AMWU. We also have a number of parliamentary members drawn from all major political parties.

1.2.2 The National Forum believes that the Internet and Information Communication Technologies have a significant role to play in democracy. However, we believe that they need to be implemented carefully, and with proper consideration of who will use them, and how. Because something is technically feasible it does not follow that it is particularly useful. The challenge is to examine the potentials and the pitfalls and then implement solutions that work without significantly expanding the resources required.

1.3 This Submission

1.3.1 This submission is a response to the call for submissions by the Scrutiny of Acts and Regulations Committee of the Victorian Parliament as part of their inquiry into various matters to do with electronic democracy.

1.3.2 It is in three parts:

- 1 An outline of the challenges presented to democracy by the Internet.
- 2 Solutions based on the work of National Forum and its principals over the last five years.
- 3 Specific answers to the questions raised in the discussion paper released by the committee in November, 2004.

1.3.3 The submission does not specifically seek to address amendments to the legislation as this is outside our area of expertise. Our area of expertise is as a provider of practical solutions to meet the needs of electronic democracy which largely work within existing resources whilst enormously expanding the range of possible democratic interactions between electors, the community, the legislature, the executive and the bureaucracy.

1.3.4 The National Forum compliments the Victorian Parliament in setting up this inquiry. We believe that electronic democracy offers an opportunity to change the way citizens and their representatives interact.

2 The Challenges for Democracy

2.1 *A review of the literature*

- 2.1.1 Actual experiments in e-government and participatory online decision-making have often proved disappointing. Noveck has observed that "Despite ten years of living with the ubiquitous World Wide Web, the explosion of outlets for communication has not improved the democratic character of public life"(Noveck 2003: 5). Traditional forms of government policy making and political organization, based upon centralised, hierarchical, one-to-many institutional and communications structures, and "push" models of state-citizen communication, have struggled to adapt to decentralised, many-to-many forms of interaction associated with the Internet (Coleman 2003a, b; Chadwick and May 2003).
- 2.1.2 While there are many instances where networked and decentralised forms of political, social and economic organization have flourished (Miller 2004; Castells 2004; c.f. Wolf 2004), it has also frequently been the case that online democracy initiatives have been hampered by misunderstandings and miscommunication. Some cyber-democracy advocates saw ICTs as leading inexorably towards forms of direct democracy that could subvert or even over-ride existing political frameworks and institutions through plebiscitary "tele-democracy" initiatives. Such attempts to bypass conventional political institutions have rightly been criticised for "failing to place digital technologies in the service of existing democracy" (Coleman 2003a: 148), and for misunderstanding the co-evolutionary relationship between new media technologies and institutional change (Dahlberg 2001; Agre 2002; Clift 2004; Flew 2005).
- 2.1.3 At the same time, uses of online communications media by governments and political organizations have too often taken the form of what Manuel Castells has termed "an electronic billboard [used] to post information without much effort at real interaction" (Castells 2001: 155). Such approaches tend to treat the Internet as an optional tool for more efficient communications, rather than as a distinctive communicative and social space which has the potential to reconstitute and reconfigure relations among its multiple users (Bentivegna 2002; Ward and Gibson 2003). In a study of Internet use in the 2004 Federal Election, Chen (2005) observed that almost all Australian use of the 'net by political organisations remained within this instrumental, information-distributing paradigm, failing to tap into the new communicative and interactive capabilities of digitally networked media.
- 2.1.4 Another problem has been identified (Sunstein 2002) in the tendency of the 'net to lead to increasing polarisation of group discussions. This is facilitated by the relative anonymity of individuals on the Internet, the tendency of individuals to seek out information that confirms their own views, and the ability of the 'net to spread information very widely in a very short period of time. Many of the US and Australian examples of political use of the Internet tend to bear this out with politicians using the Internet to resource supporters, raise money and to spread propaganda to groups of sympathetic voters. Examples of this include

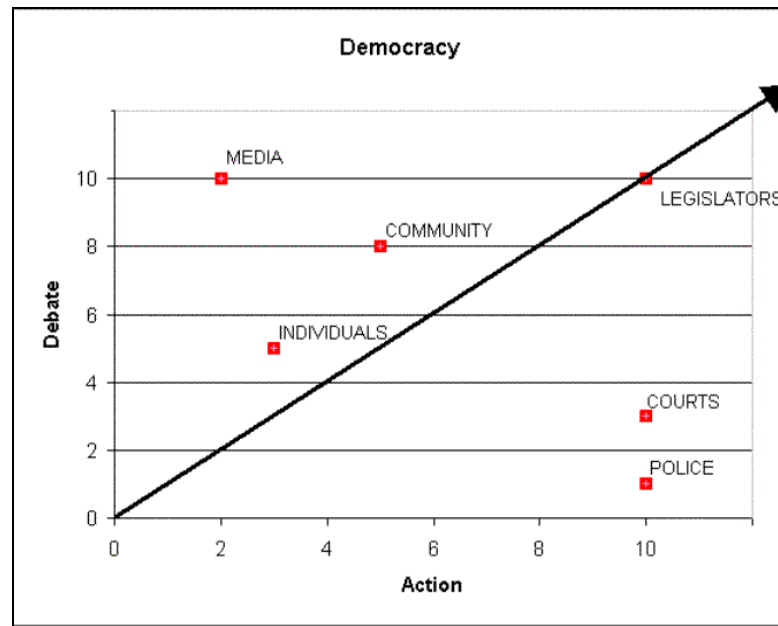
- Moveon.org in the US and johnhowardlies.com in Australia. Rather than providing for a democratic conversation these sites tend to facilitate an argument.
- 2.1.5 Yet another issue is that time and income rich citizens may tend to monopolise use of the new technologies, creating new classes of privileged, while at the same time political parties, governments and others with strong views will use the new technologies to disseminate information and ideas which suit them, drowning out competing views. Alternatively, the low barriers to entry on the Internet, as seen on sites like the Indymedia and various blogging sites, can be seen to potentially degrade the worth of individual citizen's views by allowing too much low quality opinion to be published, thus obscuring material that is worth reading.
- 2.1.6 There are also issues with identity that further threaten our ability to interact meaningfully. In a world where middle-aged men can pose in chat rooms as teenagers to initiate underage relationships, how do we know what sort of person it is we are interacting with, what their bonafides are, what agendas they may be running, and thus how to weight their opinion? How do we know that they are in fact an Australian citizen, let alone one with a legitimate interest in a particular debate? In such a low trust environment the value of interactions can also be seriously degraded.

2.2 *Specific challenges*

- 2.2.1 Clearly there are a number of challenges to the use of ICTs, and in particular the Internet and email, in a fully democratic way. We have listed and briefly analysed these here as a prelude to suggesting a holistic solution which addresses these issues.
- 2.2.2 We believe that while these challenges exist, they cannot be mastered by ignoring them. In many cases they are issues which occur naturally through the process of private citizens, and non-government and community organisations, using the Internet for political purposes, with the currently available tools. If not addressed these issues may well resolve into problems for the democratic process, rather than the opportunities that we believe they represent.

2.3 Democratising The Internet

- 2.3.1 As recognised in the Committee's background information accompanying the terms of reference, democratic activity is not restricted to interactions between electors and elected. This graph lays out the various democratic participants on a scatter graph with the X-axis representing "Action" and the Y-axis "Debate".



- 2.3.2 The Internet obviously lends itself to debate, as the plethora of online forums, email discussion lists, bulletin boards, polling sites and journals demonstrates. It less obviously lends itself to action, as this tends to be the domain of those parts of the demos with coercive powers - the legislature, the courts and the judiciary - however we believe that the 'net does allow for a greater effective participation in action than has previously been possible, and in ways that are not necessarily obvious.
- 2.3.3 In terms of its contribution to debate, those participants above, and on, the median line on the graph are in the area which is often referred to as The Fourth Estate. While media organisations tend to see themselves as being the only inhabitants of this space, in reality any media organisation is the visible tip of a web of social and community connections. Any news story requires sources who provide information, as well as protagonists (interview subjects) who act out the story at the same time as the narrator (the journalist) interprets it.
- 2.3.4 Before the Internet this web was mediated almost entirely by the media organisations who had a primary gate-keeping role, often as a result of state supplied monopolistic or oligopolistic licences, which in practice put the state into the role of "supervisory gate-keeper". There was little or no capacity for subsidiary parts of the network to set the agenda, or even express displeasure, outside of their ability to change channels or stop buying the newspaper.
- 2.3.5 There was also little capacity for citizens to use the media to talk to each other, outside of the minimal possibilities afforded by "letters to the editor" columns and then talk-back radio.
- 2.3.6 The Internet essentially expands The Fourth Estate. Because of the low barriers to entry it is possible for citizens to become publishers very easily, as demonstrated by the rise of journals such as www.onlineopinion.com.au, www.crikey.com.au, www.newmatilda.com.au, and

- www.australianprospect.com.au; as well as blogs such as <http://timblair.net>, www.johnquiggin.com, and <http://troppoarmadillo.ubersportingpundit.com>. They can also talk horizontally to each other via comment boxes, as well as vertically to the more numerous gatekeepers.
- 2.3.7 We view this diversity as a good thing, but the *ad hoc* nature of the Internet means that it is nowhere near as effective as it might be. It also represents a shift of power away from established gatekeepers which some of them may find threatening, with adverse consequences for the democratic uses of the Internet. The threat may well lead to established media organisations moving into this space in a corporate way, and using the market advantage bestowed by their established communication networks, as well as the cash flows provided by their existing operations (and in some cases government licences), to try to impose their world view on this space.
- 2.3.8 The challenge here is how, or whether, government has a role in ensuring not only that this diversity persists, but that the views of its participants are amplified so that they move closer to parity with existing media organisations.
- 2.3.9 In terms of action, the Internet offers an as yet under-explored opportunity to measure public opinion more frequently, spontaneously and, in some ways, more accurately, than previously. While we adopt a "representative democracy" model as the basis of our submission, this aspect of the 'net offers citizens the opportunity to co-initiate, if not, in some ways, to co-produce, legislation.
- 2.3.10 The Queensland Government's Electronic Petition site is an example of this aspect in that citizens can sign a petition online which may give rise to legislation or action - co-initiation. A more innovative example is offered by Councillor Jane Prentice www.janeprentice.org who ran two contrary petitions on the use of a service station site - in essence a citizens' plebiscite on a local issue. This is another form of co-production. The UK Parliament's practice of putting bills on the Internet for comment is a more sophisticated form of co-production.
- 2.3.11 The challenge here is how to harness the shift in power that is potentially bestowed by the Internet so that it enhances, rather than undermines, our core democratic form and makes the role of the representative more efficient and effective, rather than impossible.

2.4 User Convergence

- 2.4.1 Another challenge is to manage what we will call "user convergence". What we are referring to is the tendency for users to play a number of different roles and to move between them seamlessly. This is not unique to cyber space, but the issues are accentuated there.
- 2.4.2 The best example of user convergence is the way in which everyone in cyber space at some stage or another becomes a writer and publisher - that is, everyone at some time or another fills the role of the media. Users are generally unaware of this, seeing much of what they type into the system as being conversational in nature. While this may be their primary purpose, contributions to email discussion lists, comment boxes, journals, bulletin boards, blogs etc. are all acts of

- publishing and are subject to the laws of defamation and copyright, amongst others.
- 2.4.3 While it is true that speech is also subject to the law of defamation and may be, in rare instances, subject to copyright, conversations using text go beyond that, principally because there is a more permanent record than for speech, and also because they can easily be republished without the author's agreement.
- 2.4.4 This form of communication also involves not just the direct parties involved in the conversation, but generally involves a third party - the person or organisation that owns the hosting server, or who provides access to the Internet.
- 2.4.5 One of the issues arising from that is that very few users have publishing expertise. It is easy for them to participate in online publishing, and also easy for them to break not only the law, but some of the practices of publishing that make mainstream publications accessible and useful. When they do transgress they sometimes cause trouble not just for themselves, but for one or more service providers.
- 2.4.6 There are some norms developing in this area, but they are not uniformly observed, meaning that moderation of online discussions is a real issue for hosts of websites and online forums.
- 2.4.7 It does, however, offer some opportunities as it opens up the possibilities for participants to consciously create their own alternative media. This offers some particularly interesting possibilities for NGOs, community groups, and elected politicians. It is feasible for them to produce low cost newsletters and websites communicating directly with groups they choose on topics of their own choice where they control the agenda, the presentation and the content, rather than a media provider.
- 2.4.8 Another aspect of convergence is that users' main purpose may change from instant to instant while they are on the web. They may start purely as a consumer of other peoples' news, and then move to self publish their own, and then on to wanting to organise others, to promote a cause, or to change or initiate legislation. Given the varying levels of experience, skill and expertise of users this presents a challenge to make these various interactions more feasible and effective.

2.5 *Question Of Credibility*

- 2.5.1 Because of the ease with which websites can be established; the low cost of producing a professional looking website; the anonymity of the Internet; and the prevalence of viruses and scams on the Internet the web also suffers from a lack of trust.
- 2.5.2 Low cost combined with anonymity mean that many users have very little financial or personal capital invested in the communications that they have on the Internet. This appears to lead to less care in conceiving and expressing ideas, making it more likely that communications will be malicious or lack meaningful content. This sets up a vicious cycle where careful users are less likely to invest

- effort in an exchange, particularly with a new acquaintance, so that less careful users come to dominate.
- 2.5.3 In a democracy the only political activity that is guaranteed to be anonymous is the casting of a vote in a general election. All other activity is undertaken with higher degrees of self identification. Trust is an important part of the system, particularly to the extent that perfect strangers can rely on each other to obey the basic rules. Electoral material must be authorised, and media organisations try to ensure that talk-back callers and letter writers are who they say they are. At community meetings individual speakers can be at least identified. None of these factors applies on the Internet.
- 2.5.4 Various sites use mechanisms to try to provide the levels of trust required to allow high trust/high value interactions to occur. Some systems, such as MSN Messenger and ICQ use a non-Internet-based system where the user can contact "buddies" and vice-versa, but where it is up to them who they accept into their circle. Other sites, such as www.friendster.com use a variation of personal references to establish an individual's *bonafides*. Dating sites levy a cost on communication between potential dates in the first instant, but anecdotally personal advertisements often don't measure up to promise.
- 2.5.5 One of the problems that this low trust environment creates for parliamentarians is that they are often not prepared to invest time and effort into answering emails from people they do not know, particularly ones that appear to be part of a campaign, because they have no way of knowing whether they are dealing with a constituent or not.
- 2.5.6 The issue of trust and credibility is one that needs to be dealt with for the Internet to become a credible tool for democratic purposes.

2.6 *Clutter And Chaos*

- 2.6.1 Another challenge presented by the low cost and ease with which people can use the Internet is that there is too much material and it is often out of context with other relevant material. This compounds the problem of trust. Internet users can spend a lot of time searching for information only to be unsure when they find it what it is worth.
- 2.6.2 It is also an issue for people and organisations publishing on the Internet. How do they make their website, and the information on it, accessible to the people that they need, or want, to see it?
- 2.6.3 While the Internet appeared to give everyone an even chance, what has actually happened is a repeat of what happens in other networks - somewhere around 20% of the sites will have 80% of the available audience. Being outside the top 20% means that even with the help of search engines like Google, users will have difficulty finding your site.
- 2.6.4 While it might not matter in a commercial context that eBay dominates online auction sites, a democratic context ideally requires a more egalitarian solution.

2.7 *Gift Economy*

2.7.1 A major issue for the use of the Internet for democracy is that very few users are prepared to pay for information on the Internet. Further, for sites to be truly democratic, it is reasonable to expect that barriers to participation will be as low as possible. However, this raises the issue of how sites are to be maintained and developed to an appropriately professional level in the absence of a reliable cash flow.

2.7.2 A number of revenue models have been used by sites. These fall under four headings:

- . Advertising
- . Subscriptions
- . Philanthropy
- . Volunteerism

2.7.2.1 Advertising

2.7.2.1.1 This is a developing area and it is likely that some sites will be able to derive significant revenue from advertising. In a recent interview in *The Australian*, Stephen Mayne, publisher of *Crikey!*, claimed to receive around \$70,000 per annum in advertising income. This appears to be mainly generated from his email list of approximately 5,000, rather than banner advertising on the site. We estimate that the site itself receives around 450,000 visits per month.

2.7.2.1.2 At the moment we are not aware of any sites that are profitable on the basis of advertising alone.

2.7.2.1.3 One problem is not the volume of people using sites, but the price that advertisers are prepared to pay. Many sites (ours included) derive revenue from Google AdSense. However, the rates that Google pays are so low, that even with a monthly readership that we estimate at 50,000 individuals (which is as large as many commercial magazines), our revenue flow from Google is only in the order of \$125 to \$150 per month.

2.7.2.1.4 The pricing issue appears to arise from the fact that there are so many potential advertising sites, and so relatively few potential advertisers. This reverses the situation that exists with the broadcast and print media where the number of outlets is limited, frequently by government licence, so competition between advertisers drives the cost of advertising space up.

2.7.2.2 Subscriptions

2.7.2.2.1 Subscription sites have not generally worked on the Internet, although there are some exceptions. The online version of *The Wall Street Journal* has apparently reached profitability (however that is measured where a large elephant maintains a small flea). Consumerwatch.org, which sells reviews of consumer goods, is also a successful subscription site. *Crikey!* uses subscriptions as its majority fund-raising activity, and it appears to be grossing

a combined \$500,000 from subscriptions and advertising, which still, according to Mayne, leaves it running at a loss.

- 2.7.2.2.2 Other Australian sites such as New Matilda are also looking to fund from a subscription model, with unknown success. Another site, Australian Prospect, runs on the basis of charging per essay.
- 2.7.2.2.3 There are some prospects for subscription sites becoming more common, but Australians appear reluctant to pay in advance for a whole year's worth of information. While lack of a micro-payments system on the Internet makes sales per edition, or even per article, impossible or impractical we suspect that nothing much will change. As noted earlier, subscriptions also tend to disenfranchise individuals with more limited means.
- 2.7.2.2.4 There is another form of subscription, which is the model used by The National Forum, which is to charge organisations who might want to publish through the site a subscription for this service. This model is reasonably widespread in the eCommerce area where, for example, the participants in purchasing hubs pay the hub owner for the privilege. In a way it is also the eBay model where vendors pay a commission to eBay each time they make a sale.
- 2.7.2.2.5 This second form of subscription is likely to spread quite widely for sites where there is an easily measurable economic advantage to participants for being involved. As there is little economic benefit available from most eDemocracy sites, the model has less applicability.

2.7.2.3 Philanthropy

- 2.7.2.3.1 A number of sites, particularly in the area of electronic democracy, have philanthropy as their major source of funds. For example, www.opendemocracy.net, a UK based site, receives funding from a range of charities including The Atlantic Philanthropies, The Rockefeller Foundation, and individuals, including John Cleese.
- 2.7.2.3.2 Philanthropy could be a significant source of funding for Australian websites, but we are not aware of any being funded directly, although some may be produced by charities that themselves receive philanthropic funding.
- 2.7.2.3.3 For Australian organisations to be eligible for most philanthropic funding they need to have DRG status under the tax act. Sites operating in the political field may have difficulty receiving this status.
- 2.7.2.3.4 Philanthropy is also the model used by Fine Music Radio Stations. In this case it amounts to a voluntary payment for non-exclusive use of the service.

2.7.2.4 Volunteerism

- 2.7.2.4.1 This is the way that most sites in the area of electronic democracy sustain their operations, even those with a commercial model, such as *Crikey!*. *On Line Opinion* has over 50 volunteers regularly involved in its production. They edit the journal, serve as directors of The National Forum, and suggest articles and contributors.

2.7.2.4.2 Whatever other forms of funding are used, volunteerism is likely to be a continuing significant form of funding and support for electronic democracy sites. While this raises issues in terms of the professionalism of the product, on balance it is probably a good thing as it makes the spread of stakeholders and "owners" broad, generating significant social capital and ensuring that sites are genuinely democratic rather than just the province of one or two motivated individuals. We have developed ways of dealing with the issue of quality.

2.8 Demand On Resources

- 2.8.1 Another issue is the extra demand on resources that the Internet makes for organisations and individuals publishing websites. While some of this is taken up in the previous section where we are essentially talking about websites set up as new organisations, it is not just a funding issue. Many publishers of websites do not have the option of soliciting donations, charging subscriptions or selling advertising space; nor do they have the extra staff available to build and maintain them; so they have to try to find additional room within existing budgets and constraints.
- 2.8.2 A significant group that has that problem is Members of Parliament. With most substantial organisations having a web presence, electors naturally expect their representative to have one as well. Yet in many jurisdictions additional funding and resources have not been made available.
- 2.8.3 Even if, or when, additional funding and resources are made available, there is a wide range of costs that can be attributable to websites. Not all of these are attributable directly to the site. For example, if it is easier for constituents to complain because their member has a "24/7" presence on the Internet, is that going to result in an increased workload in the office? We know that the availability of email has already increased office pressure, so it is reasonable to assume that websites will as well.
- 2.8.4 This is an issue which can be tackled from two directions. In the first place it will undoubtedly be necessary for organisations with websites and using other ICTs, to expand budgets to cope with their demands. Second, there is a need for tools that maximise the usefulness and effectiveness of these ICT devices, but minimise the cost.

2.9 Increase In Community Volatility

- 2.9.1 We have already noted Cass Sunstein's work on polarisation of group discussions and instances in the US and Australian elections where electronic democracy initiatives, particularly at the partisan end of the spectrum, have led to an accentuation of differences between groups.
- 2.9.2 This is understandable, unavoidable, and probably necessary, in an electoral context. It is dangerous if it becomes the common nature of democratic relationships on the 'net.
- 2.9.3 We are familiar with moral panics. The most widely cited are probably the Salem Witch Trials, and McCarthyism, both drawn from the United States. They are not

- unique to the US. Anti-semitism is a particularly vicious form of moral panic, while a decline in visits to the beach following a shark attack are benign, or possibly even virtuous, moral panics.
- 2.9.4 In a world where information can be exchanged much more quickly, between more people, and where fewer controls are in place to ensure that it is correct, the risk of moral panics, and the damage which they could create, is higher than previously.
- 2.9.5 This brings with it two risks. One is that described by Sunstein. The other is that users will devalue information taken from the Internet, or transmitted via it or other means such as email. In the first case society will tend to fragment. In the second a potentially useful tool for informing and engaging people will have been significantly damaged.

2.10 Engaging And Interacting With Individuals

- 2.10.1 The final challenge is that of engaging and interacting with individuals. While there has been a lot of analysis of the so-called "Democratic Deficit", we believe that individuals are still interested in politics, but that they approach it via issues and mostly informal structures, rather than via politicians and formal structures. The generous reaction of Australians to the Indian Ocean Tsunami demonstrates clearly that we are engaged and have large amounts of social capital.
- 2.10.2 ICTs make it potentially possible for individuals to engage on the basis of issues and informal, volatile structures. However, there are very few structures in place that actually allow that to happen. It is a challenge particularly for the legislature and the bureaucracy to deal with citizens in this way. Government and Parliamentary websites all too frequently present information in institutional silos and in an uninteresting way. As a result they do not receive the number of visitors that they should, and those that do use them often have trouble finding what they need.
- 2.10.3 Web users are fickle and they are purposeful. They know what they want, and if they can't get it quickly and easily they will either go somewhere else, or do something else. Many sites engaged in electronic democracy, with the exception of some news and discussion sites, are not "sticky".
- 2.10.4 Web users are also loathe to engage with websites. This has something to do with the low trust/low value nature of the environment, as well as lacking the time to deal with difficult, unfamiliar or time-consuming processes. When users do interact they want to be sure that they will receive a high value response. Given a lack of resources, it is often difficult for site owners to provide this.

3 Solution

3.1 *The National Forum*

- 3.1.1 Our submission proposes The National Forum as a solution to most of the issues that we have raised so far in this submission, and which are raised in the committee's background paper. It has been specifically designed for that purpose.
- 3.1.2 The National Forum was incorporated in late 2002 as a not-for-profit company limited by guarantee. Its foundation members were Internet Thinking Pty Ltd (a company owned by Graham Young and Lionel Hogg), the University of Sydney, Oxfam/Community Aid Abroad, Church Resources (part of the Roman Catholic Church), Australians for Constitutional Monarchy, the Department of Media and Communications at QUT, and The Brisbane Institute. A number of members have joined since then.
- 3.1.3 Its primary purpose was to publish *On Line Opinion* and to establish an electronic democracy Internet portal.
- 3.1.4 Since then it has developed the portal www.nationalforum.com.au and built *On Line Opinion* into a very successful eJournal with approximately 140,000 monthly user sessions from 50,000 individual users, resulting in 380,000 or so page views. *On Line Opinion* has an editorial board chaired by Brian Johns, former CEO of the ABC, SBS and Penguin Australia. The Board of The National Forum is chaired by Father Michael Kelly, founder of Jesuit Publications, which produces *Eureka Street*. Executive Director is Graham Young founder of *On Line Opinion*, who along with Lionel Hogg, another director, initiated the project and the concept.
- 3.1.5 The portal also runs an email discussion forum <http://groups.yahoo.com/group/onlineopinions>, a blog aggregator called The Domain, an aggregator of parliamentary material called the iParliament, and a site for consultations and qualitative research called On Line Focus. We have also designed a content management system specifically for parliamentarians which integrates with some of the other elements of our site.
- 3.1.6 Membership of The National Forum is open to government and non-government organisations.

3.2 *Paradigms*

- 3.2.1 The National Forum follows three paradigms in its design. These are:
- The Town Square
 - A Shopping Centre of Ideas
 - A Producer's Co-op
- 3.2.2 It can also be conceptualised in a variety of other ways which we will touch on throughout this part of our submission.

3.3 *Town Square*

- 3.3.1 A Town Square is a place where citizens can gather for any number of reasons which are more or less political and more or less social. It is a place for conversations and meetings; for gatherings and demonstrations; for stalls and displays. This is the model most frequently referred to by proponents of electronic democracy Internet sites when they use terms like eAgora. The idea is to have "Socratic" space where democracy is spontaneous, deliberative and inclusive.
- 3.3.2 We take the town square paradigm a little further. In town planning terms a town square is also important because it provides a connection between the buildings and areas which hold the participants in civic governance. At one end will be the town hall, or legislature, but surrounding it, or close by, will be public servants, law courts, libraries, universities and lobbyists.
- 3.3.3 So our town square takes the form of space where people can meet and have a variety of conversations at whatever level is appropriate by reading articles and then participating in email discussion forums, comment boxes, or more structured qualitative research. A space where the means are available for them to also influence others; and where it also, as a portal, provides a connection to the organisations involved in the democratic process so that the interaction can occur in a context.
- 3.3.4 This paradigm only takes us so far. In the real world a town square is centrally placed and highly visible. As long as you water the gardens and cut the grass, it takes care of itself. It also relies for its existence on government funding. Cyber space has no centre, and every site is just one click away from every other site, so an electronic democracy portal has to be more actively managed. Governments have so far been unwilling to fund electronic democracy portals, so it also has to have a cashflow.

3.4 *Shopping Centre of Ideas*

- 3.4.1 A regional or sub-regional shopping centre consists of highly developed infrastructure placed in a well serviced, well situated site, which makes shopping pleasant and easy. It provides carparks and access to shops; it provides a building which is air-conditioned, and where shops are arranged to best advantage; costs are shared between retailers, making the infrastructure affordable; there is a marketing campaign which is collectively funded; and most importantly retailers are placed in the context not just of complementary retailers (coffee shops next to cinemas), but competing retailers (coffee shops next to restaurants).
- 3.4.2 The result of all of this is that retailers actually do more business in a shopping centre than they do on the high street. This allows them to pay higher rents than they do on the high street.
- 3.4.3 Our site has all of these aspects. It has tenants - our member organisations - who pay rent to maintain it. It is accessible and provides convenience, variety and competition. It has a number of Internet marketing strategies, including the *eJournal On Line Opinion* (which in one sense is a high class advertising

brochure), as well as a number of email lists. We use the latest knowledge and technology available to ensure that the site is as sticky, entertaining, informative and useful as possible.

3.5 *Producer's Co-operative*

- 3.5.1 The last major paradigm that we use to describe our undertaking is the Producer's Co-operative, or Industry Association. While town squares and shopping centres are more or less objects, a website is as much a process as a thing. So the community that uses it has to be managed, and at times represented. This submission is a part of that role.

4 How The National Forum Meets The Challenges

4.1 *A trusted third party*

- 4.1.1 In private briefings, Stephen Coleman, Cisco Professor of eDemocracy at Oxford University, refers to the need for a BBC or eBay of the Internet. We have long regarded the ideal Australian model as an ABC of the Internet, and that is what we have set out to build.
- 4.1.2 We provide "credentialled" publishing. This deals with a number of the challenges. By vouching that the material that we publish is worth reading or from a reputable source, we take some of the doubt out of the interaction. We also find that users are prepared to share information with us that they would be unprepared to share with other sites.
- 4.1.3 For example, in our qualitative polling we ask people quite detailed questions about their voting behaviour and thoughts on other issues which they share with us knowing that we will not make this available to anyone else. Just as third party, independent adjudicators and investigators are useful in parliament or inquiries, they are also useful in Internet interactions.
- 4.1.4 It might be asked why, if the BBC or the ABC is a model for what we are doing, these organisations could not perform this function using their existing institutional strengths. A good answer to this can be found in the BBC's ICAN site, which is a site for community activism. While the site currently is promoting "setting up a charity", "action against closure of an old folks home", and an inquiry from the Basetlaw Mission Parish Council, the site has to be closed during election campaigns in case it contravenes the BBC's charter of being politically impartial.
- 4.1.5 Another reason is that both the BBC and the ABC are institutions based around production and broadcast of information, very much a top-down approach, when what is required is an approach that recognises that the roles of users and producers converge on Internet sites and that the role of publisher is more one of chairman than editor.
- 4.1.6 *Recommendation 1: That the Victorian Parliament should become a partner in The National Forum's project to set-up an Australian electronic commons, what we call an "ABC of the Internet".*

4.2 *Brokerage model*

- 4.2.1 This way of looking at the initiative draws to a certain extent on the eBay example above, and deals specifically with the challenge of clutter and chaos. What users need in general, and parliamentarians in particular, is a way of being able to enter into high value transactions with relevant individuals or organisations.
- 4.2.2 Our system solves this in a number of ways.
- 4.2.3 By producing a site specifically dedicated to politics and current affairs which is entertaining, it increases the likelihood that people regularly interested in these areas will visit the site frequently. It also increases the likelihood of people with an occasional, or even once-only, need, visiting the site. So it acts as an attractor for potential customers much more effectively than individual sites can, and so solves the issue of how to find high value participants.
- 4.2.4 It also solves the issue of how to connect these high value participants together using a number of methods.
- 4.2.5 Connection can occur by click-throughs from material placed on the site - for example, an article by a politician may lead to a constituent contacting them by clicking on a link at the bottom of the article. It could also be via an advertisement placed on the site.
- 4.2.6 It can also occur by providing email newsletters that users may sign up to. As the depth of participation on our site increases we are making more of these available. Ultimately we envisage there potentially being as many different email newsletters as there are users. Users should be able to choose to receive information based on issues and/or writers/producers so that, for example, I could choose to receive a daily email containing all information published to the site on the environment in the previous 24 hours, or I could further refine that to be a particular parliamentarian(s) or organisation(s).
- 4.2.7 Another way is via our system of profiles which over time will allow us to introduce data mining techniques (on an opt-in basis for users of the site) which will allow us to employ some of the techniques that amazon.com employs.
- 4.2.8 This system can also be used to identify users with their individual electorates, so that, when they use the site to initiate an interaction with a member of parliament, we can provide the member with information so that they know whether this person is a constituent or not, as well as any other information that the user might authorise to be disclosed. This avoids the problem that parliamentarians experience with emails at the moment where they are often not sure who the writer is, and what priority they should give to a response (assuming that constituents take the highest priority).
- 4.2.9 The proof of the ability of a site like ours to broker interactions is available through the success of our online consultations where approximately 1,800 people answered our questionnaires during the last federal election, showing their trust by giving us detailed information about their voting intentions.

4.3 Information aggregation

- 4.3.1 Our site is also designed as an aggregator of information. This is a function fulfilled in conventional media by news agencies, and also by the media organisations themselves, where much of their content is syndicated from other sources, and in other cases is little more than recycled press releases.
- 4.3.2 The Internet provides an opportunity for organisations like the Victorian Parliament to become media organisations in their own right. They publish Hansard, as well as a number of other publications, and members of parliament produce numerous speeches and other material. For this to happen the information needs to be aggregated in the first place. The National Forum site provides an opportunity for this to happen in a way which will be more attractive to users than a site devoted entirely to institutional documents. It also provides a sophistication that it would be expensive for a parliamentary site to replicate on its own.
- 4.3.3 There is also a role for online digital broadcasting of proceedings, as well as archiving those and other audio-visual records.
- 4.3.4 Aggregating this material in a broader context than just the parliamentary one also increases the likelihood of the material being used - as noted in our analysis of the challenges, Internet users are purposive, but they do not necessarily know at what level, or where, they need to look for information.
- 4.3.5 *Recommendation 2: That the Victorian Parliament adopt an aggregation strategy towards material from its committees and members so as to provide an alternative news-service and allow it to collaborate with other online publishers.*

4.4 Journalism and distributed publishing

- 4.4.1 All publishing in any medium needs professional input. We believe that a distributed publishing model which outsources the journalistic input via systems as well as personnel is what electronic democracy requires. Higher level producers, such as parliamentarians, need to be engaged in the process of publishing. This will happen most readily if they can see an immediate benefit to themselves from the process. Our scheme does this for them by providing them with a personal website which manages their online needs, at the same time ensuring that the material they publish can be aggregated in a larger site(s).
- 4.4.2 Effective content management systems can make the production of professional material relatively easy for staff with little more than word-processing skills. They can also ensure that the layout involved is no greater than already being used.
- 4.4.3 Systems need to be designed to work with other systems, in particular aggregation systems. This requires XML schema to be standardised and embedded in the publishing technology. Proper systems will also ensure that the additional journalistic input required from outside the organisation is minimal.

4.4.4 *Recommendation 3: The Victorian Parliament provide a content management system with a standard interface which provides its members and associated entities with an effective, integrated and distributed web-presence.*

4.4.5 *Recommendation 4: The Victorian Parliament, seek to co-operate with other parliaments to adopt a common XML schema for use in electronic democracy.*

4.5 Tiered and segmented approach to information

4.5.1 An effective electronic democracy site will provide for a range of possible users of the site at differing levels of interest and sophistication. Commercial media organisations exist because they provide a service by aggregating, prioritising and simplifying information. We believe that the reason many sites fail is that the information provided is at too sophisticated a level for the general user as well as for the user with limited time.

4.5.2 Most dedicated government sites fail on this test, which is one reason they appear so bland. Those that don't are investing significant resources into making the sites interesting. We have developed ways of making current affairs and political sites interesting without devoting large resources to them. By aggregating information in the one spot a number of otherwise unrelated producers are prepared to write material aimed at the general reader. Our journal uses the op-ed format for essays in the journal partly because op-ed writers generally want an audience more than they want to be paid. It enables us to produce entertaining content at minimal cost.

4.5.3 We have also tapped into the intern market to produce information briefs, and we are exploring ways of expanding the number of information briefs using a modified form of the wiki (which is the way this submission was written).

4.5.4 Some information does require interpretation by qualified journalists, and the economies of scale provided by the site make it possible to provide those at lowest possible cost. As issues tend to be similar between legislatures, articles etc. produced for one legislature can also be re-used by others, without additional cost.

4.5.5 *Recommendation 5: That the Victorian Parliament take a tiered and segmented approach to online information, providing short and entertaining pieces for users with less interest, knowledge or time. It should ideally do this in collaboration with other parliaments, organisations and individuals with similar interests.*

4.6 Contextual approach to information and action

4.6.1 As noted in our survey of the challenges, one of the greatest is the tendency of the roles of producer and user to converge so that the one person, or organisation can be both at different times, or even the same time.

4.6.2 For the optimal realisation of the potential of ICTs for electronic democracy, sites need to facilitate this convergence and cope with it. That requires sites to provide tools which not only allow individuals to interact with elected representatives, but

- with each other. It requires integration of discussion forums with things like electronic petitions and exposure drafts of bills.
- 4.6.3 Along with our partners, the Local Government Association of Queensland, we are currently developing an electronic petition site that will have all of those characteristics, for use by local government authorities in Queensland.
- 4.6.4 *Recommendation 6: The Victorian Parliament build into its electronic democracy sites the capacity for citizen to citizen interactions as well as tools to enable citizens to interact with government, the bureaucracy and parliamentarians.*
- 4.6.5 *Recommendation 7: The Victorian Parliament adopt an electronic petition system.*
- 4.6.6 *Recommendation 8: The Victorian Parliament should make drafts of bills available on its website.*

4.7 Deliberative discussion model

- 4.7.1 ICTs offer an unparalleled opportunity to have ongoing, self-reflective feedback from the community into what it believes and feels. One way of doing this is via deliberative discussions. This can take the form of online consultations of various sorts. Deliberative discussion differs from opinion polling in that it involves both discussion of issues and education.
- 4.7.2 These activities do not require a separate site, but they do present some challenges. For example, how do you know how representative a sample is? How do you locate participants in the first place? A peak site, such as the one we are building, offers several advantages. It has high traffic, so can cheaply locate participants who are interested and have the small amount of technical skill required to be involved. It can also put systems in place to attract other participants who may be relevant. As a trusted third party it can also ask relevant questions that may be useful in analysing feedback, such as voting tendencies. With the proper use of profiles it can also provide fairly deep demographic information.
- 4.7.3 By using its ability to aggregate material it can also provide educational material at a low cost because that material will often be able to be repurposed for other uses, or vice versa. It can also provide online venues where the discussions can take place with the appropriate software etc. to track interactions.
- 4.7.4 It also operates on the basis that people other than elected representatives should be able to convene deliberative discussions. This can be done by building the necessary tools into bulletin boards etc. While this may seem like a devolution of power away from elected representatives, by keeping these discussions accessible it actually makes it easier for elected representatives and the general public to monitor them, and to receive insight.
- 4.7.5 *Recommendation 9: The Victorian Parliament incorporate tools for deliberative discussions into websites wherever possible and that it make collaborative arrangements with organisations who can provide access to appropriate*

participants, as well as the tools and expertise required to interview them properly.

4.8 Opinion Polling

- 4.8.1 Opinion polling differs from deliberative discussions in that it is largely unselfconscious and doesn't generally involve interactions with others (focus group research is a particular exception). It also doesn't involve any sort of education.
- 4.8.2 The potential for ICTs to provide parliamentarians and citizens with instantaneous feedback on what citizens believe and are interested in is huge. Not only does it encompass traditional quantitative and qualitative polling, but it also encompasses site statistics.
- 4.8.3 We use all three methods on our site. Our quantitative polls are self-selecting, so need to be treated with care. While they generally over-represent the left of the political spectrum we believe them to be fairly representative and accurate within groups. So, while Green voters are out of proportion with Liberal and Labor voters, a cross-section of Green voters is probably a fairly accurate representation of this sub-group, as are those of Liberal and Labor voters. There are also ways of normalising samples to mirror broader-based quantitative surveys.
- 4.8.4 Our qualitative polls are selected by us from amongst the respondents to the quantitative polls, thus allowing us to look at particular groups. Both types of polling give insights into why voters are doing and thinking particular things. We conduct them as works of journalism so that they give all participants in the process an insight into what voters are thinking.
- 4.8.5 However, these polling methods have limitations, one of which is that they provide information about what people believe they believe, but sometimes people are mistaken about themselves. This is where site statistics can be very useful. For instance, I can tell from our site statistics that our readers are interested in sex, climate change, Christian fundamentalism, US politics, family and education, more or less in that order, because the most popular articles on our site are about those issues. Further refinement of our profile system will allow us to tell much more about these sorts of statistics over time. For example, it might be women between 20 and 30 who are attracted to the article related to sex (it is about the "Brazilian wax"). Surprisingly there is also a thirst to know more about Eastern European politics, with two articles on Kosovo rating strongly. Comment boxes also provide insights, as do discussion forums.
- 4.8.6 This is a function that is absolutely critical to democratic interactions, but which has been impossible to provide in any consistent and in-depth way because of the cost of conventional forms of opinion polling. People frequently criticise opinion polls because "nobody asked my opinion". This indicates a wish to be asked as well as a curiosity about the outcome, and in having an accurate one. Sites like ours make it impossible to ask this question, which, amongst other things, should make the findings of research more compelling.

- 4.8.7 While some of these functions can be carried out from state government and parliamentary sites, the totality cannot. In particular it would be very difficult for arms of the government or the bureaucracy to obtain the range of information which participants volunteer to us.
- 4.8.8 *Recommendation 10: The Victorian Parliament should find appropriate partners to use ICTs to obtain continuous feedback from citizens, and this should be done on a transparent basis so that all participants are aware of the outcome.*

4.9 Industry Association

- 4.9.1 The needs of every legislature and a large range of citizens and NGOs is exactly the same, yet every state, and the commonwealth, is running their own agendas, often via specific, limited term committees such as this one. While we compliment the Victorian Parliament on this inquiry, this is not a satisfactory way to deal with the issues. There needs to be cooperation between the states and there needs to be a quasi-representative body with an ongoing brief.
- 4.9.2 We take as the best model Curriculum Corporation, the state and federal government owned corporation which is responsible for developing curriculum around Australia. Our organisation was set up specifically with the idea that its structure could be modified to provide just such a body, with the exception that there should be community owners as well as the government ones.
- 4.9.3 There are a range of practical issues that need to be dealt with, and which require uniform solutions so that individual organisations can use technologies that suit them, but without "reinventing the wheel".
- 4.9.4 *Recommendation 11: There be a cross-government vehicle to play an ongoing role in policy development, development of standards, and education for the use and development of ICTs for electronic democracy.*

4.10 Open source

- 4.10.1 Our project has an open source philosophy. It is also designed as an action research project. We would propose using it to test some of the possible approaches to electronic democracy. As the only project like it in the world we have developed world-class expertise in not just electronic publishing, but online research, consultation and discussion. We have programmers who understand the latest technologies and who can turn them into efficient, usable and accessible Internet sites.
- 4.10.2 At the same time our structure can be adapted to easily incorporate new stakeholders as well as venture partners. We would propose that the Victorian Parliament should become involved as a stakeholder. This would enable it to try out its own innovations at the same time benefiting from knowledge gathered from other governments' efforts using our structure. The Parliament could retain its own branding and identity so as to visibly maintain first mover status in the areas that it chooses, but with the benefits of working collaboratively.

4.11 Complementary solution

4.11.1 Our solution is complementary to the other activities of members. We do not see every activity occurring on our site, but we do see our site being a gateway to most of the activity that is occurring. Some activities can best occur on www.nationalforum.com.au, but others should occur on departmental or dedicated sites. One of the major benefits of a site like ours is its high traffic and its ability to redirect users to other sites more efficiently than they can attract them on their own.

5 Answers to Questions Posed by Parliamentary Committee

5.1 *Electronic Democracy and the Parliament*

5.1.1 *Question 1: To what extent does the public wish to access the debates from Parliament? Does new technology provide an effective way to show members of the community the working of the democratic Houses and appraise them of the policy debates?*

5.1.1.1 While we have not scientifically assessed this it is our belief that most citizens are primarily interested in summaries of what occurs, rather than the original material. When they do want access to original material they are most likely to want it as text rather than as audio or audio visual recordings. This is likely to be the case because most have limited time and want the bare information that they need to make a decision. When they are looking for recordings of the proceedings of Parliament it is normally from a research perspective.

5.1.1.2 Because of the ease with which it can be searched and its lower bandwidth requirements text is more useful for research than sound and vision. There is a place for sound and vision for a very small market of political and public relations professionals, as well as some political "junkies". They may be interested in broadcasts of specific events, such as question time, as well as some speeches on contentious bills.

5.1.1.3 As it is possible and relatively cheap to keep an audio-visual record of parliamentary proceedings, and as the incremental cost of web casting it is not particularly great, we believe that proceedings should be broadcast. To take account of the likely research-driven needs of most accessing broadcasts and transcripts, clips would receive more use if they were cross-indexed with text based transcripts so that readers could choose to watch segments related to passages that interested them. Without this sort of cross-referencing audio-visual archives would probably have very limited use.

5.1.2 *Question 2: How can Parliament use new technologies to draw citizens into its deliberative policy development, through petitioning and the work of its committees? Does the Parliament have the resources (financial, human, technology) to utilise interactive technologies?*

5.1.2.1 As discussed in our main submission, the process for drawing citizens into deliberative policy development is complex. It will require additional resources, particularly human. In 2002 we ran a consultation in conjunction with a number of prominent ALP parliamentarians, including Mark Latham, Carmen Lawrence and Lindsay Tanner. It can be seen at <http://www.onlineopinion.com.au/onlinefocus/alp-review/>. This was quite successful and required the attention of a moderator for one to two days per week. The time commitment would have been higher if we were not able to use the resources of our site to produce materials for use in the consultation as a by-product of publishing it as articles for the journal.

- 5.1.2.2 We are currently developing a petition site with the Local Government Association of Queensland (LGAQ). This also aims to harness community energy and synergies to leverage voluntary contributions to provide a type of deliberative policy development.
- 5.1.2.3 In our view deliberation has to start with titillation. Our process is to post articles and information which will attract users from which a community can be built to deal with a particular issue. If approached in the right way, online communities will take a degree of ownership over a process and go out of their way to be helpful, giving large amounts of their time, energy and expertise.
- 5.1.3 *Question 3: Given the de-emphasis on Parliament as the sole focal democratic institution in our society, is further investment in the technology of Parliament a legitimate use of public resources? Or should the Parliament take on new functions that can be facilitated by technology - such as public questions to Ministers in question time, or greater public involvement in the deliberations of committees?*
- 5.1.3.1 Our submission is that Parliament and parliamentarians should remain pre-eminent and that the challenge of the ICTs is to enhance parliamentary democracy, not to radically change it. The face to face cut and thrust of parliamentary debate between skilled advocates is likely to keep the executive more accountable than a more devolved model.
- 5.1.3.2 If the public were to be able to ask questions of Ministers in question time, how would the questions be submitted? Which questions or questioners would be chosen? How would they follow-up the issue consistently and effectively over time? The role for ICTs in terms of question time would be most effective in providing avenues for members of the public to communicate directly with participants or their staff. For example, a voter, watching parliament on a web cast could email a question to a staffer who might relay it to the responsible parliamentarian if appropriate.
- 5.1.3.3 ICTs could also be used, via polls, petitions and site-statistics (as discussed in the body of our submission) to gauge what issues are important and in what ways.
- 5.1.3.4 Involvement in Parliamentary Committee work is another matter. It is less confrontational, and ICTs enable a number of ways for electors to interact with Parliamentarians. They also provide additional channels for publicising the work of committees.
- 5.1.4 *Question 4: Are the current communications and computing technologies provided for the use of elected representatives sufficient to allow them to interact with their constituents more frequently, and/or more effectively? What may be required to improve this area of activity (resources, skills, hardware, and/or software)?*
- 5.1.4.1 Our experience is that most Members of Parliament have adequate hardware resources, but lack adequate tools for building and maintaining websites and their content, and for using the web and email for interaction with constituents.

Our solution is a distributed publishing system using collaborative techniques to increase the effectiveness and efficiency of individuals' efforts, as outlined in the body of our submission. We believe that a flexible content management system, capable of aggregating material into a hub, combined with a central brokerage site (or sites), and a community of practice will greatly enhance the opportunities for Parliamentarians with only a small amount of additional resources.

5.1.5 *Question 5: To what extent would the provision of additional communications resources to Members of the Parliament constitute an unreasonable advantage in terms of incumbency and consequently prevent competition between candidates?*

5.1.5.1 Incumbency inevitably confers an advantage on a Member of Parliament, and the better they do their job, the more of an advantage this confers. As our society has become richer, the standard of service we have demanded from Members of Parliament has increased, leading gradually to Parliamentarians being paid, and then gradually given offices, staff, postage allowances, cars and so on. This has forced opposing candidates for office to be more professional, but the funds to do this have been available from a richer community as well.

5.1.5.2 Communications resources in terms of websites and emails are part of the normal service that citizens expect of all businesses. To deny them to elected representatives so as to even-up competition with opposing candidates would be tantamount to deliberately preventing them from competently doing their job just so someone else can have a chance to take the job away from them.

5.1.5.3 The question also assumes that the cost of the resources will be high. On our model they will be quite reasonable (we provide the content management system, the central hub, and the training etc for \$1,500 in the first year and \$500 per year after that). It also assumes that candidates for office can't use similar resources to counter those used by the Parliamentarian. This contradicts the fact that to date most effective political use of the Internet has been by challengers (John McCain and John Kerry for example in the US) or non-mainstream organisations (such as the S11 protestors).

5.1.5.4 While it could be argued that the provision of extensive printing and postage allowances to Federal MHRs, to an amount of what we understand is \$125,000 per annum, does give them an unreasonable incumbency advantage, we would argue that the additional resources in the instance of ICTs is so modest as not to confer anything like the same unreasonable benefit.

5.2 *Electronic Democracy and the Bureaucracy*

5.2.1 *Question 1: To what extent should all government consultations have an online component?*

5.2.1.1 All government consultations should have an online component; the issue is in what proportion to written and face-to-face. This will depend on the project and the community involved. There are also issues as to how the online component is managed.

- 5.2.1.2 As discussed in the main body of our submission, many groups in society are disadvantaged in civic participation for physical, geographical and circumstantial reasons. Asynchronous online communications can ameliorate that. To be inclusive, government consultations therefore need to use the Internet.
- 5.2.1.3 The Internet also makes other things practicable that are very difficult in any other environment. For example, online polls can quickly sum opinion on issues. Electronic text can be more easily manipulated, as well as being able to be scanned for meaning using software packages like the UQ Leximancer system.
- 5.2.2 *Question 2: What minimum standards for online consultation should be developed?*
- 5.2.2.1 Online consultations should involve at the least a website and an email discussion list. The website should have contact details, an opt-in subscription list (separate from the discussion list), an archive of useful materials and resources, news items, press releases, and reports produced by the consultation. Optionally it could have registration, polls, special chat rooms for focus group research. It should employ off and on-line recruitment techniques including off-line advertising and online viral marketing.
- 5.2.3 *Question 3: Does the existence of online consultation disproportionately favour those with computer access because of the relative ease of participation?*
- 5.2.3.1 Possibly. This should be less of a concern than the fact that only a small proportion of the community is generally prepared to get involved in lengthy face-to-face consultations. In terms of written consultations, most detailed written submissions will have been produced on a computer which these days will most likely have Internet access. To that extent, those who make written submissions would not be significantly less advantaged than those who use the Internet, because they would most likely have that option in any case. The only people who could conceivably be disadvantaged are those with access only to a typewriter, or who make oral submissions. There would be only a small number in the first group, and the second group are privileged by being able to engage in person.
- 5.2.3.2 The Internet should be seen as a tool of inclusion rather than exclusion.
- 5.2.4 *Question 4: How should best practice be measured with regards to online consultation?*
- 5.2.4.1 The answer to this question lies in establishing best practice benchmarks through actual use of the Internet. Best practice will change and with it the benchmarks will move. We believe that Australian governments, and governments world wide need to work together through broadly representative specialist bodies, to establish these benchmarks. In our practice we have benchmarks which are internalised into the software and processes being used. We have not documented them externally, but this would be easy to do.

5.2.5 *Question 5: How best can the range of government departments and agencies develop and maintain the skills required to develop and run effective online consultation processes?*

5.2.5.1 As in the answer to the previous question, this has to be done on a national or international basis using industry-type bodies offering expertise, standards and training. We also believe that online consultations are often best handled by independent third parties, just as offline consultations are. The issues of trust and impartiality have to be dealt with. People are generally more comfortable and confident dealing with impartial third parties, particularly if those parties are skilled and well practiced at moderation.

5.2.6 *Question 6: How can new technology be used to enhance citizens' access to government information?*

5.2.6.1 As discussed in our main submission, governments are publishers not just when they produce hard copy reports and documents, but when they post anything to the Internet. To do this properly requires governments to use the techniques of online publishing which include hubs, gateways and aggregators. This requires collaboration with other organisations as well as XML schema allowing information to be aggregated and easily repurposed. It will also involve some investment in third party infrastructure, either through joint ventures or as a fee for service using an application service provider model.

5.2.7 *Question 7: Should existing information access rights be reviewed specifically to include electronic means to access government information?*

5.2.7.1 Yes. Following the British example, all documents which the public has an interest in accessing should be made available. This extends to secure access to information which is specific to them, such as health records.

5.3 *Electronic Democracy and the Election Process*

5.3.1 *Question 1. To what extent do new technologies pose a risk to free and fair elections? Do the regulatory powers of the Victorian Electoral Commission need enhancement to deal with changing technology?*

5.3.1.1 We do not have a position on this as far as general elections are concerned. What ICTs allow is more frequent, and rigorous, sampling of public opinion than currently available by other means. We would be of the opinion that online voting technologies offer more security and integrity than postal voting systems. Just as tax returns and ASIC documentation can be lodged using secure systems, it ought to be quite feasible to apply these techniques to the democratic voting process.

5.3.2 *Question 2: Do the benefits of phone, online or electronic voting systems outweigh the risks associated with these systems? Would the introduction of one or more of the systems have popular support and reassure Victorian's trust in the integrity of the voting in this state? Or would such a system undermine that trust?*

- 5.3.2.1 Again, we do not have a position as far as general elections are concerned. If occasional polls on issues were instituted using online and electronic voting systems we are of the opinion that support and trust would increase.

5.4 *Electronic Democracy and your Community*

- 5.4.1 *Question 1: How best can government assist local communities to organise their own political associations? What form should this take (resources, information, grants, networking)?*

5.4.1.1 We believe that this can best happen by example. The solution we have proposed through The National Forum makes it easy for anyone, including local communities, to organise. Our economic model would allow them to do this at a basic level at no cost, or at a more than basic level at low cost (somewhere in the vicinity of \$1,500). Cost could be met on an application service provider model, via monthly payments for services provided.

5.4.1.2 By being involved in this project the Parliament would be involved in providing technology, know-how and publicity. We believe that the system would propagate organically, removing much of the need for grants, networking etc.

- 5.4.2 *Question 2: Do some segments of the community have specific difficulties organising local associations?*

5.4.2.1 They may. It is outside the scope of our submission to comment on that.

- 5.4.3 *Question 3. What mechanisms should institutions like the bureaucracy, Parliament, and local government use to ensure that these groups are actively included in policy debates and deliberation?*

5.4.3.1 It is up to the government to consult as widely as possible. Electronic technologies allow for wider involvement of stakeholders than otherwise possible. This includes involvement by individuals. In many cases, organisational positions do not adequately reflect membership positions. ICTs rebalance power towards the members of organisations, giving government the opportunity to have a more fine-grained, less mediated, interaction with citizens.

5.5 *Electronic Democracy and the Media*

- 5.5.1 *Question 1. What is the capacity of alternative media to meet the information needs and interests of the Victorian public? What specific communities or language groups would be best served by alternative media?*

5.5.1.1 The answer depends on the definition of "alternative media". As discussed in our main submission, ICTs make it possible for new media players to establish themselves using a more interactive model, and aggregating and making professional the Internet publications of organisations who would not normally think of themselves as being media.

5.5.1.2 All communities and language groups could benefit. The question is how to ensure that they provide quality product which engages users. We believe that our model provides answers to this and that the reason for our success is that we

have adopted a more managed form of publishing than some of the more radical and anarchic projects, such as Indymedia.

5.5.2 *Question 2: To what extent can the State of Victoria encourage the establishment of new, alternative media sources, particularly those aimed at segments of the community for whom local media lacks relevance?*

5.5.2.1 We believe that the State of Victoria can do this by investing effort in developing a model involving those individuals and organisations interested in democratic interaction. The approach should be national as Internet communities tend to form around common interests rather than within geographical boundaries. Committing to The National Forum would allow demonstration of a number of existing techniques as well as develop new techniques and understandings.

5.5.3 *Question 3: To what extent could "traditional" non-commercial media sources (community radio and television, for example) benefit from information technologies?*

5.5.3.1 Substantially, if one is talking about the Internet. However, they will need to heavily modify their current producer models to make it a reality. Websites in the way they are used by "traditional" media are expensive adjuncts to their broadcast activities that add very little to the existing service, but rather add an additional service to it.

5.5.4 *Question 4: Does "amateur" journalism provide meaningful and effective political coverage?*

5.5.4.1 Yes. *On Line Opinion* has an extremely good track record on analysing and forecasting elections using part-time commentators. Some of the best bloggers also offer informed commentary. With rare exceptions, amateur journalists are unlikely to break stories. Where they have their maximum potential is in analysing information which is already in the public domain. Most media coverage is lacking in expert, intelligent commentary, for a variety of institutionalised reasons.

5.5.5 *Question 5: Are current laws governing defamation and libel well suited to an era when non-professional journalists and commentators can publish easily and reach wide audiences?*

5.5.5.1 The practitioners need to fit their work to the laws, not the other way around. These technical legal publication issues raise the need for expert intermediaries who can deal with these issues on behalf of "non-professional" journalists and commentators. Sites like *On Line Opinion* offer these participants this sort of a service in return for publishing the material for free.

5.5.5.2 It is of concern to us that some online users do not properly observe the laws relating to defamation, particularly those who are involved in online discussions and blogging. Education is necessary to ensure that these users understand the legal position in the first place, and sanctions need to be in place to prevent them abusing the web. We retain a right of veto over any posts made to our site, and have exercised that veto occasionally. This can be potentially expensive in

terms of moderation time and resources, but we have systems in place which reduces this cost.

- 5.5.5.3 While many defamations will remain unactioned, just as they do in real life, the establishment of peak sites with credibility and systems to deal with the legal issues should keep most online interaction free of damage to reputation or privacy.
- 5.5.6 *Question 6: Would the encouragement of alternative media by government impact upon the editorial independence of these sources?*
- 5.5.6.1 It could, but this is an issue for almost all media. Most media depends on government regulation for their continuing financial health, and some of them receive significant government "assistance" via advertising revenues. In the past some state governments have tried to influence media by, for example, withdrawing classified advertising revenue.
- 5.5.6.2 That the government can be the main source of funds for an organisation whilst it maintains its independence is demonstrated by both the ABC and the BBC. It is a question of governance structures and culture.
- 5.5.7 *Question 7: Would the encouragement of alternative media by government negatively impact upon existing media by deterring political debate and news coverage (for example, by impacting upon the existing media's market share) or prevent the development of new media companies?*
- 5.5.7.1 It could. Again, to take the ABC as an example, it has an impact on the market share of the other broadcast organisations, but this is not necessarily a negative thing. It provides programming that they don't, which probably means that to an extent it increases the market as well as competing in it. It also has the ability to innovate and provide new ideas (and from time to time product) to its commercial rivals.
- 5.5.7.2 Of more concern is the possibility that it would prevent the development of new media companies. We have presented a model which creates a media company where none presently exists. Establishing our model requires government participation, and would deter others from setting up a similar structure. But were they to set-up a similar structure it would require government involvement, making the point moot.
- 5.5.7.3 Government involvement should be careful and take account of market realities. It should also contain large elements of transparency and contestability.

5.6 *Electronic Democracy in Local Government*

- 5.6.1 *Question 1: To what extent will local government need to develop unique forms of electronic democracy to meet its specific needs?*
- 5.6.1.1 We believe that the needs of all governments are significantly similar and that they can be met through the same solutions as we have advanced in the main body of our submission.

- 5.6.2 *Question 2: How will local government develop competencies in building on electronic democracy initiatives given its small resource base? On what basis could collaboration be facilitated within the local government sector?*
- 5.6.2.1 We have proposed a collaborative structure that can encompass all levels of government. The challenges are not that large that they cannot be handled by a central organisation. Our sponsor, the Local Government Association of Queensland has implemented an eCommerce portal for Queensland local governments. We are working with them to extend this into the Electronic democracy field. Combined, local governments represent a substantial tier of government.
- 5.6.3 *Question 3: How can local and state governments learn from each other about their experiences in electronic democracy?*
- 5.6.3.1 Again, The National Forum offers an opportunity to share information as well as joining in collaborative experiments.
- 5.6.4 *Question 4: Does the Victorian Local Government Act 1989 provide an effective legal basis for the range of local electronic democracy initiatives that councils may wish to undertake?*
- 5.6.4.1 We are not experts in the Victorian Local Government Act, 1989 but would be surprised if the ability to be involved in electronic democracy initiatives was limited by legislation. Limitations are more likely to be a result of lack of resources and/or expertise.

6 Conclusion

The National Forum is the only Australian organisation devoted entirely to electronic democracy. Through our experience we believe that parliaments and governments need to look beyond the models that they are currently using. Much of our concept is based on observation of innovative precedents in other areas of government practice, such as the ABC, BBC and Curriculum Corporation. It also draws inspiration from commercial and not-for-profit enterprises including media and brokerage sites, like OpenDemocracy, eBay, and Meetup.com.

We have adopted an open source and experimental approach to our undertaking, and the results demonstrate that we have been successful so far in analysing the needs of our community.

While our solution does not appear to have been directly contemplated by the terms of reference of the committee, that is not surprising, as, apart from some writing by Stephen Coleman, Professor in eDemocracy at Oxford University, no-one else is proposing anything like our solution, even though most are well aware of the shortcomings of current solutions.

The Internet and ICTs are being used for democratic means by a wide range of individuals and organisations. The risk is that the precedents and habits being formed now will be sub-optimal, or even detrimental, to good democratic government.

This puts this committee in a position where it can either operate largely within the precedents set for it by other parliaments, organisations and individuals, or it can be the first to attempt a more innovative solution.

In fact, it can do both, as the resources required to implement our solution are quite modest, and a number of them – such as standard software for use by parliamentarians in publishing database driven Internet sites – are probably cost savings on the alternatives.

There are many areas that have been left out of this report. Undoubtedly there are also issues which need to be further explained or clarified. We would be happy to do this either orally or in writing.

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