Northern Ireland Assembly

Research and Information Service
Briefing Paper

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Use of electronic devices in plenary

1   Introduction

This briefing paper has been prepared to inform the Committee on Procedures work on the use of electronic devices in the Chamber. It outlines the rules and procedures in other legislatures including the House of Commons, Scottish Parliament, National Assembly for Wales and Dail Éireann. It also highlights international examples where appropriate.

For the purposes of this paper electronic devices include:

- Laptops

- Tablet computers

- Mobile phones

- Hand-held email devices (Blackberries etc.)

2   The current rules on the use of electronic devices in the Northern Ireland Assembly

Standing Orders do not provide for the use of electronic devices in the Chamber. The *Speaker's Rulings and Conventions May 2006 to December 2011* states the current position regarding their use:

> *5.9b. Mobile Phones – Transitional Assembly Business Committee 23 January* 2007 Madam Speaker advised that the use of mobile phones and other communication devices in the Chamber continued to be a problem. She cautioned that Members should be prepared to be called to order if they persisted.

> Further clarification on the use of electronic communication devices in the Chamber was provided to the Business Committee on 29 September 2009. The Speaker advised that mobile phones, Blackberries and similar devices, even when on 'silent', all interfere with the audio system in the Chamber (including the induction loop) and should not therefore be used[1].

3   Current guidance and practice in legislatures in Great Britain and Ireland

Report from the House of Commons Modernisation Committee

In June 2007 the Modernisation Committee of the House of Commons published its report *Revitalising the Chamber: the role of the Backbencher[2]*. One of the issues addressed in the report was the issue of 'multitasking', or allowing Members to carry on other work while in the Chamber:

> All Members experience competing demands on their time. Members might be more willing to spend time in the Chamber listening to debates or waiting to be called if they were able to do other work at the same time, either dealing with correspondence or perhaps even using a handheld computer or laptop to deal with e-mails. Several people we spoke to raised the question of multitasking. Kitty Ussher felt multitasking in her office was often a better use of her time given the pressures of work.

> Jo Swinson said Members could multitask in their offices, listening to debate on the television, but could not do so in the Chamber. Emily Thornberry said, 'Six hours is a very long time just to sit there and not do any work, when you have the time pressures that we have'. Even longer serving Members saw no barrier to the use of hand-held devices in the Chamber provided they did not interfere with the debate or cause a disturbance.

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[1] Speaker's Rulings and Conventions May 2006 to December 2011
[2] 'Revitalising the Chamber: the role of the Backbencher', HoC Modernisation Committee, June 2007
   http://www.publications.parliament.uk/pa/cm200607/cmselect/cmmodern/337/337.pdf

Removing barriers to participation is important and the use of handheld devices to keep up to date with e-mails should be permitted in the Chamber provided that it causes no disturbance. The House authorities should ensure that the necessary technical infrastructure is provided to ensure that Members can use handheld devices in the Chamber unobtrusively and without affecting other systems in the Chamber, such as the sound system[3].

The Speaker made a statement about the use of electronic devices in the Chamber at the beginning of the 2007-08 Session:

Mr. Speaker: I have a statement to make about the use of electronic devices by Members in the Chamber. On 25 October, the House agreed to the use in the Chamber of hand-held devices to keep up to date with e-mails, provided that they cause no disturbance. From the start of this Session, therefore, Members can use such devices in the Chamber provided that they cause no disturbance. In line with a ruling from my predecessor in 1997, Members carrying such devices should turn off the audio function before coming into the Chamber. They should also not wear earpieces to receive messages.

In line with previous rulings, it remains unacceptable for a Member speaking in the Chamber to be prompted by information on the screen, or for a device to be used as a prompt by a Member—or a Minister for that matter—participating in proceedings. The Chair will order a Member seen to be using such an electronic device while speaking to resume their seat immediately. This ruling will be applied in Westminster Hall and in General Committees of the House. [Interruption.] Order[4].

Recent developments in the House of Commons

In March 2011 the Procedure Committee of the Commons printed its report *Use of hand-held electronic devices in the Chamber and Committees.* The report recommended that the House agree the following resolution:

That hand-held electronic devices (not laptops) may be used in the Chamber, provided that they are silent, and used in a way that does not impair decorum; that Members making speeches in the Chamber or in committee may refer to electronic devices in place of paper speaking notes; and that electronic devices, including laptops, may be used silently in committee meetings, including select committees[5].

The House approved the resolution on 13th October 2011[6].

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[3] 'Revitalising the Chamber: the role of the Backbencher', HoC Modernisation Committee, June 2007
http://www.publications.parliament.uk/pa/cm200607/cmselect/cmmodern/337/337.pdf
[4] House of Commons Standard Note SN/PC/04542: Modernisation: Revitalising the Chamber, December 2007
[5] 'Use of hand-held electronic devices in the Chamber and Committees', House of Commons Procedure Committee, March 2011
[6] HC Deb 13th October 2011 col 555

This replaced a previous resolution passed in 2007 which had permitted the use of mobile phones and other hand-held devices to: "keep up to date with emails [...] provided that it causes no disturbance"[7].

Soon after, the Speaker was forced to issue a ruling clarifying the situation: "It remains unacceptable for a Member speaking in the Chamber to be prompted by information on the screen, or for a device to be used as a prompt by a Member—or a Minister for that matter—participating in proceedings"[8].

The report from the Procedure Committee outlined the arguments for and against the use of electronic devices in the Chamber and Committees, which can be summarised as follows:

Against

- those Members present should be attending to the debate and not undertaking other activities, and their use of electronic devices might distract others, either visually or audibly

- the sight of Members concentrating on hand-held devices rather than the debate creates a negative impression of the House of Commons

- transmitting messages in and out of the Chamber might allow others to influence the course of a debate which could constitute interference in parliamentary proceedings

For

- Members might be more willing to spend time in the Chamber listening to debates or waiting to be called if they were able to do other work at the same time, either dealing with correspondence or perhaps even using a handheld computer or laptop to deal with e-mails

- written notes, as well as books, newspapers, letters and research papers, may all be used as an aide memoire in a speech. There would seem no difference in degree in allowing a Member to consult his or her speaking notes or necessary documents either in hard copy or on an electronic device

- it has to be acknowledged that electronic devices are ubiquitous now in a way that even four years ago was not the case. Banning them from the Chamber might make the House appear out of touch with modern life and would mean that those in the Chamber would be the last to know of breaking news widely available on the internet

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[7] As above

[8] 'Use of hand-held electronic devices in the Chamber and Committees', House of Commons Procedure Committee, March 2011

The Procedure Committee stated that "We therefore undertake to conduct a review a year into the operation of the rules, should the House agree a new resolution relating to the use of hand-held electronic devices in the Chamber or committees intends to undertake a review of the new rules after one year[9]".

Scottish Parliament

The use of electronic devices in the Chamber is currently prohibited under the Code of Conduct for MSPs:

7.3.3 In addition to conducting themselves in accordance with Rule 7.3 of Standing Orders, members are required to observe the following rules, based on those announced in Business Bulletin 5/99, governing their conduct during meetings in the Chamber and, as appropriate, in committee:

(d) mobile phones: should be switched off.

(e) pagers: the "sound" function should be switched off.

(f) laptop and hand-held computers: should be switched off[10].

However in October 2011 a Green Party MSP lodged the following motion:

Social Media in the Scottish Parliament

That the Parliament notes the decision of members of the House of Commons to permit the responsible use of mobile devices and social media in the debating chamber; considers that debates would not benefit if members used electronic devices in ways that did not relate to the subject under debate; notes, however, that members are already expected not to read in the chamber printed material that is unrelated to the debate and that a similar rule could apply to the use of electronic devices; considers that the use of social media during parliamentary debates can be a way of engaging the public in the political process and can enhance democratic participation, and would welcome consideration of a possible change to the Parliament's rules by the Standards, Procedures and Public Appointments Committee, the Presiding Officer and members themselves[11].

The motion fell on 26 January 2012.

Despite the ban on the use of electronic devices, the Presiding Officer felt compelled to reinforce this message to parties in November 2011. In a letter to the main parties in the Parliament, Tricia Marwick stated that recent reforms to parliamentary business

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[9] As above

[10] Code of Conduct for MSPs - Volume 2, Section 7: General Conduct and Conduct in the Chamber or in Committee

[11] Motion S4M-01085: Patrick Harvie, Glasgow, Scottish Green Party, Date Lodged: 17/10/2011

had allowed more time for backbenchers to speak in debates[12]. Ms. Marwick went on to say:

> We are, however, concerned about the possibility of these improvements being undermined by what we see as the increasing use of electronic devices in the chamber during parliamentary proceedings, the use of social networking sites such as Twitter and Facebook in particular…We hold that it is neither courteous nor respectful for members to provide a commentary on what is going on during parliamentary proceedings…That role is adequately filled both by the media and the public, and is contributed to and enhanced by members when they are not in the chamber[13].

National Assembly for Wales

The National Assembly for Wales is an example of a legislature that has actively embraced new technology. The website of the Assembly states:

> The Siambr (Chamber) is an electronic debating chamber. Every Member has an individual computer terminal, to enable them to research subjects for debate and to undertake work when not being called to speak. They also have access to headphones to amplify the sound in the Siambr or to use the simultaneous interpretation services provided…Members are also able to use the screens in the Siambr to show films or electronic presentations of relevance to a particular item of business[14].

However there are some restrictions in place that govern the use of electronic devices: "Members may not bring food, drink or intrusive electronic equipment into the Siambr"[15].

Dail Éireann

In 2007 a pilot was conducted in Dail Éireann whereby Members were given access to laptops in the Chamber to assist them in carrying out their business. This formed part of an 'eChamber' facility developed by the Dail. A summary of the facility is outlined below:

> Following approval by the Committee on Procedure and Privileges of Dáil Éireann, laptops are made available to members in the Dáil Chamber. A newly developed eChamber intranet website provides fast on-line access to parliamentary documents which members are likely to find useful while the House is sitting, including –
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> - Parliamentary Questions and Order Papers

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[12] BBC News Online Holyrood Twitter ban reinforced by presiding officer', 3 November 2011
[13] BBC News Online Holyrood Twitter ban reinforced by presiding officer', 3 November 2011
[14] http://www.assemblywales.org/bus-home/plenary/business-plenary-information/about-the-siambr.htm
[15] 'Conduct in the Siambr: Principles and Standing Order Requirements', May 2011

- The weekly Schedules and daily Orders of Business plus links

- Bills being considered on the day together with Explanatory Memoranda

- Amendment lists, and

- Notification of matters selected for the Adjournment debate.

The computers also have full Internet access, including full access to the Oireachtas Intranet and the Library and Research Service premium websites. The Dáil Chamber was fully wired during the Summer recess. Wireless access throughout the chamber is available and wired access to the network has also been provided in 22 seating locations in the Dáil Chamber to cater for the needs of heavy users of the service[16].

However, officials at the Oireachtas have said that the uptake of the service by Members was poor. Part of this was due to the fact that older PCs took time to 'boot-up' which Members found frustrating. In addition, the fans inside the computers also caused a distraction, although this was more of a problem in committees. The advent of tablet PCs has caused the Oireachtas to look again at this issue and it is likely that new IT facilities will be rolled out in the Chamber over the next year. Apple iPads have been tested and these do not seem to cause interference with the recording equipment used by the Official Report[17].

There continues to be a debate about the use of mobile phones and other equipment by Members in the Chamber, as highlighted in a recent online journal article that placed the issue in the context of the reforms in the House of Commons:

In Ireland, mobile phones are theoretically banned from use in the Dáil chamber, according to the code of conduct by which TDs are expected to abide – though this rule has become so openly flouted in the modern era that it is almost never enforced.

"Interference from mobile phones is a discourtesy to other Members, a distraction from debate and potentially interferes with the recording of proceedings," an Oireachtas spokesman said.

"Accordingly, mobile phones, if brought into the Chamber, should either be switched off or placed so as to avoid any possibility of interference. Members who are speaking and those who are sitting in close proximity to them should ensure that their mobile phones are switched off."

Laptops are permitted for use in the chamber, however – with former Green Party deputy Paul Gogarty regularly using one at his seat. Current transport minister Leo

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[16] 2008 Annual Report of the Oireachtas
[17] Communication with Oireachtas official 9 February 2012

Varadkar, meanwhile, was often seen using an iPad while on the opposition benches[18].

Oireachtas officials advised that despite repeated warnings, Members continue to use their phones which in turn cause significant disruption to the recording of proceedings. RTE has also found that it cannot broadcast portions of debates due to interference[19].

4   International examples

This section provides information on practice in international legislatures. In some cases, the provision of IT facilities in chambers is much more advanced than anything available in the UK and Ireland.

Canada

The Canadian House of Commons Procedure and Practice advises that: "use of cellular phones or cameras of any kind is not permitted in the Chamber. Since 1994, Members have been permitted to use laptop computers in the Chamber provided that their use does not cause disorder or interfere with the Member who has the floor"[20].

Australia

There has been increasing debate about the use of electronic devices in the House of Representatives and the Senate. The following newspaper extracts highlight the case for and against:

Lundy sees tablets writ large for politicians

Personal technology, such as smart phones and tablet computers, in Parliament do not pose a threat to democratic traditions, according to…Senator Kate Lundy.

The use of technology in the Senate and House of Representatives has been in the spotlight this year as more members use personal electronic devices within the chambers…Members of the House of Representatives were left scratching their heads in October when Water Minister Tony Burke rose during question time and read from his iPad at the dispatch box….Mr Burke is one of a growing number of members dodging the paper and clipboards in favour of a slimmer information source…The infiltration by personal devices led to Speaker of the House Harry Jenkins approving of the portable technology, but warned against mobile phone photography .

Dignity a victim of mobiles says MP

Federal Nationals MP Bruce Scott says mobile phones destroy the dignity of Parliament and allow lobbyists to pressure politicians while they are in the Chamber. The veteran Queensland politician has called for a ban on mobiles and restrictions on laptops as part of a wider proposal to shake up parliamentary procedures and Question Time.

It comes after state Transport Minister Rachel Nolan read an answer from her phone during Question Time last week and a mystery federal MP photographed Peter Slipper apparently asleep on the job. The incident prompted the Rudd Government to instruct the powerful Committee of Privileges and Members' Interests to consider formal

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18 'Westminster gives politicians all-clear to tweet from Commons', Business ETC, 28 March 2011
19 Communication with Oireachtas official 9 February 2012
20 House of Commons Procedure and Practice, Second Edition, 2009

> rules for the use of mobile phones in the chamber. Mr Scott, who is the Parliament's second deputy speaker, said mobile phones and computers were distraction devices and allowed outside access to MPs sitting in Parliament.
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> ``It allows lobbying organisations to lobby people on the floor of the chamber or perhaps deliver a threat before a vote,'' he told The Courier-Mail.
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> He also questioned the need for laptops in the chamber.
> ``To be connected to the outside world during a debate, people could be doing anything - organising a party or a holiday,'' he said.

The information for Portugal and the Republic of Korea is taken from the report of the World e-Parliament Conference 2009[21].

Portugal

The chamber has been recently modernized by integrating IT hardware and devices in its more than 100-years-old building. Work-stations, equipped with retractable touch screen monitors, keyboards and wireless mice, have been installed for all 230 members of parliament and for the bureau. Work stations also have USB and sound device connection ports. A smartcard reader authenticates the user and enables digital signing of documents, reading personal e-mail messages, electronic voting on the touch screens and registering attendance of members during sessions.

Each member has a unique user profile that is loaded on the plenary workstation once he/she logs in. The same profile is loaded on the desktop in the member's office, or on his/her laptop from outside the parliamentary building. From wherever legislators log in, they always have access to their documents.

From their workstations, members of parliament can also project presentations onto the two big screens in the chamber hall. The entire system is driven by a virtual server. The workstations are thin-clients, i.e., the clients do not have hard drives or processing devices. The thin clients do not need any memory or hardware except a screen and keyboard… the system has been operational since March 2009, with little or no glitches. Members also seem to spend more time in the chamber since they can continue their work and read e-mails from their virtual workbench.

Republic of Korea

All seats in the chamber (299 seats for members of parliament and 26 seats for cabinet members) are equipped with a touch screen monitor (thin client terminal), an electronic nameplate, ports for sound devices and USB, a keyboard and a voting device. Each seat has its own ID. User convenience is also supported through an e-book viewer, Internet access, and instant messaging services.

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[21] http://www.ictparliament.org/wepc2009/report

The chamber is also provided with electronic boards, large high-definition electronic screens that are placed in the front of the chamber and outside it. The system is designed to provide a stable operating environment. This is achieved through separate networks of servers for parliamentary proceedings and for Internet access, which limit security threats and provide uninterrupted services…

To increase the work efficiency the Proceedings Management system and e-Bills System were integrated into a single system. The e-Bills System receives bills from the Government Document Distribution Centre and from members of parliament. The bills are electronically forwarded to the standing committees for consideration and then automatically put on the agenda of plenary meetings. At the end of that process all information relating to the bill under discussion, including reports, is automatically transferred to the Digital Chamber System. This information is provided to the members in the form of an e-book.

Voting is done primarily through touch screens. Voting records are displayed on the electronic boards and automatically transferred to the Minutes System. The electronic boards are also used to display presentations made by members from the podium. The podium features an integrated prompter if needed so members can control reading speed, etc. An instant messaging service between members of parliament is also available inside the chamber.

Chile

Before the session starts all the legislative documentation about the bill to be discussed is gathered and distributed electronically to members' digital desks. When the session starts members have access to their digital desks through the PCs (small custom made Linux driven machines). The system shows the attendance records of deputies. During the session members' votes are recorded in Oracle databases. All this information is published online so that citizens can have total access to all the documents…Also, members and citizens can program their mobile devices to get automatic alerts when there is a change in a bill.

The main benefits of the systems are that legislative information is produced and disseminated fast to deputies and to the citizens, and what is being done in the chamber is captured reliably and accurately.