Summary and Conclusions

Rationale of the Research Project.

Internet consultation is a mode of consultation in which citizens and organisations are offered an opportunity to contribute to the legislative process by providing suggestions for improvement of laws and rules whilst under construction. Internet consultation after a pilot phase was made a structural part of the process of legislation in the year 2011. Internet consultations are done through a website named www.internetconsultatie.nl.

Now, after a few years of experience with Internet consultation the Ministry of justice and safety wished to gain insight in how it operates, and how it is appreciated by all actors involved and concerned. Furthermore, the ministry wished to find out to what extent Internet consultation actually contributes to the goals of its application. Eventually the intended outcomes of the research project would have to provide directions in which potential improvements of the grown practice might be searched for, and accomplished.

Research Questions

A. Context and Developments concerning Internet Consultation
1. What new developments/trends affected Internet consultation over the last five years and what developments will affect the future of it?

B. Process and Use of Internet Consultation
2. How did Internet consultation develop in the departments involved during the last five years?
3. How often, and in what way have citizens and organisations been involved in Internet consultation in general, and in the use of the website www.Internetcconsultation.nl in particular?

C. Reach and Results of Internet Consultation
4. What is the outreach of Internet consultation in society?

5. What perceptions and opinions do citizens, organisations and the involved civil servants have of the process of Internet consultation, and how do they appreciate it from the perspectives of:
   - transparency;
   - public participation
   - quality of laws and regulations
   - and strengthening the preparatory process of legislation?

6. To what extent did Internet consultation contribute to the improvement of legislation as such, and of its implementation?

D. the Added Value and the Future of Internet Consultation
7. What is the added value of Internet consultation as compared to other consultation approaches and methods as far as its contribution to transparency, participation, and quality of the legislative process is concerned?

8. How may Internet consultation develop itself given the signalled shortcomings and obstacles and taking into account future (technological) opportunities and developments?

Research Design and Methods

In order to answer the research questions a series of research activities were carried out:

a) Nineteen interviews with experts and key persons were held.
b) A study of literature and documentation served as an orientation and provided a research framework.
c) Analysis of the web site and the completed Internet consultations the site included
d) Digital survey among citizens and organisations to get an indication of the extent to which the website and the opportunity of Internet consultation are known among the public.
e) Digital survey among actual users of the Internet consultation web site (individual citizens as well as organisations)
f) Digital survey among the civil servants involved in Internet consultation on their roe land their experiences in applying Internet consultation in processes of legislation.
g) Case studies of Internet consultations in various policy domains within six different ministries of the Dutch government.
h) Scenario development in order to trigger a thoughts and debates on how Internet consultation might be further developed and how this may improve the grown practice of it. For this purpose, two focus groups were composed (one for citizens and organisations and one for civil servants and experts.
i) In view of the framework set up in the initial stage of the research the data gathered eventually have been analysed and interpreted and transferred into conclusions and directions for potential improvement.

These conclusions and suggestions are reported in the next section.

Research Outcomes

A.   Context and Developments Concerning Internet Consultation

The Number of Internet Consultations has grown; the Participation per Consultation did not
In recent years Internet consultation shows a significant growth, both the number of consultations and the number of people involved grew strongly. The number of reactions per Internet consultation, however, did not show a significant change. To more than half of the consultations no more than 5 people react.
Internet consultation has become strongly embedded in the process of legislation. Only in rare cases decisions were made not to include Internet consultations. Civil servant developed an increasingly favourable attitude to Internet consultation throughout recent years.

(Internet) Consultation was made Subject of Study and of Methodology Development

Throughout the last five years' studies were carried out in the area of Internet consultation in order to gain insight in its dynamics and in its methodology and to add to this methodology by developing models of, and for Internet consultation practice. These contributions were of immediate use, or provided food for thought. One thing that was revealed was that too often the results of consultations were made clear and feedback to those who gave suggestions was insufficiently provided.

The Preparation of Internet Consultation Requires Methodological Support

Internet consultation today is applied in most instances. It is a process for which well-structured guidelines and protocols are available and accessible. Still a need was identified among civil servants involved for even more elaborate methodological support. Putting a draft text on the website was said to be easily done, but overseeing the process a whole, there still is a wish for some more support in processing, analysing and interpreting the incidentally vast numbers of reactions.

Time does not seem to be an issue

Internet consultations are supposed to take approximately four to twelve weeks. In reality it appears to take between four and six weeks. Setting up an Internet consultation may be feasible in a reasonably short time, the work it brings once the reaction come is less predictable. The actual time investment differs a lot form one case to another. Still time doesn't seem to be much of an issue anymore.

A need was expressed for a Clear Assessment Framework allowing for Decision Making in matters of applying Internet Consultation, or not

An assessment framework is needed to systematically take decisions on whether to use Internet consultation or not. Such framework might be seen as a kind of flow chart allowing to go through a systematic process of sub decisions. Issues of the kinds of policy domain, its sensitivity to anticipating calculating behaviour/abuse, the available room left for including the suggestions etc. may be mad part of such an assessment framework.

Too often too little is reported on what has been done with reactions

Citizens and organisation express an appreciation for the web site and its user friendliness. However too many of them (57 %) claim they have not been informed about what was done with their reaction, or with the reactions in general. Only 16 % found back on the web site what was done with the suggestions.

Complicated legal texts do not activate people to use Internet Consultation

Communication is an issue when it comes down to Internet consultation. In one of the cases it showed that involvement of a communication department really helps to promote and deepen the dialogue with the citizens and organisations involved and thus to improve the quality of the process and its results. This was also confirmed in the consulted focus groups. Better presentations and visualisations (not just texts) add to the outreach and to quality of the process.

Internet consultation is known among a very limited group of citizens

Internet is known among a limited number of people. In a panel research survey among 675 people, only 18 % knew about Internet consultation. In organisation this percentage was 38 % (N=385).

Knowing about it is not the same as using it. The fact that we approached a panel through Internet, makes it plausible that these results might be better that when we had approached a less Internet oriented sample. So there is no reason to be optimistic about the extent in which people are familiar with the opportunity of Internet consultation

Whether to try to involve many people, or the right people is a strategic issue
The level of participation per Internet consultation is relatively low. Sometimes in some cases, however the numbers suddenly are impressive. Whether the numbers are important or rather the quality of the suggestions is a matter of consideration in each Internet consultation. The relative appreciation of numbers of responses is closely related to the kind of them the legislation is devoted to.

Participants in Internet consultations represent a limited fraction of the Dutch population
From the data collected in the survey part of the research project (N= 171) it became clear that 89 % of the participants in Internet consultation have a higher education background. More than half of them are over 55 years of age. The number of men active in Internet consultation is one and a half times as big as the number of women involved.

Among the reactions 58% come from organization while 37 % of the response are given form a position of individual citizens.

D.   The added value and the future of Internet consultation

The added value of Internet consultations may be shown more clearly
The research data reveal that persons involved in Internet consultation almost unanimously state that Internet consultation contributes to the transparency of, and the participation in legislative processes.

Whether Internet consultation affects the quality of laws and regulations is an issue they are less anonymous about. The citizens (private and organisational participants) and experts tend to be somewhat more sceptical than the civil servant who organize the Internet consultation. The civil servants involved state that in their view Internet consultation has a clear added value as compared to other modes of consultation such as written consultations, or actual meetings. Internet consultation in their view reaches a wider audience and evokes a wider range of reactions, that eventually contribute to

improvements of ideas and formulations.

Development since the original pilot on Internet consultation (2009-2011)
As compared to the state of play as studied in the pilot phase of Internet consultation a significantly increasing number of Internet consultations occurred per year.

The people involved in it highly appreciate the opportunity of Internet consultation. In the year 2011 still quite some scepticism was found among the civil servants involved. Today the majority of them show a much higher level of appreciation. The time investment required to launch and process an Internet consultation appears to have become less of an issue. Similar to the situation in 2011 still a

need for a further elaborated assessment framework is expressed. The key question behind this need however seems to have shifted from the question whether to use Internet consultation, towards the question whether not to use Internet consultation. Not organizing an Internet consultation has become less of an option.

E.   Direction in which improvements may be found

Publicity
- Internet consultation is still insufficiently known among the population. In fact, only a small proportion of the population (highly educated people, most of whom are men, and over 55 years of age). Campaigns, targeted modes of publicity through public and professional media may be helpful to reach larger proportions of the public.
- Depending on the particular goals of an Internet consultation, adequate strategies need to be selected and applied to reach relevant target groups and draw their attention to the newly uploaded Internet consultation.
- Reaching target groups is one thing, actual participation is another. Publicity may be helpful for this purpose, strategies to motivate target groups to take part may add further to the level of participation. These motivational aspects may also be served through publicity in the media, but also through rewarding feedback to participants, so they feel acknowledged and taken seriously.

Assessment Framework
- It is recommended to develop a clear and transparent flowchart that may lead the organisers of an Internet consultation systematically through a process of options and criteria to be considered in order to decide whether, or not to organise an Internet consultation as part of a legislative process.

Methodology
- The process of Internet consultation requires a methodology that support the process of deciding on whether or not to use Internet consultation in a particular case of legislation
- To support the ones responsible for running Internet consultations (civil servants) in applying such a methodology, a process of professional development is recommended.

Interaction
- Internet consultation may play a more prominent part in legislative processes, when communication with citizens and organisations would be a more continuous integral part of the process of legislation throughout all of its phases.
- In case of legislation that would involve societally sensitive themes, or whenever hard to reach target groups would need to be consulted (youngsters, socially deprived people, or people from other than Dutch language backgrounds) the use of other media (social media) or systematic analyses of Big Data may be considered as parallel sources of relevant information from those who do not know how to find, or to make use of Internet consultation.

Feedback
- To demonstrate that reactions of citizens and organisation are appreciated and respected, and to stimulate people to keep on participating in future Internet consultations, it is important to provide participants in Internet consultations with adequate feedback. This may be done in target group focused feedback reports and messages. Such feedback needs to be a standard part of Internet

consultations.

Technological developments

- The researchers see the use of Big Data analyses as a possibility to make inventories of perceptions and opinions of members of groups in society that may otherwise be hard to reach. Though not yet particularly related to Internet consultation, a series of different initiatives were launched in the Netherlands to explore the potential of these Big Data approaches. It may be worthwhile to monitor the experiences and results of these initiatives and to further analyse the potential of the approaches in general and for the purpose of supporting legislative processes in particular.