

Recommendations

This section sets out the recommendations made in the report. The immediate decisions about the recommendations rest with Cabinet, on behalf of all the people of Aotearoa New Zealand. Any significant steps in the constitutional journey will no doubt only be taken following appropriate public participation and deliberation.

The Panel's recommendations are intended to support current and future generations to participate in discussions and decisions about our constitutional arrangements. The people of Aotearoa New Zealand are encouraged to read the submissions, consider them from alternative perspectives and most importantly continue the conversation.

The Panel recommends the Government:

Overview

- invites and supports the people of Aotearoa New Zealand to continue the conversation about our constitutional arrangements
- develops a national strategy for civics and citizenship education in schools and in the community, including the unique role of the Treaty of Waitangi, te Tiriti o Waitangi, and assign responsibility for the implementation of the strategy
- note the implementation of the strategy could include the co-ordination of education activities; resource development, including resources for Māori medium schools; and professional development for teachers and the media.

A written constitution

- notes that although there is no broad support for a supreme constitution, there is considerable support for entrenching elements of the constitution
- notes the consensus that our constitution should be more easily accessible and understood, and notes that one way of accomplishing this might be to assemble our constitutional protections into a single statute
- notes people need more information before considering whether there should be change, in particular information about the various kinds of constitution, written and otherwise, and their respective advantages and disadvantages
- supports the continued conversation by providing such information, and notes that it may be desirable to set up a process whereby an independent group is charged with compiling such information and advancing public understanding

The role of Te Tiriti o Waitangi, the Treaty of Waitangi

- continues to affirm the importance of the Treaty as a foundational document
- ensures a Treaty education strategy is developed that includes the current role and status of the Treaty and the Treaty settlement process so people can inform themselves about the rights and obligations under the Treaty
- supports the continued development of the role and status of the Treaty under the current arrangements as has occurred over the past decades
- sets up a process to develop a range of options for the future role of Treaty, including options within existing constitutional arrangements and arrangements in which the Treaty is the foundation
- invites and supports the people of Aotearoa New Zealand to continue the conversation about the place of the Treaty in our constitution

✎ **Māori representation in Parliament and in local government, the Māori Electoral Option and Māori electoral participation**

- notes the Panel's advice that the current arrangements for the representation of Māori in Parliament should remain while the conversation continues
- investigates how Māori representation in Parliament might be improved
- investigates how local government processes and decision-making can better reflect the interests and views of tangata whenua and whether the processes can be made more consistent and effective
- when conducting the investigation into representation in both Parliament and local government has regard to a range of options including Māori political structures, and local and international models

✎ **The New Zealand Bill of Rights Act 1990**

- sets up a process, with public consultation and participation, to explore in more detail the options for amending the Act to improve its effectiveness such as:
 - › adding economic, social and cultural rights, property rights and environmental rights
 - › improving compliance by the Executive and Parliament with the standards in the Act
 - › giving the Judiciary powers to assess legislation for consistency with the Act
 - › entrenching all or part of the Act

✎ **Size of Parliament**

- does not undertake further work on the size of Parliament

✎ **Term of Parliament**

- notes a reasonable level of support for a longer term
- sets up a process, with public consultation and participation, to explore what additional checks and balances might be desirable if a longer term is implemented
- notes any change to a longer term should be accomplished by referendum rather than by way of a special majority in Parliament

✎ **Fixed election date**

- sets up a process, with public consultation and participation, to explore a fixed election date in conjunction with any exploration of a longer term

✎ **Size and number of electorates**

- notes the discrepancy in geographic size affects the representation of people in larger electorates, particularly Māori and rural electorates
- sets up a process, with public consultation and participation, to explore ways to address the discrepancies

✎ Electoral integrity legislation

- notes a level of concern about MPs leaving the parties they were elected with, especially list MPs, but no consensus about a solution
 - notes the Panel makes no recommendation on this topic
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✎ Other issues

The Panel recommends the Government invite and support the people of Aotearoa New Zealand to explore the following topics in any further consideration of our constitutional arrangements:

- the status and functions of local government and its relationship to central government
- the role of He Whakaputanga o te Rangatiratanga o Nu Tirenī, the Declaration of Independence
- the role and functions of the public service
- the distinct interests of citizens of countries within the Realm of New Zealand
- the role and functions of the Head of State and symbols of state
- an upper house of Parliament

The Panel recommends the Government invites Parliament to differentiate between types of urgency and to minimise the use of the urgency truncating select committee consideration of bills