



SEAL

Smart Environment for Assisting Legislative Drafting

Success criteria and their Initial Values (D1.5)

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With contributions of:
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Version management

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1. Introduction: Context of the deliverable

During the SEAL project an evaluation cycle is established to measure possible improvements of the tool in comparison to the current working situation. Prior to the pilots success criteria have been defined and operationalised and the current values have been measured for the pré-pilot sites Italy and the Netherlands. These tasks form part of WP 1 (T1.6 Measure initial values of success criteria) and WP 4 (T4.5 Establishing an evaluation cycle). These measurements of the current values create awareness of the state of the art with regard to the chosen success criteria and are also used to focus the pilots. The final evaluation with regard to the success criteria will be described in deliverable D4.5 (Report on fluctuations of the values of the success criteria).

The deliverable at hand (D1.5) reports on the definition of the success criteria and the current values for Italy and the Netherlands.

2. Definition of the success criteria

2.1. Method

To come to a definition of success criteria we have first constructed a framework (a success criteria matrix) which forms the basis for the definition of the success criteria. This framework will be discussed in paragraph 2.2.

After the definition of the matrix we have send this matrix to the participants in the project with the question to add success criteria which are important for the participants and their organisations. The participants were asked to position their success criteria in the proper box of the matrix and to formulate the criteria as concrete as possible.

2.2. Results

Succes Criteria matrix

Evaluation in general can be described as judging the observation of a phenomenon (a situation or a change in a situation) against certain criteria¹.

First let's look at the phenomenon we want to evaluate. This is the *drafting process* within the Ministries and the Chambers. With SEAL we want to improve that process on certain aspects such as the speed of the process and the interoperability between stages. But also an evaluation of the *product* of the process, the *legislation or amendment*, is important. For instance we try to improve the quality of the legislation or the amendments. Since we are looking at *improvements* in the process and the product, we are interested in a change of the situation.

Of course we can never measure the situation itself, but we are always measuring an observation or representation of that situation [Blommenstein et al., 1984, p.20].

¹ Blommenstein, H.J., Bressers, J.Th.A and A. Hoogerwerf, *Handboek Beleidsevaluatie: een multi-disciplinaire benadering*, Samsom: Alphen aan den Rijn, 1984.



There are several types of evaluations. For instance there are programme-impact evaluations (where all effects of a programme are measured), programme evaluations (answering the question in which degree certain effects can be explained from certain actions) and also goal-oriented evaluations (in how far have pre-defined goals been reached by the action). Our evaluation is goal-oriented and therefore, when looking for criteria, we look at the goals we want to reach with the project. These goals are a specification of the goals of the eParticipation 2006 programme. For the different participants partaking in the project a varying subset of these goals is important. Since we derive our criteria from the goals of the programme, the participants and their organisation we will divide the criteria in criteria *on the level of the user, the organisations and on the level of society as a whole*.

In science ideally causal relations play an important role in evaluation. Unfortunately the causality of between action and effect is difficult to determine. Therefore we will perform an evaluation mainly based on the judgement of experts, being the drafters and the participants from the Chambers. On one hand they can base their judgement on real results cause the pilots use real-life examples. On the other hand they also have to make predictions, cause the pilots don't cover the complexity of the whole drafting chain and the whole organisation. This makes the evaluation ex-post (evaluation in a situation where the action has taken place) as well as ex-ante (evaluation in a situation where the action has not yet taken place, the effects are forecasted).

All this results in a framework for success criteria that can be divided along two axis. First, we can distinguish them by the level they address: does the result affect an individual user, the organization or the entire society (of a nation, or Europe)? The second axis shows what is affected: the final product, or the process that is used to come to the product?

We can depict those two divisions as a success criteria matrix:

	Process	Product
Society		
Organisation		
User		

Success criteria on the Society level

On the level of society, two goals are distinguished:

- Enhancement of the quality of legislative text;
- Enhancement of the accessibility of the legislative text for both legal experts and citizens.
- Enhancement of the participation of citizen's interest groups in the legislative drafting process.

The first two of these goals are goals with regard to the product, the last one is about the process.

From the developer's point of view, a third goal seems logical, as the editor is expected to make it easier and faster to publish documents. However, this is not a goal that is shared by (all) the users. The Dutch House of Representatives already has a system in place (named PARLIS) that facilitates easy publishing. Therefore, no increase is expected (or required) from the tools in the SEAL project.

Success criteria on the Organisation level

The SEAL project should streamline the process within the organisations by facilitating interoperability among different applications that are used within the legislative drafting and debating process. Also the interoperability between different actors within the legislative



process is important. Thereby it is important, in order to protect the democratic debate and to respect the role the different institutions have, to track any modifications applied by an actor (there should be an authentication mechanism and a log file of actions for each user). This also helps reaching a more transparent workflow. Finally increased document security is regarded as important on this level. Document security can be arranged for by organisational measures as well as technical measures. When organisational measures are taken it can be seen as touching the process, technical measures can be both process related or product related.

Regarding the product, the tools should ensure that the legislative documents that are being produced comply to the standards established by the organisation.

Success criteria on the User level

The project should help users to come to a better quality product, by:

- Helping drafters in implementing national legislative standards;
- Helping the organisation of legislative texts;
- Helping to reorder the *law corpora*.

In addition, the *user process* should be streamlined by improving the communication between the different persons involved in the drafting process, and by decreasing the time needed to write a piece of legislation.

Filled-out Matrix

Adding the success criteria mentioned above to the matrix, we come to the following summary:

	Process	Product
Society	<ul style="list-style-type: none"> - Enhancement of the participation of citizen's interest groups in the legislative drafting process 	<ul style="list-style-type: none"> - Increased quality of legislation - Increased accessibility of legislation
Organisation	<ul style="list-style-type: none"> - Increased operability between applications - Increased workflow efficiency and co-operation - More transparent workflow - Increased document security and better authentication mechanisms 	<ul style="list-style-type: none"> - Increased compliance to organisational standards - Increased document security and better authentication mechanisms
User	<ul style="list-style-type: none"> - Increased writing speed - Easier to interact with other users - Increased interaction speed 	<ul style="list-style-type: none"> - Easier to comply to organisational standards - Easier to organise legislative texts - A more simple ordering of law corpora

The Means to an End

The success criteria that have been presented in the previous chapter are rather abstract. In this chapter, these success criteria will be linked to some of the features of the proposed tools, to give a more concrete idea of what is meant, and how the tools should realise these goals. Take note that this is merely an illustration; some tools may have additional features that are not taken into account here.

The workflow system (BeInformed studio) has several features for workflow control, which includes messaging between users and from the system to the users. It is this system that



should improve the transparency of the workflow, the speed of interaction and the ease of interaction. It also provides access control, which should increase security.

Each of the tools will generate its output as METAlex, which is a CEN-approved XML standard. The use of this standard should result in increased operability between applications (as such a standard format can be read by many applications).

METAlex supports storage of a wide array of metadata regarding legislation, and the tools will be designed to add this metadata, either automatically or by encouraging (and facilitating) the users to do so. This metadata will make it easier to find the correct information in a legislative text, thus increasing the accessibility of legislation.

The tools will offer the users best practice formulations and improved access to existing legislation. With this help, users should be able to write better texts, and need less time to do so. It should also make it easier to comply to standards and make it easier to organise legislative texts.

3. Measurement of the initial values of the success criteria

3.1. Method

Next the results from the filled in matrix were put in a questionnaire with which the initial results were measured in the pré-pilot sites the Netherlands and Italy². The questionnaire also contained questions about the functional requirements (it was a combined questionnaire). The part of the questionnaire that is handling the success criteria can be seen in appendix 1.

For the Dutch Chamber of Representatives the questionnaire was filled in by two people with the support of O&I.

The Italian Senate and Chamber of Deputies had a combined meeting lead by the University of Bologna, in which two persons of the Chamber of Deputies and one person of the Senate participated. This combination is important because the Italian Constitution is based on a bicameralism system. This means that the Chamber of Deputies and the Senate play an equal role in the legislative cycle.

As can be seen we strived for five people per country to fill in the questionnaire. Eventually two persons from the Netherlands filled in the questionnaire, three from Italy (in a combined approach, see beneath) and for Austria we took a different approach. This was less than we hoped for but the persons who did fill in the questionnaires, are highly qualified to oversee the whole legislative process, the IT support for the process and are very much involved in the legislative process.

Before going to the results one preliminary remark is important to place the results in the right context:

² Prior to the pilots initial tests with the tools were performed in the Netherlands and Italy to get a feel for user needs and improvement possibilities. These sites are geographically close to where the working environments were composed; making these sites suitable for pré-testing the working environment in short successive cycles. Austria will be added as a site during the pilots and will then also be involved in the evaluation cycle.



The number of honourables in the Italian Chamber of Deputies is 630 and the number of senators in the Italian Senate of Republic is 334 (total 964). The Dutch Parliament, divided in House of Representatives and Senate, has respectively 150 and 75 (total 225). These figures show that there is a strong differences of volumes between the Netherlands and Italy (and Italy is also the only country with a perfect bicameralism system).

3.2. Results

Italian Senate and Chamber of Deputies

The results for the Italian case can be seen in Appendix 1. On some of these results we will elaborate, cause respondents made side remarks:

1. Questions about the level of quality of the legislative text are considered to be out of scope for this project according to the Italian respondents because they are not connected to ICT tools but to the internal political process as it is in Italy. However earlier in the questionnaire (in the part about functional requirements) it is noted that it would be very beneficial if the project supports users in making accurate normative references.
This leads us to the conclusion that there is room for improvement with regard to the quality of the legislation on this point and that it will be worthwhile to monitor improvements reached by SEAL. While monitoring however, we must take into account that the quality of drafts and legislation depends not only on the ICT support, but also to a large extent on the dynamics of the Italian political system.
2. Interoperability problems exist mainly between organisations, not so much between applications. This is due to the way activities are organised in the legislative process.
3. Although the ICT support is highly scattered there are no problems with the efficiency and effectiveness of the process.
4. The writing speed of drafts is negatively influenced because it is difficult to consolidate amendments, compare to different texts, present comprehensively the text and the different amendments on the text.
5. There is no integration between drafters now. On this point there is much room for improvement.
6. Opinions about the organization of the legislative text vary from not difficult to the task is too complex an should be supported.

Dutch Chamber of Representatives

The two questionnaires for the Dutch situation can be seen in Appendix 1. Some side remarks were made:

1. One respondent thinks the level of quality of the legislation is out of scope of the project for two reasons:
 - a. A quality check will always be a manual check and cannot be supported by ICT.
 - b. The sub-department the respondents are working for has no influence on the quality.

The other respondent thinks the quality of legislation is within scope and that there are no problems with this quality apart from the consistency of the text.

2. The respondents are satisfied with the level of accessibility of the legislative text for them (their IT system provides that for them), but wonder whether the text is accessible enough for the civilian.
3. Interoperability problems exist mainly between organisations, not so much between applications.
4. One respondent thinks the level of control of the workflow is very low. The other does not consider this a big problem.



5. There is room for improvement of the level of accuracy of the text.

4. Conclusions and further activities

The most striking conclusion out of the interviews is that in general the users don't expect the tools to accomplish improvement of the quality of legislation. It would be very interesting to test this preliminary stand in the pilots.

In this deliverable we have described the success criteria and operationalisations we will use within SEAL for measuring progress and impact of the project as a whole³. We have created awareness about the current situation with regard to success criteria in the Netherlands and Italy. The measurement gives us information about the focus points to be used for the pilots. After the pilots, refinement of the tools and testing of these refinements we will make an end measurement for the success criteria.

³ Next to this within the project three editors will be compared in different situations.



Appendix 1: Questionnaire for Success Criteria

D1 and D2 are the Dutch Respondants
I is the combined Italian response

4. Questions in order to operationalise the critical success criteria

To measure the success of the project – the implementation of the drafter tool - the critical success criteria must be operationalised. In order to do so, the value of each criteria must be measured before and after the implementation of the drafter tool in the different pilot sites has taken place. The delta between those two measurements represent the success of the project.

Because the limitation in time is not possible to measure each criteria quantitative on every pilot site. **Therefore the success criteria will be measured qualitative. Because of this it is important to get as many opinions on the questions asked below as possible. Therefore please let this part of the interview protocol be filled in by at least five persons which have part in the processes described in question 2.**

In the matrix below the success criteria as mentioned by the SEAL participants are summarized.

	Process	Product
Society		<ul style="list-style-type: none"> - Increased quality of legislation - Increased accessibility of legislation - Increase the transparency in the legislation processes
Organisation	<ul style="list-style-type: none"> - Increased operability between applications - Increased interoperability between different organisations and body - Easier control of the workflow - Detect processes useless in the digital era 	<ul style="list-style-type: none"> - Increased compliance to organisational standards - Increase efficacy and effectiveness - Reduce the costs
User	<ul style="list-style-type: none"> - Increased writing speed - Easier to interact with other users - Increased interaction speed - Increased the accuracy 	<ul style="list-style-type: none"> - Easier to comply to organisational standards - Easier to organise legislative texts - Deliver higher quality legislative texts

In the paragraphs below two questions are asked for each critical success criteria. A closed question with a scale from 1 to 5, where 1 means high level of ... and 5 means low level of In the second question the argumentation is asked for the answer you gave for the first question.

4.1. Society

On the level of society, two goals are distinguished:

- Enhancement of the quality of legislative text;
- Enhancement of the accessibility of the legislative text for both legal experts and citizens.
- Enhancement the transparency of the legislation process

Both of these goals are goals with regard to the product, not to the process.



4.1 A. How do you consider the level of quality of legislative text now, before the SEAL project on the following categories? (Remark Italy has stated that part A is out of scope for their constitutional system)

Efficiency⁴ of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Effectiveness⁵ of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
The negative side effects of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Consistency in legislative text?	1 2 3 4 5 <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2 tool.
Clarity in legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Acceptability of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Legitimacy of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Feasibility and manageability of legislative text?	1 2 3 4 5 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1 1 2 3 4 5 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
Simplicity of legislative text?	1 2 3 4 5

⁴ Definition of efficiency: Measure of actual output over effective capacity or the ratio of output to input

⁵ Definition of effectiveness: Ability to achieve stated goals or objectives, judged in terms of both output and impact



Social and political feasibility of legislative text?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5
	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2

4.1 B. How do you consider the level of accessibility of legislative text now, before the SEAL project?

	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5
	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I

4.1 C. How do you consider the level of transparency in the legislation processes, before the SEAL project?

	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5
	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I

4.2. Organisation

The SEAL project should streamline the process within the organisations by facilitating interoperability among different applications that are used within the legislative drafting and debating process.

Regarding the product, the tools should ensure that the legislative documents that are being produced comply to the standards established by the organisation.

4.2 A. How do you consider the level of operability between applications now?

	1 2 3 4 5
	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5



D2
1 2 3 4 5
 I

4.2 B. How do you consider the level of operability between different organisations and body now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I

4.2 C. How do you consider the level of control of the workflow now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I

4.2 D. How do you consider the level of compliance to organisational standards now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I

4.2 E. How do you consider the level of efficiency and effectiveness now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I

4.2 F. How do you consider the level of costs now?



	1 2 3 4 5
	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I

4.3. User

The project should help users to come to a better quality product, by:

- Helping drafters in implementing national legislative standards and guidelines;
- Helping drafters to suggest linguistic expression and structuring of text better for a better legislation;
- Helping drafters to make coherent and consistent the drafting result with the whole legal system;
- Helping drafters in implementing national legislative standards;
- Helping drafters to be accurate in the normative references;
- Helping the organisation of legislative texts;

In addition, the user process should be streamlined by improving the communication between the different persons involved in the drafting process, and by decreasing the time needed to write a piece of legislation.

4.3 A How do you consider the level of writing speed now?

	1 2 3 4 5
	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I
Are there known problems that, in your opinion, influence the writing speed negatively?	I: Consolidation of the amendments
	Comparison between two different textes
	Comparative presentation of a text and their different amendments (double column document)

4.3 B How do you consider the level of interaction with other users now?

	1 2 3 4 5
	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D1
	1 2 3 4 5
	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> D2
	1 2 3 4 5



I

4.3 C How do you consider the level of interaction speed with other users now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I

4.3 D How do you consider the level of accuracy now?

1 2 3 4 5
 D1
1 2 3 4 5
 D2
1 2 3 4 5
 I



4.3 E How difficult is it now, in your opinion, to comply to organizational standards?

	1	2	3	4	5
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D1				
	1	2	3	4	5
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D2				
1	2	3	4	5	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
I					

4.3 F How difficult is it now, in your opinion, to organize legislative text?

	1	2	3	4	5
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D1				
	1	2	3	4	5
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D2				
1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
I					

4.3 G How do you consider the level of quality in legislative texts now?

	1	2	3	4	5
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D1				
	1	2	3	4	5
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	D2				
1	2	3	4	5	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
I					

