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From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 8:05 a.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: George Forbes Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City: Christchurch Postal Region:
Postal Post Code: Postal Country: New Zealand Submission: My submission follows:

I do not consider that there is a need at this time for this country to have a new written constitution replacing the constitutional arrangements presently in place.

The existing constitutional model may not be perfect (no model is) but it is not broken and nor does there appear to be an obvious material advantage(s) to the citizens and residents of this country in implimenting a new written constitution.

Submitted on the 29 July 2013 at 08:04

1870'

BLLENHEIM.
21 June 2013.

NEW ZEALAND CONSTITUTION CONVERSATION.

I submit my thoughts to go into the mix in the hope that governments can perform a primary task -

Keep the best of the past. Defend it, and progress towards the best of the future.

J.T. Ford.

I consider myself fortunate to have lived through the best times the people of this country have experienced in the last 100 years. After the pain of depression and the fear of war there was a period of (say) 25 years when the people were united in the determination to make their country a better place to live and offer more opportunity for the children.

Where I lived there were citizens who partly described themselves as Irish, Scots, Maori and many English. They all worked together to raise money for the school swimming pool and all other local events. It was a community described by geography not by race or any other definition. We children progressed further to put the origin of our forebears in the unnecessary past. We were family first. Community second. Then Marlburians, all wrapped together as Kiwis.

I found the same definitions in the streets of London or Singapore and many other parts of the world, and most especially in the ships companies of the Royal New Zealand Naval vessels in which I was privileged to serve.

These days our once united people have been divided and set against each other. A privileged group called Maori have been placed above all others. Recent immigrants now called Pacifica are considered separately. Both are supported by Kiwis and the fourth grouping of foreigners who are residents. In short we now live in an apartheid system.

The basis for this separate development was a treaty between representatives of the "native" people and the British government. It was confined only to those islands now called New Zealand. In 1907 the British government relinquished control of this land leaving it to our own people. With one half of the treaty gone the whole of it expired.

Note. The claim is made that it continues as a partner is the "crown". If that word has meaning other than in politics, it is -

The accumulation and assets of past and present governments!

Note also that the word indigenous in relation to people, only has meaning when qualified by a date.
ie. The indigenous people of New Zealand in 2013 are all those who live here.

The governance of our country should be constructed to solve these and other problems of the present and set the standards for the future.

In the face of all the great competition from the other peoples of the world we must have the strength which comes from -

ONE country. ONE people. ONE justice.

The CONSTITUTION.

The lust for power and control is evident sooner or later, in all politicians and there are times when the people need protection from them.

There should be an easily accessible framework for the laws and lives of the citizens written clearly so that lawyers cannot manipulate it.

In partnership with that constitution there should be a Bill of Rights and Responsibilities for community life.

It must contain -

Protection by just and fair laws which give no advantage or privilege from position or tradition. ie No fear or favour.

Conditions for living where there is no denial of opportunity to the means of equitable and prosperous citizenship.

A definition of nationality and the obligations to defend it.

Confirm for all time that all the land, the public assets on it, and the wild and natural life living in it; the rivers, beaches, the sea and all that is in it or under, it belong to the people.

When a citizen is born or receives a certificate of citizenship, they have an equal share in the ownership and costs of these much blessed islands which include taxation, voting, and jury service.

Freedoms must be defined and the means to legally defend them established.

it must be recognised that for every freedom FOR - there must be an equivalent freedom FROM.
ie. Freedom to practice a religion must have an equally powerful freedom FROM religion.

Freedom for a social or cultural activity and for others a freedom from the same practices which can cause offense to others.

In effect guidance to a balance of public and private life and activities which extend into education and morality.

Freedom of individual movement and residence.

Space to grow physically, emotionally and in knowledge.

To have access to health care and education.

Access to science and technology to advance the quality of life free of the damage of stoneage superstition and the denial of time.

Security of land and home tenure.

Availability of food, water, and clean air.

CULTURE.

For many a culture is important but it should be also recognised that while it may contribute to individual identity it is also a way for a few strong personalities to force an unwelcome conformity on many others.

Culture is the modern form of an evolutionary need to group together for mutual protection. Today there is pressure to belong and to belong you must not be different.

It can be both the skeleton and the power for personal and group conduct but culture alone does not determine the direction towards good or bad outcomes.

Culture can reduce the freedom of an individual to learn, grow, and develop in their own direction and evolve their own values, morals, and conduct.

Culture should be free to grow and evolve from the people and never be forced down upon them. So government has no valid part in any culture and should not support any part of it.

It must be of the people and be supported only by the people to be a free expression of the people.

In its destructive form a culture can cause people to stumble backwards into the future instead of intelligently grasping any improvement. Every culture must be continually tested against every form of old and new knowledge and only that which is useful be retained. It must evolve to be of value and hopefully not be swamped by foreign imports.

The greatest cultural danger currently is the widening split between urban and rural culture. That townspeople have little knowledge of, and give small value to the land and all that it is and all that it produces, could be destructive to the whole country.

GOVERNMENT.

It must be clear that the "crown" is the government. That the government owns nothing and is only the elected manager of the assets of the people for the benefit of the people. It is the guardian of the freedoms, rights, benefits and responsibilities of citizenship and may spend the taxes paid by the people to do so.

All major structures and powers of government must be generally approved by the people and they have the right to change any by referendum or direct action.

A binding referendum should determine those social issues which the public are concerned about. eg Alcohol drinking age, gambling, Maori electoral roll.

I have a long memory of the dirty tricks by politicians to prevent Social Credit supporters putting a representative into parliament. The present disregard of corrections to MMP is another example of the need to keep politicians honest and connected to the people.

It seems to me that an independant body is needed at parliament responsible for -

Appointing and maintaining a permanent speaker with no voting rights to insist on only constructive activity and deny destructive debate. To be responsible for the conduct of elected members and have the power to punish or expel.

Determine the numbers of MPs needed to do the useful work of parliament. and determine electoral boundaries

Enquire of the electorate what the length of a parliament should be.

Ensure that all candidates in an election are healthy and are of sound mind so they can last through the stress of service.

Enforce a rule that MPs elected as a person (candidate), can remain in parliament as an independant after a dispute with the party which supported them, but also eject a list MP who was present only as part of a political party to be replaced by the next list person.

The LAW.

In all matters of clarity and judgement it must be recognised that judges are appointed by elected members of parliament which is the ultimate authority.

Government should say what judges should do if only because government pays the wages.

Judges should not say what a government has done or intended to be done.

Legal confusion should be avoided by a written preamble to every bill under consideration to clearly state the intention and scope of the new law. Laws made for a specific purpose must not be able to be transferred to fit any other circumstance for which a law does not cover.

For the peace of the future, love of country and concern for community must always predominate.

The rules of life and the law must apply equally to all.

4675²

From: Rachael Ford
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 1:42 p.m.
Subject: CAP submission
Attachments: COONSTITUTION SUB.doc

Pls find attached my submission and thx for your work. Any queries ph ' - Rachael Ford

Introduction to Constitution Review submission of Rachael Ford () of Kelson, Lower Hutt

I make my submission as a Kiwi raised in a mixed European/Maori whanau with an insight to Treaty issues gained as part of my nursing education. I support a political system that acknowledges NZ as a bicultural country constituted of 2 defining cultural groups with equal political status ie the indigenous culture/s of Hapu and the transplant settler culture/s (simplistically defined as Western European)

Maintaining sovereignty, or the ability of Kiwis to determine their own future in a democratic participatory way that enshrines socio-economic rights should be the key concern of a constitution. Our democracy is broken because of corrupt systems without safeguards that see sovereignty and wealth being progressively transferred to global interests.

MAORI SEATS MUST STAY TO ENHANCE FUTURE ODDS OF LOCALISED SOVEREIGNTY

Already we are far advanced with a loss of sovereignty due to globalization and Agenda 21, which has seen land strongarmed from Christchurch citizens under “sustainable policy” excuses so that Corporates can profiteer. Not only that but cheap foreign labour bought in for the rebuild while our unemployed can not get work.

A21 opposition is strengthening as activists have foreseen that it will replace individual, familial, tribal and national sovereignty with world governance by a myriad of treaty and funding aligned organizations - extending to local govt, health, educational and NGO entities, which will impose the oppressive new order aided by technologically advanced control mechanisms including banking dictates and physical monitoring 1984 style.

A constitution must place humans first and continue as it has historically to recognize the 2 founding cultural parties which endow NZ/Aotearoa with its character by protecting/prioritising their interests above and beyond other cultures, especially where conflicts might arise. Their languages alone should remain official and their cultural values/mores be the key reference points for legislators and policy makers to consider.

ENSHRINING THE WAITANGI TREATY AS A LEGALLY ACTIONABLE DOCUMENT (NOT JUST PRINCIPLES) IS IMPORTANT IF CORRECT POWER RELATIONSHIPS ARE TO BE PROMOTED

Extending special recognition and honor to other cultures by giving their perspectives equal constitutional weighting would enhance the odds that the State further dishonors the Treaty in ways prejudicial to Maori interests. Where (given Maori contributions and difficulties) the States allegiance should preferentially lie.

Other cultures should be respected so far as possible but no country can be everything to everybody. There is ample evidence that attempts at multiculturalism in political arenas (acknowledging as foundational anything beyond 2 or 3 cultures) tend to result in poor outcomes for social stability eg the diversity of the United Kingdom is creating chaos. When in Rome, or rather when in Aotearoa, later immigrants who are neither indigenous nor their Treaty partners need to exist in harmony with the directions set in law and policy by Maori and Treaty derived settlers.

We ought not be accommodating of “foreign” customs by welcoming any cultural based law or policy changes that risk straining crux Maori and European values and institutions eg female castration, apartheid, cat eating and over fishing.

Our collective sovereignty nationally and in the components allocated to each of the 2 sovereign treaty of Waitangi partners faces erosion by 3 key threats that a new constitution must seek to address. These threats are largely outgrowths of big bank business plans.

For behind the zeitgeist of “sustainability culture” and its action plan Agenda 21 (the global business plan for the 21st century that dissolves Nations sovereignty) are interests of the World Bank and China Development Bank. CDB pioneered a model whereby local governments financed development loans by the expropriation of land rights. As is starting to now occur in Western societies people are removed from their land at below market prices, while State resource value (mining) of the land becomes collateral Loundi city sold the land it had seized at 16 times the compensation rate which the farmer received. Other methods of people to banker wealth transfer are to pay pitiful royalties to indigenous people or corporations after human

removal under Agenda 21 law/policy.

Constitution Threat 1. The TPPA agreement for a global corporate dictatorship. A ploy to prop up the US dollar -(Dr Paul Craig Roberts).

The TPPA breaches Treaty of Waitangi commitments to the environment, health, economic & intellectual property aspects of sovereignty
Example – trade agreements to protect dairy farming could limit Govt ability to legislate against water pollution with impacts on treaty eco rights to undisturbed possession of taonga such as ability to fish eel. Under the TPPA, any tightening of water quality regulation will open the door to ISDS law suits from investors linked to the other ten countries.

§ Trade good-paying careers for sweatshop labor

§ Destroy family farms

§ Place corporate rights above our national sovereignty

§ Crush our ability to support local economies

§ Weaken and undermine democracy

“First they came for the car plants, then they came for the clothing and textile sector jobs but the country was silent. Now they are coming for our affordable medicines, our land, our environment, our work rights, the rest of our economy, our sovereignty. We can remain silent no longer.” - Robert Reid, General Secretary, FIRST Union

Corrupt processes as need addressing per section “ Constitution Threat 3” are seeing TPPA negotiations unfold in secrecy. Any revised constitution must prioritise empowering citizens to veto Governments that act in ways which breach the Treaty by noticeably diminishing sovereign rights such as reasonable protection of the environment, health, economic & intellectual property interests of voters.

Constitution Threat 2. Subversion of democracy by United Nations Agenda 21 supported by the communitarian law revolution.

I oppose councils gaining any recognition in a constitution because this would empower their imposition of Agenda 21 which is clearly hostile to traditional constitutional rights – given that it transfers important decisions that impact citizens to foreign unaccountable “masterminds” . .

Following Rio Earth Summit New Zealand was one of 179 Nations signed on to the Rio declaration regarding 27 guiding principles of sustainable development and the Agenda 21 action plan. It being the entire political and lifestyle plan for all global people for the 21st century under puppet Governments and local authorities. The agreement impacts peoples ability to own and manage land (a basis of sovereignty).

This interference occurs by various departments adherence to non democratic agreements as made between governments/regional councils with UN agencies to implement global UN policies without citizens consent –instead land use decisions follow a determination of “consensus” having been reached, post modernly defined as consultatory public meetings being merely attended - whether by ay or by nay sayers.

Gro Brundtland (Norway PM who was first Vice-President of the Socialist International) was chair the World Commission on Environment and Development. in 1987 - our common future based on her book of that name was adopted - the term sustainable development came from there – it’s development that meets the needs of the present without compromising future generations needs. Rutland told to return in 5 yrs with the action plan – accordingly her team cooked up Agenda 21

At the 28th Congress of the Communist Party of the Soviet Union (July 1990), Yeltsin and Gorbachev spelled out the task the Party now faced. In brief, it was to subdivide itself into factions spanning the entire political spectrum in order to establish the conditions for global “democratism” – fake democracy

“The common enemy of humanity is man. In searching for a new enemy to unite us, we came up with the idea that pollution, the threat of global warming, water shortages, famine and the like would fit the bill. - The First Global Revolution by

Alexander King –Club of Rome

Due to Agenda 21 we could all be governed by a new system of supranational law by 2050. It allows homes and lands to be seized and given to private / State croney interests “for the public good”. The Associated Press (June 23, 2005) reported from WASHINGTON as follows – The Supreme Court on Thursday ruled that local governments may seize people’s homes and businesses – even against their will – for private economic development. Increases in security and surveillance are justified in the communitarian good to enable supranational law.

Globalism shifts power from democracies to International Courts of Justice based on human rights and unconstitutional (revised) constitutions that reduce and obscure individual rights. A key reason that Club of Rome members such as George Soros are sponsoring lobbyists and constitution reviews. All while the UN countries are reinventing their government roles as they shift citizens governmental assets into public-private partnerships eg Crafer Farms and Landcorp. The next requirement for full world Government is global taxation and carbon taxes are the latchkey in.

NZers economic rights are violated by Agenda 21 based umbrella Treaties such as the TPPA, and the Copenhagen Treaty which says about the future distribution of wealth globally).

a) That developed countries (for theorized climate change) must compensate for damage to the LDC’s economy and also compensate for lost opportunities, resources, lives, land and dignity, as many will become environmental refugees.

Immediate issues being faced are loss of existing rights to own/manage land, access water, and to produce adequate food so that we’re not forced to consume often toxic food from places like china. Freedom is intimately linked to control of private land. Agenda 21 backed by communitarian law is hostile to private land ownership by non corporates so it shifts sovereignty in effect to Corporates. City plans prevent a homeowner rebuilding, for example by rezoning land as only suited for multi story buildings that Jo Blogg can’t afford to build, or the district plans are made to enable outright land seizure. In times gone by only a major bane to Maori land holders targeted by grubbing officials

The Fabian society, a division of the Frankfurt School and founders of the UK labour party has long advocated taking power gradually to create a pure marxist state by the subversion of Western democracies. In NZ it supports Dr Rata who speaks against biculturalism as a constitution tenet. Fabians adhere to 'marxist critical theory' i.e. the gradual undermining of the culture, values, ethnicity, religious values and sovereignty of a country by the brainwashing of children, mass immigration, multiculturalism, and control (as now) of the media through sympathetic liberal forces such as avowed communitarian Bomber. Eventually targets become so disembodied as nations that they can merge seamlessly into a one world order. Branches exist in the UK, Canada and NZ where destabilizing activity is rife.

Champagne Fabs aided the Bolshevik revolution which was funded by bankers to get oil rights, and played a huge part in the creation of the league of nations, forerunner to the UN, and in creating the UN. Socialism was funded into existence as the antithesis to capitalism in the dialectic creating a synthesis neither fully capitalist or socialist but defined as the third way , sometimes termed communitarianism. It centers around the belief that individualism is to be relinquished for the greater good of the state (explaining why UN human rights are not absolute) , thereby supporting fascism.

Phony environmentalism is a major way that the new system is being ushered in, under the premise that we must all give up our individuality and control to save mother earth. The vehicle for takeover under lofty but false justifications is the UNs Agenda 21 program that in a 300 page document would set international requirements for how people must live, learn, eat, travel and communicate

Under A21, regional development and millennium development goals effectively shunt and replace constitutional Government control. Concern about this in localities threatened by tyrannic new rules has seen A21 practices being legislated against in some US jurisdictions. Such reactions come because A21 is an open book plan to inventory and control all land, water, plants, minerals, education and humans in the world. Smart growth (stack and pack people) will be the most obvious change, and restrictions upon movement are also touted in agenda 21 since travel generates carbon, and because smart towns will provide everything on the doorstep including surveillance

The leader of the transition to communitarianism in the U.S. is Israeli alleged ex terrorist Dr. Amitai Etzioni who advises Congress in ways supportive of militarisation and a global control locus..A quote by this influential advisor is a concern for indigenous people.

"Self-determination movements, a major historical force for more than 200 years, have largely exhausted their legitimacy as a means to create more strongly democratic states. While they long served to destroy empires and force governments to be more responsive to the governed, with rare exceptions self-determination movements now undermine the potential for democratic

development in non democratic countries and threaten the foundations of democracy even in the democratic ones. It is time to withdraw moral approval from most of the movements and see them for what they are--destructive." (Etzioni published papers, #227, "The Evils of Self-Determination," Foreign Policy, No.89, (Winter 1992-93), pp.21-35

The impact of the A21 Rio agreement is devastating to those living off the land. The World Bank calls Guinea Savannah land which crosses 25 countries "the worlds largest reserve of underutilized land", despite that it is occupied by 600 million peasant farmers. The villaigising program is to relocate 180,000 bush people , pressured by threats of crop burning and school closures. Yala abundant swamp in Kenya was seized by the wildlife service for ecoprotection but the authorities then drained it for a wildlife park and arrested locals trying to get their swamp diet. African laws supposedly protect customary rights but it is not in practice. Close to 40% of land in Tanzania is now "protected" - the Maasai are typically excluded as unsustainable while Arab Sheikhs use the land for tourist ventures.

Under A21 Governments often transfer lands to NGO conservation Trusts who consult but fail to regard locals needs. Empowered stakeholders on this list considered the Maaasai ecologically harmful, unfairly so because they and their livestock herds had been restricted to small areas instead of nomadically crossing a large range shared with wildlife for thousands of years - the WWF, African Wildlife Foundation, National Parks Authority and the UN Development Program.

Globally 120,000 indigenous peoples have been shunted off green grab land the last few decades and now face poverty due to conservation fortresses. Our Government and signed on Councils complicity with A21 and the TPPA threaten the indigenous relationships with the land remaining, but also everyone elses.

Loss of due process- no local democracy

The A21 proponents ultimate goal is to redesign national law under supreme communitarian law (it's called resetting legal doctrines). Communitarian law is openly promoted as the legal standard for all recent free trade agreements and proposed regional unions (EU, NAU, etc

Communitarian Law is the international system of Hegelian legal theories used throughout the world to eliminate individual and national sovereignty. In the E.U., Africa, South America, Asia and across the globe, many international documents and resolutions and organizations (U.N., E.U., WTO, NAFTA, etc.) use the actual term "communitarian law" to define the legal precedent for the new global order. All nations entering into trade agreement must agree to modify their national constitutions and integrate their political system under supreme communitarian laws

The development of Communitarian law of the European Community (i.e., the EU) has been largely molded by the European Court of Justice (ECJ). In the landmark case of Van Gend en Loos in 1963, the ECJ ruled that the European Community is bound by Communitarian, not national law, as the court stated, "This constitutes a new legal order of international law for the benefit of which the states have limited their sovereign rights albeit within limited fields." Essentially, this decision gave international treaty precedence when treaty principles conflict with national law." Preserving Constitutional Liberties Part II - The Loss of the American Constitution: Constitutional Law vs. Communitarian Law (Part Two) by Dave Hodges, November 12, 2006.

The Top-Down Communitarian System:

1. International Communitarian Law, enforced by international courts of justice.
 2. Regional Communitarian Law, enforced by regional parliaments?
 3. Local Communitarian Law, Community Development, Public-Private Partnerships, and Local Agenda 21 Plans.
- "The correct application of the Communitarian Law produced by an International Integration Organization implies that States Members have to make political and legal internal reforms." pdf-NAFTA and the EU

The North American Free Trade Agreement balances the rights of the individual citizens in each nation against the rights of developers rebuilding sustainable communities, protected areas and trade corridors. Communitarian law always rules in favor of private corporations and NGO's who partner with local Community and Regional Councils

The new law is based in the lofty Fabian principles of Human Rights and social equity, which both place the needs of the community over the individuals who make up the community.

There is a conflict with even community interests when so called community interests (as defined by Corporates and the UN) trump individuals interests (which may well be more truly representative of real community interests)

Movers and shakers for Fabian communitarianism are Club of Rome (COR founded 1968), environmental consultants to the United Nations. It consists of current and former Heads of State, UN beaureacrats, high-level politicians and government

officials, diplomats, scientists, economists, and business leaders. They are a bunch of weirdos seeking to consolidate their power in a global Government who've even stated "*The common enemy of humanity is man*". The First Global Revolution by Alexander King –Club of Rome. And that "A total world population of 250-300 million people, a 95% decline from present levels, would be ideal - Ted Turner (Club of Rome):

The urban face of Agenda 21 'sustainability' is "smart growth" coupld. It's founded on unsubstantiated claims that dangerous global warming potential is fact. The precautionary principle no 15 of A21dictates that if a policy has a suspected risk of causing harm to the environ, in the absence of scientific evidence that the action or policy is harmful then the burden of proof falls on the party taking the action. you are guilty till proven innocent, have to prove a negative - so you can have a million scientists saying Global Warming is not true but policy proceeds as if it is because no consensus is needed

The route that they're taking to get Agenda 21 implemented is that they use an international NGO kicked off with billionaire George Soros money called ICLEI, which is intern council of local environmental initiatives, attached to local govts for sustainability. ICLEI's presence has grown to include agreements with over 600 cities, towns and counties here, which are now copying the land use plans prescribed in Agenda 21. That is a group made up of elected officials, but ICLEI is a private group, that despite being made up of elected officials (Mayors who sign on) does not have to notify you of meetings or activities. Few would know if their community/city is a member, but they say they represent 600 mill ppl worldwide in 70 countries.

OCLEI drives legislation and policy change that devalues lands that the big boys want, so the Bob Parkers start their milestones like measuring your greenhouse gas emissions and they start telling you that now you need to use less water but we still have to charge you the same or more, they aim to push your rates up because they want to put more pressure on you to get out of the suburban areas into cities where you can be surveilled and managed and controlled – and so the developers can make a killing.

In NZ the A21 landgrab by Corporate Government partnerships presents similarly with Christchurch, planning riles sabotaged to enable a new sustainable city versus a rebuild with American land sharks (Corps of Club of Rome that created Agenda 21) circling and scooping up deals as sound properties and areas are condemned. All while the costs for an exorbitant new vision are foisted onto ratepayers.

CHCH Councils sustainability document explained sustainability as high level policy and went as far as saying it is the responsibility of community leaders to make decisions on behalf of the community because society must become "solar" (CO2 neutral). The Sustainability policy is a duplicate of Agenda 21 in stating that no scientific certainty about AGW is needed to warrant the carbon neutral goal . The CCC is of course a member of ICLEI which has dictated "rebuilding" undemocratically every step.

Compulsory purchases and unconsulted future plans are the stock in trade of ICLEI. Agenda 21 endorses that Governments "transfer lands" as required to destroy private property as a western value, and enable stack and pack carless cities with the suburbs returned to wilderness. The most ludicrous thing about the imposition of Agenda 21 sustainability on Christchurch is that people are being told low CO2 is priority if theres not to be a drought, yet if the Arctic melts Christchurchs lowered ground could see ot become a flooded Southern Venice.(www.thedemiseofchch.com)

A global earth constitution is already in place by way of A21so future planning is based on Gaia religion not local conditions. This set up places most humans at the bottom of the chain and anyone with influence via decision making power on the plans dictating our lifestyle is being sent to courses along the lines of common purpose courses. These involve sustainability training whereby people are indoctrinated to the global vision of micromanagement by remote technocrats at the UN who're in bed with Corporates. Per Soviet wishes the value of democratism not democracy is instilled.

By making any trickle of water or puddle a wetland, the US EPA can prevent the development of the land and all the land around it. This makes the land worthless and easy to acquire by sundry entities including the government or perhaps an endangered species is located within a forest. Then large areas around this area are made off limits to development, and once again, the land loses its value and is easily acquired by gov't through the communitarian principle of "eminent domain." NZ has just got an equivalent body to the EPA.

Agenda 21 proponents change political structures to create mega regions for A21 implementation, ones crossing local territorial borders eg supercities or ones bridging National borders like the Pacific Group – because this reduces or removes direct local input in a democratic way, thwarting exercise of sovereignty. Previously you could vote somebody out of that council or that supervisor or that board of supervisors but you cant do that with regional boards, you may get one guy off but the whole board of say another 20 non local people goes on with its merry way

Further Evidence that Indigenous land rights are threatened by many eco-colonist programs derived from Constitution smashing Agenda 21.

An official report of the UN-funded Commission on Global Governance, *Our Global Neighborhood*, calls for placing "the global commons" under the direct authority of the UN Trusteeship Council, and defines "global commons"; *The atmosphere, outer space, the oceans beyond national jurisdiction and the related environment and life-support systems that contribute to the support of human life*. Agenda 21 spawned maps showing tiny human habitation zones of the future and huge "wilderness reserves" of the future, places to be abandoned that are now well populated and in those places mass relocations are being forced

The Wildlands Project makes a bald-faced justification for depopulation and land grabs of an unheard of scale. Members of the board of WRI, are Al Gore and Theodore Roosevelt IV. Roosevelt is the chairman of the Pew Center on Global Climate Change. Pew has been involved in creating policies that use climate change as a tool to steal indigenous oceans for reserves, in resource rich areas, often hallmarked for corporate mining under UN sustainability guidelines.

Sustainable Development forces people off rural land by making a puddle a wetland or there's an endangered species preventing development, devaluing the land and Government acquires it. Green land grabs using carbon justifications, are largely a result of Corporate solutions to an aging western population needing big pension fund profits. Land taken under the auspices of Agenda 21 planning ideals is often then used for sustainable mining. (Journal of Peasant Studies)

New Forests (UK) is backed by the world Bank and operates projects in Uganda, Tanzania, Mozambique and Rwanda, where its combined deals total around 222,000 acres. wants to tap an emerging multi-billion-dollar market trading carbon credits under the Kyoto Protocol and its successors. On Sunday, February 28, 2010, armed troops acting for New Forest evicted 1400 villagers in Uganda's Mubende District, torching houses and killing an 8 year old to make way for a tree plantation. The trees will provide for carbon-credits that can be sold to transnational polluters

Under Agenda 21's steam roller corporates profit while peasants suffer. Biochar is the latest AGW fix touted - you bury the "black gold" and it takes carbon from the atmosphere. It is alleged to be able to absorb all of the carbon emissions from fossil fuel burning over the past 50 years', and Kiwi company Carbonscape talks of planting 930 million hectares. A report on 'Biochar land grabbing: the impacts on Africa' (African Biodiversity Network, Biofuelwatch and Gaia Foundation 2009) notes that 'the negative impacts of large-scale biochar development in Africa are likely to be dramatic, including exacerbating land-grabbing in Africa'

The 2012 UN conference in sustainable development (Rio 20) saw NZ take leadership in the ocean focused blue economy, unsurprising given that the non democratic Pacific Forum is in negotiations with the UN to create ocean reserves that can be mined (under 17 new UN permits) and that NZ's McGuinness Institute (A21 think-tank and propagandist) aims to create a global ocean reserve.

G.O.R. is perhaps double speak for off limits to the people (who may be depopulated via climate change justification to NZ if uncooperative) but open to miners. Such issues may be why the NZ Government which works closely with McGuinness just outlawed ocean protests. Also tight with McGuinness is a property developing ex Wellington Mayor who was just appointed head of the EDA, which is set to rule supreme over sustainability/the RMA and emissions. In less urban areas forced urbanisation is the Agenda 21 M.O. A bad moon rising if it acts like the EPA.

The UN a Pacific forum with indigenous people with a specified goal of ensuring that locals get some benefits from mining. New Zealand's continental shelf is resource rich and it appears the UN circumvents democratic processes in granting licenses by having regional consultations above the State level. A worsening situation given moves afoot to ensure State Governments can not even hold miners to local legal codes - as communitarian law overtakes them.

TPPA NAFTA for Asia trade deal leaked doc Under the agreement currently being advocated by the Obama administration, American corporations would continue to be subject to domestic laws and regulations on the environment, banking and other issues. But foreign corporations operating within the U.S. would be permitted to appeal key American legal or regulatory rulings to an international tribunal. That international tribunal would be granted the power to overrule American law and impose trade sanctions on the United States for failing to abide by its rulings

A CONSTITUTION SHOULD SAFEGUARD US FROM TRANSFER OF REAL CONTROL TO NON DEMOCRATIC REGIONAL BODIES AND PLACE COMMUNITARIAN LAWS BELOW NATIONAL INTERESTS SUCH AS THE TREATY OF WAITANGI PROTECTIONS

Constitution threat 3 - A culture of official corruption is rampant, and it is aided by a lack of standard transparency checks and

balances /enforcement mechanisms

For ample evidence of this refer to Kiwisfirst website and I personally have info I would be happy to provide to a Royal Commission.

NZ has an unenviable record of corruption and a well documented environment to enable it by the lack of globally recognized control mechanisms. There is a need to integrate anti-corruption actions into all aspects of decision making, make public spending and contracting more transparent and make public bodies and Judges more accountable. In the UK many Judges are disbarred for corruption and none are here so clearly we are failing to police it.

Corruption can never be eliminated just controlled. The best tool in the corruption fighter's kit is the harsh light of public scrutiny. The Tunisian experience is informative; "it's the intention of the he National Constituent Assembly, elected on October 23rd, to incorporate the anti-corruption fight into the Constitution. In 2010 Kenya adopted a constitution with anti corruption principles. It addressed vote rigging and fraud such as the National Parties importing of migrants likely to vote for them, it addressed land grabbing by the elite such as has occurred through corrupted official decisions in CHCH in the aftermath of the Canterbury Quakes.

This submission supports a new constitution conditional on the adoption of countermeasures in full effectual form, otherwise it only supports retaining the current constitution (provided that the Treaty of Waitangi gains greater legal weight). It supports a revised constitution provided that it tackles the corruption holy cow. An action plan has been suggested by Penny Bright and I advocate a constitution that structures in such a corruption response.

BRIGHT ACTION PLAN TO PREVENT CORRUPTION –

1. Get our anti-corruption domestic legislative framework in place so NZ can ratify the UN Convention Against Corruption.
2. Set up an NZ independent anti-corruption body tasked with educating the public and PREVENTING corruption
3. Change NZ laws to ensure genuine transparency in the funding of candidates for elected public office and political parties at central and local government level.
4. Legislate for an enforceable 'Code of Conduct' for NZ Members of Parliament (who make the rules for everyone else).
5. Make it an offence under the Local Government Act 2002 for NZ Local Government elected representatives to breach their 'Code of Conduct'.
6. Make it a lawful requirement for a publicly-available 'Register of Interests' for NZ Local Government elected representatives.
7. Make it a lawful requirement for a publicly-available 'Register of Interests' for NZ Central Government staff responsible for property and procurement, (including the Ministry of Health), in order to help prevent 'conflicts of interest'.
8. Make it a lawful requirement for a publicly-available 'Register of Interests' for NZ Local Government staff, and Directors and staff employed by 'Council-Controlled Organisations (CCOs) responsible for property and procurement.
9. Make it a lawful requirement for details of 'contracts issued' – including the name of the contractor; scope, term and value of the contract to be published in NZ Central Government Public Sector, and Local Government (Council), and 'Council-Controlled Organisation (CCO) Annual Reports so that they are available for public scrutiny. (Continued overleaf)
10. Make it a lawful requirement that a 'cost-benefit analysis' of NZ Central Government, and Local Government public finances be undertaken to prove that private procurement of public services previously provided 'in-house' is cost-effective for the public majority. If not – then return public service provision to staff directly employed 'in-house' and cut out these private contractors who are effectively dependent on 'corporate welfare'.
11. Legislate for a legally-enforceable 'Code of Conduct' for members of the NZ Judiciary, to ensure they are not 'above the law'.
12. Ensure that ALL NZ Court proceedings are recorded, and audio records made available to parties who request them.
13. Make it a lawful requirement for a publicly-available NZ Judicial 'Register of Interests', to help prevent

‘conflicts of interest’.

14. Make it a lawful requirement for a publicly-available NZ ‘Register of Lobbyists’ and ‘Code of Conduct for Lobbyists’ at Central Government Ministerial level.

15. Make it a lawful requirement at NZ Central and Local Government level for a ‘post-separation employment quarantine’ period from the time officials leave the public service to take up a similar role in the private sector. (Help stop the ‘revolving door’).

16. Make it a lawful requirement that it is only a binding vote of the public majority that can determine whether public assets held at NZ Central or Local Government level are sold; or long-term leased via Public-Private Partnerships (PPPs).

17. Make it unlawful for politicians to knowingly misrepresent their policies prior to election at central or local government level.

18. Make laws to protect individuals, NGOs and community-based organisations who are ‘whistleblowing’ against ‘conflicts of interest’ and corrupt practices at central and local government level and within the judiciary.

19. Legislate to help stop ‘State Capture’, a form of ‘grand corruption’ arguably endemic in NZ – where vested interests get their way at the ‘policy level’ before legislation is passed which serves their interests.

4201

From: <constitutionalreview@justice.govt.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 2:46 p.m.
Subject: Ideas for the constitutional review
Attachments: A Proper, Indigenous Constitution for Aotearoa New Zealand.doc

To whom it may concern -

Please find attached my contribution to the "Constitutional Conversation".

Yours sincerely,
Genevieve Forde

Auckland,

A Proper, Indigenous, Constitution for Aotearoa New Zealand

A contribution to the Constitutional Conversation

Genevieve Forde July 30, 2013

With regard to a new constitution for Aotearoa New Zealand – well, you can't really say a "new" constitution, because we haven't got one, an indigenous (of us, not derived from Britain) written constitution, that is, just a shopping bag of acts of parliament, a Bill of Rights, and maybe the Treaty of Waitangi – the Tiriti o Waitangi is in there too – but anyway, with regard to the government's offer for people to put forward their ideas to a committee for consideration of a new constitution . . .

For my part, I would like us to separate completely from the British monarchy (no "queen", no governor general) and replace all that musty old stuff with a president, directly elected by the people of Aotearoa New Zealand, and put the Treaty of Waitangi – the Tiriti o Waitangi front and centre of the new ANZ Constitution.

At the beginning of my ideal constitution, since it is a written document, I would like to see a Maori hymn or poem to Mother Earth, since without Her we cannot exist – that would be lovely, and set the tone for the whole document, and then the Treaty – Tiriti, written out in full, in Maori and English. This would be a clear statement that we are a bi-cultural nation, and it would reflect the spirit of the treaty, which I understand is one of mutual respect between the two cultures, the indigenous Maori culture, and the British settlers.

And then I would like to see a welcoming paragraph to all the other cultures who have made Aotearoa New Zealand their home, and will do so in the future – such as the different Pacific Island and Asian cultures, etc.

And then I would have a statement that Aotearoa New Zealand is a democracy which rests on four pillars, each of which must operate independently if our democracy is to function properly, namely – the executive, the parliament, the judiciary and the media, and also that we elect our MPs according to the principles of proportional representation, the variety known as MMP, and separate seats for Maori.

And then I would outline our governing arrangements –

1. A president, directly elected by the people, and what his or her powers are (the Irish model is the most likely to be acceptable to most people, I would think)
2. A one-house parliament, as we currently have, with MMP and Maori seats.
3. Local councils, democratically elected.
4. The rights of iwi and hapu.

5. The rights of Mother Earth.

Page 2 A proper, indigenous constitution for ANZ

6. Incorporate the existing Bill of Rights.

I would also change the flag – the current one is difficult to tell from the Australian one and it has the British flag in the corner. Not indigenous. We should have our own, Aotearoa New Zealand flag. I would like one with a Maori design myself. And I would change the name of our country to Aotearoa New Zealand, to reflect our bi-cultural heritage and nature.

However, unfortunately, I see a few impediments to such a new constitution being created and adopted, many of them unconscious beliefs – delusions as far as I am concerned, and therefore difficult to shift – but not impossible with enlightened political leadership.

1. The first impediment I see is women's magazines, constantly peddling "royalty" gossip – the self proclaimed British "royal" family are portrayed as celebrities, not human beings like everyone else, which they are – except they have a very big dole, with endless twaddle such as when will Kate get her figure back etc ad nauseum and unfortunately many of my sisters still buy into this, projecting their own divinity – their divine, spiritual essence, onto these people, who accept these projections, and people bowing to them and all the rest . . . In a democracy, everyone is equal. No one is "above" anyone else. Everyone is equal before the law – and that's it! But this constant barrage of "royalty" gossip undermines people's sense of their intrinsic worth, and disempowers them. It's grotesque really – but there it is; an impediment to Aotearoa New Zealand becoming a republic, at the moment, as I see it.
2. – which brings me to the second impediment I see, and that is titles, the graded system of human beings – again, inherently anti-democratic, which the current Prime Minister, John Key, has unfortunately re-introduced back into the ANZ honours system. Shame! I wouldn't accept a title if you paid me a million dollars – not that they offer them to dissidents, anyway, but you know what I mean. Fancy contaminating our honours system with this ghastly British snobbery. Another impediment, as I said, but one that can easily be removed at the next election when we get – I hope – a Green, Mana, Labour Government. The sooner the better.
3. And, connected to the same "royalty" syndrome of the other two impediments, but different, is the way Maori still seem to cling to "the crown", as a kind of nebulous guarantee of their rights – an unconscious kind of reliance on Queen Victoria in the sky to protect them from nearly 200 years of abusive treatment from successive New Zealand predominantly arrogant, racist, white governments. This delusion – as I see it, perhaps I am missing something,

although understandable, has no rational basis.

4. Page 3 A proper, indigenous constitution for ANZ

When Maori are negotiating their treaty settlements, for example, they are negotiating with the government of the day – not the “queen” of Britain; she has nothing whatever to do with it, and even our courts are no longer connected to Britain, as a place of final resort. The only document that carries any weight for Maori outside of the treaty is the United Nations Convention on the Rights of Indigenous Peoples, to which Aotearoa New Zealand is a signatory. That carries moral weight, but not legal weight.

However, not all Maori subscribe to the idea of “the crown”, or the illusion of British royalty somehow guaranteeing their rights. Hone Harawera, the leader of the Mana Party, at first refused to say the words of the oath of allegiance to “queen” Elizabeth at the opening of the last parliament – but eventually, he bit his tongue, and said the odious words, for the sake of those who had voted for him, since that was a condition of his taking his seat in the parliament. From memory, there was a bit of Maori singing from the other Maori MPs in support of his protest. I find it really shameful that Aotearoa New Zealand members of parliament are forced to recite this nonsense in this day and age, when their allegiance in a democracy should be to the people of ANZ – and most of them are probably republicans anyway.

After the ideas that people have put forward to this “Constitutional Conversation” have been collated and recommendations made by the people chosen by the government to do this task, I suggest the next step that could be taken to energise / educate people on the question of a new constitution would be to hold a “constitutional convention” such as the one that happened in Australia in 1998. It was televised, and became a hit with the Australian public, as various groups and individuals went hammer and nail on the issues – basically the monarchists, the direct electionists and those who wanted a president appointed by the politicians. Politicians were among the delegates, but in small numbers, making the exercise as wide-ranging as possible and keeping it more or less out of their control.

Unfortunately, from my point of view, the Australian Republican Movement, led by Malcolm Turnbull, who later became a Liberal MP and party leader, subsequently replaced by the current Liberal leader, Tony Abbott, a monarchist (they do exist!) – in concert with the then leader of the Labor Party, Kim Beazley, and supported by the leaders of the Australian Democrats and Green parties, went for the model that allowed politicians to choose the president, and many Australians, including me, wanted a president elected by the people, so the split meant that the referendum that followed was lost and Australia still has the British monarchy, governor general etc, just like Aotearoa New Zealand. But I’m sure the next time around – which I hope

won't be too far away, depending on political courage, they will get rid of the monarchy, as I hope will happen here.

PS On the Constitutional Conversation website, there are 3 questions they ask people to answer.

The first is do you think there should be a single document for our constitution and why.

Yes, I do. Because every respectable country should have a constitution – a piece of paper, written words setting out what our system of governance is. And children should be educated about this from primary school – including their voting and human rights.

The second question is should the constitution be the supreme law above other laws. Yes, in my opinion, it should be. It should set out the main principles on which we are governed – the set the democratic and bi-cultural tone for all other laws.

The third question is should the courts or parliament be the final arbiter. My answer is the courts. In a democracy, no one is above the law, otherwise the law is an ass and so is the democracy. (No disrespect to donkeys. I think they are lovely, gentle animals. Just a saying.)

Ends

PS Speaking of my human rights, I had to re-write the first part of this essay because when I recorded it on my USB stick – or so I thought, I found when I started again (getting half an hour for my first session at the Manukau Library) it wasn't recorded. This has happened to me quite often when I write essays at the library. Political harassment again – the GCSB, I presume, since they seem to have the ability to do all kinds of electronic interference. I protest!

Genevieve Forde

1650

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 26/06/2013 11:22 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Rod and Linda Forder Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB:
Postal City: Auckland Postal Region: Postal Post Code: Postal Country: New
Zealand Submission: We are all New Zealanders, there is no way that we should be divided up
into different races. We should have one set off rules that are equal for us all with not special rules for
Maori or any other group. All references to race should be removed from
all documents.

We are one people, nothing else matters.

Sent on the 26 June 2013 at 23:21

1650a

From: "Rod Forder"
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 9:47 p.m.
Subject: CAP Submission

To whom it may concern.

I understand that you would like the public's opinion on the future of the Maori Seats.

They must be abolished!

It is about time New Zealand grew up and stopped living in the past.

We are ONE people, NEW ZEALANDERS.

There should be no reference in any of our laws of race, religion or ethnicity, and because of this we should not have any seats in parliament reserved for any race.

I run a special event for senior members at a club I belong to, and I have asked all 84 of them, plus all our friends and family this same question and there answer is the same as mine.

ABOLISH MAORI SEATS.

As I am sure you will know that few people get off their backsides to make their feelings known to people like you, but believe me if you had a referendum asking this question the overwhelming majority


would say,

ABOLISH MAORI SEATS, WE ARE ONE PEOPLE NEW ZEALADERS

Regards

Rod Forder

3719

From: Marie Fore · 
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>
Date: 21/07/2013 4:27 p.m.
Subject: Submission on constitution.

The majority should not be given the vote by the constitution to do away with Maori rights agreed to under the Treaty. Because Maori have become a minority and the fact that they are the Host people of Aotearoa who invited others to share their country through the Treaty, they should be given protective rights under any constitution.

What is the purpose of a constitution. How will it improve things for everyone. Aren't there enough rules and regulations now without creating more. Why does it matter that they are not all in the one document?

What are the benefits?

Mariejoan Fore
Whanganui

4031

From: David Foreman
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 11:35 a.m.
Subject: SUBMISSION

To the Members of the Constitutional Review

Dear Mesdames and Sirs

I shall be brief.

I believe there are two key areas which the Review should scrutinise.

One is the constitutional status of the Treaty of Waitangi and the question of incorporating the articles of the Treaty into our constitutional and legal system in a way that satisfies all, or most, parties. I believe that current ethnic balance on the Constitutional Review panel will ensure that this issue is adequately dealt with and I have no particular comment to make.

The other area is the New Zealand Bill of Rights, which currently, I understand, does not enjoy the privileged status it has in many national jurisdictions, inasmuch as it can be easily overridden by simple Act of Parliament. I believe that some of the more fundamental "rights" in this act should be given a special exalted status that ensures that new legislation can be tested against them and declared unlawful if they fall short of this standard, for instance: the right not to be deprived of life; the right not to be subjected to torture; the rights to freedom of thought, freedom from discrimination; the rights of persons arrested or detained; the right to justice, and possibly others*. * I hope the Review panel will give some consideration to these ideas.

My second concern relates to certain "economic" or "material" rights which have been observed in fact by recent governments but not enshrined in the Bill of Rights or any other similar legislation, so far as I am aware - despite the fact that New Zealand is a signatory to the International Convention on Economic, Social and Cultural Rights. I refer to issues such as the right to housing, health care or education, and I hope that the Review panel will be able to consider the question of endowing these equally important human rights with a status that parallels that traditionally accorded to the civil rights mentioned in my previous paragraph.

Yours faithfully

David Foreman

Hamilton

Submission to the New Zealand Constitutional Advisory Panel 2013

As a supporter of Amnesty International, I write to add my voice in support of its submission to the current constitutional conversation.

I am concerned that all our human rights are not adequately protected in New Zealand law.

For example, our Bill of Rights Act 1990 only incorporates civil and political rights. Yet, it is widely recognised that human rights are interrelated, interdependent and indivisible; this means that one set of rights cannot be enjoyed in a meaningful way if the other set of rights is not also adequately protected and respected too.

I believe civil and political rights, such as the right to life, cannot truly be achieved without the equal right to work, accessible health care, adequate housing and education, which are enshrined in the concepts of economic, social and cultural rights.

Despite having ratified the International Covenant on Economic, Social and Cultural Rights in 1978, successive New Zealand Governments have failed to fulfill their obligations to respect, promote and fulfil these human rights.

While the Government says economic, social and cultural rights are currently protected by subject specific statutes, current issues involving these rights, such as child poverty, show that the current system is not working to adequately protect our rights. The maze of laws and policies around economic, social and cultural rights make it difficult for New Zealanders to understand and access their rights.

Without a clear framework to guide legislation and policy it also makes it difficult to see if laws policies are actually working to recognise New Zealanders rights. In addition many human rights in New Zealand lack avenues to remedies if they are breached, which limit New Zealanders' access to justice - an essential right of victims of all human rights violations.

I therefore submit the following recommendations:

- The incorporation of economic, social and cultural rights into the Bill of Rights Act 1990;
- The entrenchment of the Bill of Rights Act 1990 so that the weight and importance of these rights is adequately recognised;
- The explicit inclusion of the power for judges to provide remedies when the Bill of Rights Act is violated;
- That New Zealand ratify the Optional Protocol for International Covenant of Economic Social and Cultural Rights, including opting in to its inquiry and inter-state mechanisms, so that New Zealanders have access to an international remedy;
- The establishment of a Human Rights Select Committee to ensure that the impact of legislation on human rights is sufficiently considered;
- The requirement of all levels of Government to take a human rights approach to addressing human rights issues; and
- Increased human rights education initiatives to increase awareness of economic, social and cultural rights.

I believe these recommendations will provide for stronger protections within our constitutional framework for economic, social and cultural rights.

Taking these measures will ensure a strong legal framework in which all rights are equally protected. It will ensure that the Government can take a rights-based approach to addressing rights issues in New Zealand such as child poverty.

New Zealand has an obligation to take steps to progressively realise such rights as the rights to health, education, and adequate housing. Ensuring they are explicitly protected in New Zealand law is a significant step in ensuring that New Zealand is a place where human rights are protected, respected and fulfilled.

Eva Foreman
Auckland
New Zealand

1362

From:
To: <constitutionalreview@justice.govt.nz>
CC: <constitutionalreview@justice.govt.nz>
Date: 17/06/2013 7:20 a.m.
Subject: nz constitution

New Zealand does not need a written constitution and I strongly oppose any legislation or reference to the Treaty of Waitangi should one be drafted now or in the future.

Yours faithfully
Alistair Forlong

35.61

From: john formston <
To: <constitutionalreview@justice.govt.nz>
Date: 14/07/2013 9:55 a.m.
Subject: CAP Submission

I would like to see the moari seats abolished.

1280

A SUBMISSION TO

THE CONSTITUTIONAL ADVISORY PANEL

5 June 2013

Submitter: Ian Lex Forrest

Address

Auckland

Email:

This submission covers my considered responses to the questions raised in your Submission Guide.

New Zealand's Constitution

The question of a single document: I am very firmly of the view that the Constitution should be written in a single document. Please let us access it totally in one place and find it written in plain English. I am not able to find any good or acceptable reasons for spreading it over several documents. Because the document has to be read and easily understood by ordinary people legalese must be totally eliminated.

The question of legal status: The Constitution should be the supreme law with status higher than that of all other laws which should be written having taken due cognisance of its provisions. I have frequently heard Americans citing their constitution or one of its amendments. That suggests to me that their constitution enjoys the highest legal status.

The question of the consistency of legislation: I clearly see Parliament as the body to decide whether or not a particular piece of legislation is consistent with the Constitution. When making laws Parliament clearly has the responsibility to ensure that the legislation is consistent with the Constitution. In the event of a challenge based on consistency Parliament either knew or should have known what issues the legislation was intended to address. If they erred then it becomes their responsibility to amend the legislation.

The Bill of Rights:

The question of sufficient protection: The 1990 Act confirms fundamental rights and freedoms. That has to be enough. To expect it to anticipate and to provide for every potential situation is not realistic.

The question of other possible protective actions and enhanced status: Incorporate the Bill of Rights into the Constitution thus ranking it higher than all other laws. Incorporation by enhancing both the protection and the legal status is akin to killing two birds with one stone.

The question of consistency: This is also answered by incorporation if Parliament is the body to decide issues of consistency in cases involving the Constitution.

The question of additional rights: None are required.

The Treaty of Waitangi:

The question of the future role of the Treaty of Waitangi: The Constitution would supplant the Treaty of Waitangi. Consequently it would have no future role.

The question of the Treaty of Waitangi becoming a formal part of the Constitution: I do not see that it is either necessary or appropriate for the Treaty of Waitangi to be made a formal part of the Constitution. The reason for that conclusion is that we have now moved on from 1840 and are creating a Constitution for New Zealand from 2013 and beyond. We are dealing with the future in which the Treaty of Waitangi becomes a matter of history.

Maori representation:

The question of Maori representation in Parliament: Maori views should be represented in exactly the same way that those of other groups are brought before Parliament. That simply requires their people to actively participate in the affairs of other political groups or to form their own where they compete for seats on an even playing field. The presence of allocated Maori seats is an anachronism that has long outlived its purpose.

The question of Maori representation in local government: The above comment applies. We should all be represented in local government by people who have won their seats on the basis of the ballot box and a level playing field. No particular group should, in any way, be preferred.

Electoral matters:

The question of numbers: Parliament should consist of a total of 100 members. 80 should be voted in on the basis of FPP. That would leave 20 to be taken on a pro rata basis by parties recording more than 5% of the party vote.

The question of the parliamentary term. I support 4 years because it provides a more reasonable opportunity for governments to demonstrate the effectiveness of their policies.

The question of election date: I believe that this is one for the Constitution. By being able to dissolve parliament prior to the end of a stated term governments are provided the opportunity to select an election date best suited to their interests.

The question of electorate size: I believe that a basic principle must take due cognisance of the ability of an elector to go and see his member. At the end of the day the local member is there to represent all of the electorate and not just the party to which he belongs. The matters of size and numbers must take account of the ability of the member to reasonably cover the ground and the people he represents. Accordingly rural electorates will always cover many more square kilometers than those located in cities and very likely the city electorates will have many more voters than their rural cousins. We seem to have managed this matter acceptably well over the years.

The question of a parting of the ways: I believe that most members get into parliament clinging to the coat tails of their party. There have been local exceptions but I believe them to be in the minority. On the basis of my belief that party affiliation is important in the majority of cases I conclude that those who seek a parting of the ways should resign and be replaced by the next candidate on the party list. Equally party hopping should involve resignation if it occurs during a parliamentary term.

Other topics: None



I L Forrest

2833

From: [REDACTED]
To: <constitutionalreview@justice.govt.nz>
Date: 5/07/2013 4:50 p.m.
Subject: CAP Submission

To whom it may concern,

The Maori seats must be abolished. It is vital for all New Zealanders to be equal and a partially race based democracy is causing resentment and division now and will do so increasingly into the future.

Nina Forrester

2195

From: 'R.G. Forster'
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 11:58 a.m.
Subject: CAP Submission

Maori Seats should be abolished. It is beyond reason that there is a Maori Party and also have the privilege of Maori seats

R.G. Forster

1503

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 21/06/2013 8:52 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: FORSYTH Alastair John Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB:
Postal City: TAURANGA Postal Region: Bay Of Plenty Postal Post Code: Postal
Country: New Zealand Submission: I reject any reference to the Treaty of Waitangi or its
principles in any constitutional document.

- I ask that such references be removed from all existing legislation.
- I ask that race-based Parliamentary seats be abolished.
- I ask that race-based representation on local bodies be abolished.
- I ask that the Waitangi Tribunal, which has outlived its usefulness, be abolished.

Sent on the 21 June 2013 at 08:52

4377'

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 10:29 a.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Hamish Forsyth Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City: Postal Region:
Postal Post Code: Postal Country: USA Submission: I wish to comment on two aspects of the
consultation: New Zealand's status as a constitutional monarchy, and the unwritten nature of its
constitution.

I would like New Zealand to hold a binding referendum enabling citizens to choose whether we should
continue as a constitutional monarchy, or adopt a Republic form of government. I support the latter. In
this respect I have changed my mind having lived overseas
in the UK and US. While a Monarchy is distant from most New Zealanders' minds, it is a reminder of
inherited power and the non-meritocratic form of social hierarchy that was one of the reasons New
Zealanders chose independence from Britain. The symbolism remaining
is incompatible with democracy, freedom, independent foreign and domestic policy, equality and
other values New Zealand is renowned for.

My second submission is in support of a written constitution entrenching both the functions of
government and the NZ Bill of Rights Act. In this respect I agree with the views espoused by the Rt
Hon Sir Geoffrey Palmer.

Submitted on the 31 July 2013 at 10:28

2418

From: Ray Foss
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.g...
Date: 4/07/2013 7:56 a.m.
Subject: CAP Submission

Dear Sir Madam,

I strongly support the abolishing of Maori seats.

~~I find the concept racist, divisive and not a true reflection of the Kiwi way of life.~~

Separate Maori seats is totally unnecessary, considering ALL Kiwis are governed by the the Party who actually won any election, therefore a travesty for the poor old New Zealand taxpayer, YET AGAIN.

Thankyou for the opportunity to voice my opinion.

Kind Regards
Ray Foss

2651

From: "Alan Foster"
To: <constitutionalreview@justice.govt.nz>
Date: 5/07/2013 10:18 a.m.
Subject: CAP Submission

I want the Maori electoral seats abolished.

We are one.

Alan Foster

Auckland

5005

From: "Brian Foster"
To: <constitutionalreview@justice.govt.nz>
Date: 27/07/2013 1:36 p.m.
Subject: cap submission

NO change to our unwritten Constitution
Brian Foster

Information from ESET NOD32 Antivirus, version of virus signature database 8613
(20130726) _____

1510 "

From:
To: <constitutionalreview@justice.govt.nz>
Date: 21/06/2013 3:32 p.m.
Subject: CAP submission
Attachments: Constitution submission June 2013.docx

Dear Team,
Please find attached my submission to the Review.
Donald Foster

SUBMISSION ON THE CONSTITUTIONAL REVIEW

Summary:

Much has been written about the Treaty; the meaning of its few simple words continues to be debated, the definitive version of the Treaty continues to be argued, and restating any of this history to add weight to one or other interpretation of the "facts" will do nothing to clarify the real truth of the matter - which has not been agreed after 173 years nor ever is likely to be agreed - or alter the conclusion that it must therefore be a flawed basis on which to build a future society, and an increasingly less relevant basis where the bloodlines of Maori become progressively more diluted, and our country becomes increasingly more multicultural. That is the reality in 2013.

We are at a cross-roads now, where we can build a new superstructure on this faulty foundation by incorporating the Treaty into the Constitution, creating new words and new opportunities for exploitation, legalising societal elitism, and relegating the democratic process to the unelected judiciary, or we can show some leadership maturity and common sense as a nation, and acknowledge that the best future for our country both in terms of our commercial aspirations and viability, and social harmony, is for us to be one people united by equal rights and mutual respect under one government.

The Treaty will always have its historical status in New Zealand, and it is appropriate that we continue to consider unsettled historical claims under the Treaty. The Maori culture can and should continue to thrive and the place of Maori in our history should continue to be acknowledged and celebrated.

Selected elaboration:

Social Harmony.

Social equilibrium is best facilitated when all citizens are treated equally. This is a fundamental truth universally acknowledged, and is almost certainly what the Treaty

words intended and what the parties to the Treaty understood by them. To try to argue and have the remaining population accept that the Treaty conferred special rights and privileges on Maori, would require, as an absolute minimum, that the words clearly and unequivocally specified that intention, and they do not. Even if they did, that would be a recipe for racial disharmony and strife and a dangerous concept to support. We expect our leaders in the face of these uncertainties, to facilitate safe policies. Peace of mind will be improved by not introducing the Treaty into the Constitution.

Commercial Integrity.

Similarly, we should be concerned with the ability of Maori to interfere with commercial decisions or extract rents that have the effect of decreasing viability of business, employment, foreign exchange earnings and so forth, other than with respect to their own property. This issue needs a serious review of Treaty obligations, including the misinterpreted issue of whether Maori and non-Maori are in partnership under the Treaty. It is unacceptable that we should unnecessarily choose to exacerbate such issues by incorporating the Treaty into the Constitution, with the democratic degeneration that implies.

Conclusion:

This is a brief submission but sufficient to make the case that including the Treaty in the Constitution is neither required nor desirable. The validity of the conclusions is self-evident. It will add to social friction and Treaty difficulties and it is time to consider current realities and future prospects for our nation. It is time for maturity, courage, common sense, and leadership.

To start, I submit that the Treaty should not be incorporated into the Constitution and look forward to your support.

Donald G Foster,
20th June 2013

Christchurch

4751

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 2:55 p.m.
Attachments: Submission by P Foster.odt

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Peter Alan Foster Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City:
Postal Region: Otago Postal Post Code: Postal Country: New Zealand
Submission: as per attached file Submission Upload: Submission by P Foster.odt

Submitted on the 31 July 2013 at 14:55

Submission to the constitutional review panel

There is no need in my opinion for a written constitution in NZ. Furthermore I detect no groundswell of public opinion pushing for a written constitution. The only letters or articles in the Otago Daily Times have been against having a written constitution, not for one.

The present constitutional review appears to arise only from Maori seeking greater rights, political control and other privileges based on race.

My stand in this submission is that all citizens of this country should be considered as equals. That any favours granted on the basis of race or ethnicity are racial and have no historic justification.

The Treaty

The treaty was never intended as a partnership.

The treaty never espoused or envisaged any form of joint management of land sold to the crown nor was any consultation with Maori ever envisaged over such land. Maori on the other hand were left to control their own land and in the main only called on the governor to resolve disputes between Iwi.

Had Maori retained large contiguous areas of land and developed their own infrastructure, health and education systems then some sort of partnership with Iwi on broad areas of policy might have occurred. However, this did not happen, such infrastructure as roading, sewage, water etc were supplied via local and regional councils and health, education etc by government. It also did not happen because the treaty dealt only with individual iwi as there was never any genuine truly pan Maori body to negotiate with. Under the treaty, Iwi control existed only on iwi land that has never been sold and nowhere else.

There are a huge number of benefits to Maori in terms of health, technology and support that they have obtained by being part of the mainly European society. Indeed it was the desire by Maori to obtain those that lead in part to the movement of Maori into European culture after World war 2. It is a great pity that present Maori spokespeople have not had the willingness to recognise that. Given the choice, how many Maori would go back to the way their ancestors lived ?

Settlements

Effectively all tribes have now signed documents for full and final settlement of past grievances. (in the case of Ngai Tahu this is the 5th full and final settlement)

Therefore, there is no justification whatsoever, to give Maori any political control or financial assistance greater than that available to any citizen. Past grievances have been dealt with and it is time for New Zealand to move on.

Incorporating rights and privileges for Maori into a constitution

Should the treaty be incorporated as a living document within any constitution, then it will be forever divisive, as claims for rights over water, air, land and minerals etc would be endless.

What jurisdiction, anywhere else in the world, allows citizens to claim rights from the state, for things that happened as a result of decisions made or not made, by their ancestors over 100 years ago ?

However, should a constitution be proposed that gives any rights, privileges or largesse based on

race, then it would need to define very clearly who is entitled to the largesse and political control that would flow from those rights. This raises the question – Who is Maori?

Who is Maori

Maori at present like to claim that cultural identity or the belief in ones own ethnicity should determine whether a person is Maori or not.

That individuals should want to embrace and nurture the Maori culture is tremendous and to be encouraged, if Maori culture is to survive, however, that is no basis on which to grant political rights and largesse or to enshrine such rights into a constitution.

The electoral enrolment form advice says

Are you Maori?

Only New Zealand Maori, or descendants of New Zealand Maori, may answer by ticking the "YES" circle. All other people must tick the "NO" circle.

The answer depends on ones honesty and nothing else - and this is to be the basis for people to receive special rights under a constitution that incorporates the Treaty of Waitangi ?

In my view, for the state to grant rights and privileges to one racially selected group based on the honesty of the individuals concerned is totally unacceptable.

The only basis for such rights, if any such rights exists at all, is genetic.

If I remember correctly, many years ago, one thirtysecond was the requirement to be considered Maori for electoral purposes. So now consider what it actually means to be a 1/32 descendent from a particular race.

A person who is 1/32 Maori has one pure Maori ancestor five generations back and of their 64 ancestors 57 are not Maori and the rest are a declining proportion (1/2, 1/4, 1/8th, 1/16th).

It is an absolute nonsense to say such a person is Maori. Similarly for a sixteenth.

Sir Stephen (Tipene) O'Regan was one half Irish and very little of the other half (I am lead to believe) was Maori. Was he, and others of similarly dubious ethnicity, really entitled to receive benefits for the wrongs of yesteryear ? How much largesse received by Ngai Tahu went to the original South Island tribes who were in control prior to the Ngai Tahu invasion? One inequity seems to have been replaced by another as Ngai Tahu were very late comers to the South Island and their claim denied the remanents of those original tribes from any settlement whatsoever.

Currently 30% of those who claim to be Maori are marrying a non Maori. Therefore genetically the Maori gene pool is being diluted at such a rate that to proscribe rights based on race into a document that will remain in force for ever is unacceptable.

Anyone who is less than half Maori is more something else than Maori, so where do you draw the line.

The last pure Maori in the south island died in 1900 and in the north island in 2000. Their is not one Maori alive today who was personally affected by any transgression of their ancestors rights or property.

Past grievances;

Nowhere else in the world can people go back and obtain rights or property lost by the actions or failures of their ancestors or from political changes. The millions of innocent people who lost everything in world war 2 have just had to pick themselves up and get on with life. It is time for Maori to do the same. To expect today's New Zealanders to pay for ever and ever, for what happened to the long dead ancestors of today's "Maori" is simply a case of greed coupled with hypocrisy.

Under Maori custom, the victor of any aggression takes total possession of land and the remaining inhabitants became slaves or lunch. It seems that today's Maori wish to treat other Maori under this Maori custom but expect non Maori to treat them as victims entitled to special rights and privileges forever. If Maori want continuation of special rights after the treaty settlements then Ngai Tahu should give up all the largesse they received to the original tribes that they defeated. Descendants of Ngati Tama and Ngati Mutunga (who invaded the Chatham Islands, executed most Moriori and farmed the rest for food) should be held to account for the genocide of the Moriori.

Summary

There is no need for a constitution

The Treaty of Waitangi did not state or suggest any partnership in the management of land sold by Maori to the Crown.

Given that full and final settlement has been achieved for past grievances then there is no basis whatsoever to grant further rights based on race.

Even if one accepted that further rights are due, who is entitled to receive those rights, ie who is Maori.

NZ needs to move forward as one people. The last thing we need is a racist constitution that gives rights, privileges and financial favours to people on the basis of race, particularly when the recipients are so far removed both by time and genetically from those who might have been affected.

Peter A Foster

Waikouaiti

3662

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 17/07/2013 1:36 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Peter Kinnear Foster Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City:
Collingwood Postal Region: Nelson Postal Post Code: Postal Country: New Zealand
Submission: There are two fundamental aspects, and I restrict this submission to them

The first objective of a constitution should be that all legal citizens should be treated equally. Surely we want to be "one people" with equal rights and powers for all. This fundamental point leads to basic exclusions from a constitution.

There can be no inclusion in a constitution of groups of any kind. Otherwise members of included groups can get "two bites at the cherry".

So the Treaty cannot be included. This does not mean discounting or erasing Treaty claims. They are pursued as a "breach of contract", and should continue until all resolved.

One reads of special treatment systems to meet needs of Maori children. All children in need, of whatever race, should have treatment available to them and in a form most suitable to their culture.

My second fundamental point is the mechanism by which the constitution can be changed in the future. Change is essential because words can change their meaning as language progresses. In a Letter from America, Alistair Cooke described the US constitution as meaning "what five judges (US Supreme Court) out of nine say it means". So it is a political, not a democratic process, in US. NZ must have a process for constitutional change which is impartial.

It is essential that these two points are fully explored and explained.

Submitted on the 17 July 2013 at 13:35

2326

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 6:18 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Richard George Sephton Foster Organisation Name: Email:
Phone: Postal AddressA: Postal
AddressB: Postal City: Postal Region: Northland Postal Post Code: Postal
Country: New Zealand Submission: Before coming to New Zealand about 10 years ago I was a
lawyer in the UK, so perhaps I have a bias in favour of a flexible constitution rather than one
enshrined in a single document. In the UK/NZ system "conventions" are as important as
constitutional
legislation, and this seems to have worked well in practice in terms of protecting freedom without
inhibiting progressive legislation.

Given that New Zealand is likely to retain some form of proportional representation, the danger of
Parliament adopting some form of extreme legislation that infringed freedoms seems minimal. I
therefore support the present arrangement where Parliament is supreme.

I have doubts as to whether the NZ Supreme Court is equipped to undertake a role like that of the US
Supreme Court which can strike down legislation which it regards as unconstitutional. It is better and
more democratic to have Parliament have the final say
on issues such as gay marriage instead of a group of unelected judges drawn from what is in New
Zealand a very small pool of suitably qualified lawyers.

Another factor is that a comprehensive written constitution would have to deal with the matter of the
relationship between the Crown and Maori arising from the Treaty. My feeling is that this relationship
is best left for pragmatic solutions resulting from
negotiation. Once again there is a lot to be said for some flexibility. It would be very difficult to
reconcile the principles of a written constitution based on racial equality and equal rights for all
citizens with what are put forward as the principles
of the Treaty.

Sent on the 3 July 2013 at 18:17

2326a

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 7:24 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Richard George Sephton Foster Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB:
Postal City: Postal Region: Northland Postal Post Code: Postal Country: New
Zealand Submission: There is no doubt that the Treaty is very important in the history of New
Zealand and that it is seen by many people as being of ongoing significance.

However, that does not make incorporation of the Treaty into the New Zealand constitution a good idea. There are several reasons for this.

There is the problem that the english and maori versions have significant differences, which is a potential cause of uncertainty.

Then there is the problem that the Treaty has been the subject of interpretations which seem to go far beyond the actual words of the Treaty which is a very concise document. What are considered to be "the principles" of the Treaty go well beyond the actual wording and it is therefore likely that these "principles" will be subject to reinterpretation from time to time.

In 1840 the Treaty sought to regulate the relationship between Maori and the English. However in 2013 New Zealand is a multi-racial country with residents from all over the world and in particular large asian and pacific communities. New Zealand's constitutional arrangements therefore need to be based on the principle of equal rights for everyone regardless of their ethnic background. It is very difficult to reconcile this principle with interpretations of the Treaty which give rights to Maori (or some groups of Maori) which are different (say) to those enjoyed by NZ citizens of Chinese descent.

I support the current treaty settlement process to redress historic grievances, and I would also support measures to improve the economic and health position of Maori people. However in constitutional terms I feel all ethnic groups must have equal rights. While the Treaty will always remain of great historical significance it should not define the constitutional rights of New Zealanders in the 21st century.

Sent on the 3 July 2013 at 19:23

4180'

From: ... (Google Drive)"
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 1:02 p.m.
Subject: My Submission to CAP (constitutionalreview@justice.govt.nz)
Attachments: Submission to CAP template.docx

Attached: Submission to CAP template.docx
Sent using Google Docs <http://docs.google.com/>

Kia ora,

Please accept the attached CAP submission as my own.

Nāku noa,

Nā,

Teresa Foster

Nelson
(Cell)

Submission to the Constitutional Advisory Panel

Name:

Organisation (if applicable):

Postal or Email Address:

Date:

Overview

I/We believe that the Consideration of Constitutional Issues has been constrained by its overly narrow terms of reference and the inherently political nature of its origin.

I/We recommend that the public be engaged in a more wide-ranging constitutional discussion that addresses fundamental issues such as the values that ought to underpin our constitution.

I/We also recommend that, in any case, the Treaty of Waitangi be recognized as a central component of our constitution and that, until better mechanisms are established for Māori representation, the Māori seats in Parliament are retained and entrenched, and the establishment of Māori wards continues to be encouraged at the local government level.

Narrow Terms of Reference

There is a pressing need for constitutional reform in Aotearoa. However, the terms of reference for the Consideration of Constitutional Issues are too narrow to allow for any issues to be addressed that could lead to effective constitutional reform. The terms of reference focus on specific mechanical issues relating to our existing constitutional institutions. This assumes that the basic structures of our current constitution work well, provide for effective accountability and participation in the exercise of public power, and reflect values that are appropriate for Aotearoa in the 21st century and beyond.

A more effective process for constitutional reform should be undertaken. This should begin with a discussion about the core values that ought to underpin the exercise of public power in Aotearoa. Those values could then drive the development of appropriate institutions and mechanisms. The approach and work of Aotearoa Matike Mai: The Independent Constitutional Working Group might be instructive to consider.

Politicization of the Process

The Consideration of Constitutional Issues is also constrained because it has been established as an inherently political process. The entire process originated from the confidence and supply agreement between the Māori Party and the National Party. The terms of reference are coloured by the political imperatives that drive each of those parties. Those parties have a vested interest in portraying this process as a success. Other political parties have an incentive to paint the process as a failure. These issues are simply too important to be politicized in this way or to be controlled by politicians and political processes.

A non-politicized process of constitutional reform should be undertaken.

Maintenance of Basic Constitutional Protections for Māori

While the Consideration of Constitutional Issues is too constrained to lead to effective constitutional change, it is vital that basic constitutional protections for Māori are not eroded as a result of this process. The Treaty of Waitangi ought to be recognized as a central part of our constitutional arrangements that speaks to the exercise of public power in Aotearoa. The Māori seats in Parliament may be only a minimal form of Māori representation but they must be retained and entrenched until better mechanisms are established. Similarly, Māori wards should continue to be encouraged at the local government level.

1254

From: Joel Fotu <
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...
Date: 10/06/2013 12:25 p.m.
Subject: Submissions for the Proposed Review of Constitution.

To : The Members of the Constitutional Advisory Panel.

I had the privilege of attending the meeting arranged for the members of the Pasifika community in the Auckland area a few weeks ago. I also represent the members of Tonga College Old Boys Association (NZ) Incorporated in presenting some of their collective views.

I will make the following submissions:

1. We believe that New Zealand should have a written Constitution. It must be arisen from the 'soil' or the people of New Zealand and not written from outside New Zealand and should commence with what the US Constitution started its document with : " We the people of New Zealand"
2. The Preamble should, among others, recite the relationship between New Zealand and the people of the Pasifika over centuries. That the Pacific Ocean was opened and has no border for the people of these islands and the people of New Zealand.
3. The Bill of Rights and its clauses must be entrenched.
4. We believe in the recognition of the Maori people as the 'Tangata Whenua' of Aotearoa.
5. We believe in the retention of the existing Maori seats and also express our wishes that the term of Parliament be retained at 3 year interval for general election to take place.

My Regards
Joel Fotu
Special Counsel

[Description: Description: Email_logo]

___ Est.1907 _____

Auckland New Zealand

CONSTITUTIONAL REVIEW

3063

Submission

1. Size of Parliament currently overstaffed adding unnecessary costs without any tangible benefit to New Zealand citizens. Could we return to 99?
2. Length of term of Parliament should remain unless legislation was brought in that major changes should be only by citizens vote as in Switzerland by the electors, not Government.
- 3.a No they should be reduced and racial based seats should be abolished.
- 3.b Should be based on a direct population basis equally between the 99 seats.
- 4.a If seats were reduced and racial based policies pushed out, the issue would be covered.
- 5.a Maori or any other racial roll from both local and Government of the day should be abolished.
- 5.b Abolished – it is apartheid
- 5.c Abolished – it is apartheid
6. Treaty of Waitangi is about inter-tribal warfare and tribal killing and cannibalism and has absolutely no place in our constitution.
7. Bill of rights should enable people to protect their own property instead of allowing subsequent Governments to steal by stealth, eg indigenous forest can not be used but owners have no compensation.
8. New Zealand should retain the current status quo. We do not want judges and lawyers in charge of the laws of the land.
9. I believe that the Declaration of Equality should be enacted by Parliament.
10. I am approaching 80. I have lived amongst Maoris and with them for several generations and the work of the Iwis have drastically damaged racial relations in our country.

Yours faithfully
2ND CLASS NZ CITIZEN

C R Fox
CHARLES RODNEY FOX

3517

From: Rodney Fox
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice....
Date: 11/07/2013 1:28 p.m.
Subject: CAP SUBMISSION
Attachments: img-711123114-0001.pdf

Attached are my comments regarding the Constitutional Review.

Regards
Rodney Fox

CONSTITUTIONAL REVIEW

Submission

1. Size of Parliament currently overstuffed adding unnecessary costs without any tangible benefit to New Zealand citizens. Could we return to 99?
2. Length of term of Parliament should remain unless legislation was brought in that major changes should be only by citizens vote as in Switzerland by the electors, not Government.
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- 5.a Maori or any other racial roll from both local and Government of the day should be abolished.
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Yours faithfully
2ND CLASS NZ CITIZEN

C R Fox
CHARLES RODNEY FOX

4152

From: "Tom Fox" <tom.fox@canopygroup.co.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 10:36 a.m.
Subject: Submission - New Zealand Constitutional Review
Attachments: NZ constitutional review submission 30.07.2013.pdf

The Panel

Herewith my submission.

Tom Fox

Tom Fox

DDI : +64 7 322 1111 ; Tel : +64 7 322 1111 ; Fax : +64 7 322 1111

<<http://www.canopygroup.co.nz/>>

A disclosure statement is available on request and free of charge

DISCLAIMER: This E-mail message and/or attachments may contain privileged or confidential information. If you have received this e-mail in error, we apologise and ask that you destroy it immediately and advise us on [redacted] Thank you for your co-operation.

Tom Fox

Auckland

30th July 2013

Submissions
Secretariat
Constitutional Advisory Panel
c/o Ministry of Justice
DX SX 10088
Wellington

Dear Sirs / Madams

**NEW ZEALAND CONSTITUTIONAL REVIEW
PRIVATE SUBMISSION**

I make this submission on my own account.

ASPIRATION FOR NEW ZEALAND

The pursuit of the quiet enjoyment of life, liberty, happiness and prosperity for all should constitute a basic principle for our society.

Furthermore equality for all should be a founding principle and overriding aspiration of a free and democratic New Zealand society.

There must be order to achieve this. Government, properly elected by the people must be accountable to those who elect them.

With the rights bestowed upon ourselves as set out above (the quiet enjoyment of life, liberty, happiness, prosperity and equality for all) individuals, families, the community and government must take personal and collective responsibility to see that those rights can be so enjoyed. With rights come obligations and responsibilities.

HOW TO RUN OUR COUNTRY

Our current central government and local government model, whilst cumbersome and overly bureaucratic does work.

Our voting system, MMP, fails to deliver the will of the majority and tends to present imbalance with minorities having far too much sway in the affairs of the country.

MMP as a system fails in my aspirations as set out above ie the community have no opportunity to properly elect their representatives. In addition those who represent us under MMP have no real accountability to the electors ie they can remain in power and are not subjected to the direct vote of the electors.

I therefore submit that our method of election of central government representatives should be changed from MMP to a new system where each elector has the ability to directly elect or dismiss a candidate.

Less bureaucracy and better representation of the majority should be our national aim.

TREATY OF WAITANGI

Treaty Process

New Zealand has made serious efforts to address grievances properly established through the Treaty of Waitangi Tribunal.

Going forward a sensible timeframe should be established to bring all and any claims to the table and to have them fairly heard and dealt with.

Once that time has expired it is my view that both the Tribunal and the Maori Council should be disbanded.

Treaty of Waitangi – Place in Legislation

There is no place for the Treaty in our Legislation. Our rules of governance have now been well established and to recast our laws to accommodate Treaty issues – which are being fairly dealt with through the above process would be a pointless exercise and would not achieve any sense of national equality which should prevail.

MAORI ISSUES

Maori as an ethnic group in our society should rightly share the same rights, privileges and obligations as any ethnic group in our society. I think the Polynesian flavour of our society greatly adds to our community and our sense of nationhood – but balance should prevail.

Maori as a group have enjoyed and continue to enjoy a number of privileges ahead of others in New Zealand. I think for the sake of our society as a whole Maori should relinquish those privileges on a voluntary basis as they have caused a rift in our society that is not warranted and is not consistent with aspirations as set out above. Equality in society is essential.

In particular I believe there is no place for racially based seats or positions in either central or local government. In fact racial bias in the Constitutional review process, government and our affairs in general cause me difficulty. Examples of these are endless haka, powhiri, hongi, sporting teams selected on racial grounds and imposition of cultural bias in our everyday lives (taniwha, burial sites, cultural significance, ancestors etc).

CONSTITUTIONAL ARRANGEMENTS

I am of the view that our current constitutional arrangements should remain in place as they are.

BILL OF RIGHTS

The overarching thrust of modern constitutional arrangements generally promotes the individual's right to his rights.

But there is silence on the obligations and responsibilities that this places on the individual and society in general to so enjoy those rights. It is probably right that there is silence on these matters in order for freedom to prevail ie we must each be free to do as we choose so long as it is within the law to do so and so long as it does not infringe the rights of our fellows. We should not be compelled to do anything including meeting any obligation or taking any responsibility no matter how galling that may be to some in society.

However the aspirations set out above come at a price in monetary and non-monetary terms and I would love to see New Zealand find a way to encourage all members of society to take responsibility for themselves, their families and their communities.

In the end this will come down to education and the sense of responsibility we create with our children.

IN SUMMARY

We live in a wonderful country populated, by and large, with hard working New Zealanders of every race and creed.

Maintenance of equality for all and equal opportunity for each of us in our individual pursuit of a happy and rewarding life is, I think, a national aspiration.

I would like to see New Zealand maintain its open minded attitudes to all groups and individuals in society, to encourage the maintenance of our heritage (Polynesian and non-Polynesian), to see us all continue to assist those who need a hand up and for us all to make our own individual contribution to society in whatever small or significant way that may be.

Let common sense prevail.

Yours faithfully

Tom Fox

4152 a)

From: <website@cap.govt.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 2/26/2013 5:55 p.m.
Subject: The form on your contact page has just been submitted

Sent from Constitutional Advisory Panel #link:<http://www.cap.govt.nz/>.

Contact Name: Tom Fox Phone: Email:
Comment: I have grave concerns for our country with emerging, sinister and ever creeping racial separatism sought by maori. I wish to see one rule for all citizens without any racial bias in particular in matters of governance at local body level and at central government level. Sign Up For Updates: Yes

Sent on the 26 February 2013 at 17:55

1664

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 27/06/2013 12:35 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: marrv fraser Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City:
cambridge Postal Region: waikato Postal Post Code: Postal Country: New Zealand
Submission: I am happy with the current situation and do not want the Treaty of Waitangi to be used
as the basis of the constitution as I feel this would encourage racism in New Zealand.

Sent on the 27 June 2013 at 12:34

1071

From:
To: <constitutionalreview@justice.govt.nz>
Date: 4/06/2013 9:15 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Jon Brian Stapley Farmer. Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal
City: Auckland Postal Region: Auckland Postal Post Code: Postal Country: New
Zealand Submission: There are so few Maori even near 'full blooded' that the Treaty of Waitangi is
of little or no relevance and should be abolished. If Maori want representation they should vote for the
Maori Party. It is well past time that the Maori 'Gravy Train' hit the
buffers.

Sent on the 4 June 2013 at 21:15

Quick Submission

Your name:

Anne Francis X

Name of the organisation you represent (if applicable):

new Taranaki

Postal address or email address:

G A Francis X

New Plymouth

1. Society run fairly & Equally
2. Run properly.
3. Parliament has the final say.
4. No civil rights - protected
5. Yes - Constitution should supersede all other laws.
6. privacy should be paramount
7. more attendance Limit 2.70
8. limit list members - 51
9. balanced with the
10. Covered already
11. 70.
12. in 6
13. 3 - 3. 6 - 4
14. Up to Govt
15. leave to house / 9

PLEASE CUT ALONG LINE

Privacy and Confidentiality

Your personal information will be held in accordance with the Privacy Act 1993. This Act outlines the requirements for transparent collection, ethical use and secure storage of personal information.

The personal information you provide in this submission form will be used for the purposes of the Consideration of Constitutional Issues only.

You can also make a submission online at www.ourconstitution.org.nz

4733

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 2:31 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Sue Francis Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City:- Waimate Postal Region: Postal Post
Code: Postal Country: New Zealand Submission: I submit that the Bill of Rights be made
supreme law - I believe that some of the legislation enacted by parliament In 2013 has been
undemocratic and that politicians have taken too much power. Specifically, the legislation around the
Auckland Casino,
the select committee process for the GCSB bill, legislation outlawing protest against drilling at sea,
and the Trans Pacific Partnership need to be able to be reviewed by the courts. I favour the treaty
being part of this supreme law.

I do not favor having our constitution written down all in one place, as It is working okay at the
moment spread across different acts.

In terms of the Electoral Act I support a four year parliamentary term as The current three year term is
too short, when you take into account the amount of time spent preparing for an election, and the
subsequent honeymoon period. A four year term would give
government more time to carry out their programme mandated by being elected.

Finally I think it is vital that NZ history, including the treaty and our constitutional laws, and civics in
general, ought to be a compulsory part of our school curriculum at all levels. I think this would help
everybody have a clearer idea about our country,
the principles it was founded on, and what we stand for as the people of Aotearoa New Zealand.

Submitted on the 31 July 2013 at 14:29

2283

From:
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 4:16 p.m.
Subject: CAP Submission

Dear Sir / Madam,

Please abolish the Maori seats. People of Maori origin have the same education and possibilities as other New Zealanders; they should not be given preferential treatment politically. It is time we abolish all racist legislation and policies.

Yours faithfully,

Nico Francken

Nico J.C. Francken

Dunedin

New Zealand

Skype:

E-mail:

2141

From: "keith franich"
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 9:55 a.m.
Subject: CAP Submission

With regard to the maori seats I fully support the Abolishment of these seats. One country one vote.
keith & elizabeth franich

3855

From: Mark Franken
To: <constitutionalreview@justice.govt.nz>
Date: 25/07/2013 2:45 a.m.
Subject: Constitutional Advisory Panel

Th The panel is obviously racially biased from the start. Europeans are under represented. Michael Cullen could not be viewed as unprejudiced following a long career as a Minister of Treaty Negotiations.

The Maori members on the panel display an obvious bias in their speeches reported in the press. I have heard of some of the Maori members of the panel because they are known to be extremists.

In a country where New Zealand Europeans represent 69 percent of the population and Maori represent 15 percent, Asian 9 percent, and Pacific Islanders 7 percent, how is it possible that Professor Walker can argue that the panel has been 'carefully constituted', when true representation would mean a panel of eight New Zealand European members, two Maori, one Asian and one Pacific Islander?

I suspect the proportion of the population considered to be Maori is inaccurate. Statistics NZ ask if one is descended from a NZ Maori. This is not the same as asking if one identifies as being Maori. I am descended from a person born in Amsterdam. This does not make me identify as being Dutch.

One might expect a person such as Alan Duff to be included on the panel, but possibly the other Maori members believed him to be too 'extreme' to be included.

The majority of New Zealanders seem to have no idea what is going on with this process because it has been so poorly publicised. Public meetings? I have not heard of any such meetings on this issue where I live.

I favour one New Zealand with one law and one policy for all members of society. Reverse racial bias must cease. Giving Maori preferential treatment in all areas just causes more and more ill feeling. Further Treaty claims will end up bankrupting the country and they must cease.

[image: logo]
Mark Franken

Get a signature like this.

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HERE. <http://r1.wisestamp.com/r/landing?promo=35&dest=http%3A%2F%2Fwww.wisestamp.com%2Femail-install%3Futm_source%3Dextension%26utm_medium%3Demail%26utm_campaign%3Dpromo_35>

522

From:
To: <constitutionalreview@justice.govt.nz>
Date: 18/04/2013 3:20 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>

Full Names: Valerie Franklin Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City:
Postal Region: Horowhenua Postal Post Code: Postal Country: New Zealand
Submission: The Treaty is part of New Zealand's history and should be treated as such and put in a museum and left there. I would like to see money going into health and education for all New Zealander's rather than one ethnic group.

Sent on the 18 April 2013 at 03:19

836

From: Gabriella Fraser
To: <constitutionalreview@justice.govt.nz>
Date: 13/05/2013 3:21 p.m.
Subject: CAP SUBMISSION
Attachments: 130513160727.pdf

CAP SUBMISSION

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Gabriella Fraser



DECLARATION OF EQUALITY



The *Declaration of Equality* is our commitment to one rule for all. It is a response to the Māori Party initiated Review of New Zealand's constitutional arrangements. Let us use the opportunity presented by the Review to reject the racial division of Treaty of Waitangi politics.

If you too believe in one law for all, with no special treatment based on race, please join the tens of thousands of citizens who have already signed this *Declaration of Equality* – and urge others to sign too. We need a strong and united voice.

WE DECLARE

THAT WE NEW ZEALANDERS of all backgrounds, having founded and developed our society in equality, fairness, and comradeship, oppose any laws which establish or promote racial distinction or division.

1. We reject references to the Treaty of Waitangi or its principles in any constitutional document.
2. We ask that such references be removed from all existing legislation.
3. We ask that race-based Parliamentary seats be abolished.
4. We ask that race-based representation on local bodies be abolished.
5. We ask that the Waitangi Tribunal be abolished.
6. We oppose separatism.

*THEREFORE in the interests of New Zealand we call on the members of the House of Representatives to implement the principles of this Declaration of Equality to **ENSURE THAT THERE IS ONE LAW FOR ALL.***

PLEASE SIGN THE DECLARATION

Your Name	Your	Email (optional) and City/Town
1. <u>Don Fraser</u>	<u>[redacted]</u>	<u>[redacted]</u>
2. <u>Gay Fraser</u>	<u>[redacted]</u>	<u>[redacted]</u>
3. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
4. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
5. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
6. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
7. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
8. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
9. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>
10. <u>[redacted]</u>	<u>[redacted]</u>	<u>[redacted]</u>

Declaration of Equality – and full background information – is available electronically at www.ConstitutionalReview.org

To receive updates on the progress of the Declaration please visit the website and register. We are grateful for all donations to promote the Declaration of Equality. Please return completed forms as soon as you can but no later than 1st September 2013 as follows:

➤ Mail to: [redacted]

➤ Scan and email to: [redacted]

➤ [redacted]

4264

From: Martin Frauenstein
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 9:05 p.m.
Subject: Constitutional Review

~~To whom it may concern;~~

I perceive the constitutional review process to be subversive, underhanded and deceptive. Those running the review have vested interests in it's outcome and the government has shown that it ignores the wishes of the people based on past legislation. 1. Anti Smacking 2. Sensible sentencing 3. Foreshore and Seabed 4. Gay Marriage 5. Reduction of the number of MP's to name but a few referenda totally ignored.

What would make this process any different?

The treaty was made by a colonial power over a remote island. There have been unjust actions on both sides against the other. In the 21st century New Zealand must beat it's own path with it's New Peoples. New Zealand today is very different from the 1800's, today the people of New Zealand should decide if there should be a review.

In closing, the current review was instigated as part of an agreement between 2 political parties with a combined support of less than 50% of the voters of New Zealand. The lessor of those 2 parties has support below the current minimum to gain representation. On what basis does this review continue? Where is the moral basis ?

These are but a few of the questions I have for the review. I wish to address the review in person to further clarify my position.

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Regards & best wishes

Martin Frauenstein

"Be faithful in small things because it is in them that your strength lies." Mother Teresa

Video
Mobile:

(JMJBWU) John 6:48-68 (14G27J36S5L)

*PS:Your Silence accepts the contents of this message.

PPS:ALL calls presented as PRIVATE or NUMBER WITHHELD are IGNORED.*

2260

From:
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 3:29 p.m.
Subject: CAP Submission

MAORI SEATS ABOLISHED.

ONE COUNTRY – ONE PEOPLE -

2384

From:
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 11:36 p.m.
Subject: CAP Submission

I vote that the maori seats be abolished

Brian Freeman

4285

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 9:52 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Christopher D Freeman Organisation Name: Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Tauranga Postal Region: Postal Post Code:
Postal Country: New Zealand Submission: The Treaty of Waitangi should not become part of any
constitution. Although an important document, it remains open to interpretation. Even the notes on
this site say:

'The list of Treaty principles is not definitive and continues to evolve as the understanding of what it
means to be a Treaty partner evolves'.

This is no basis for the core of a constitution.

The incorporation of the Treaty would also provide advantage of one culture over others. No
constitution should include such a divisive instrument; all cultures and people must be treated
equally. We are after all, all immigrants either recent or historical;
there are no indigenous peoples in New Zealand.

Submitted on the 30 July 2013 at 21:51

4285A

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 10:38 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Christopher D Freeman Organisation Name: Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Tauranga Postal Region: Postal Post Code:
Postal Country: New Zealand Submission: We have far too many MPs in this Country. The UK for example have 650 (soon to be reduced to 600) to serve a population of 60 million: a little over 92,000 people per MP. On a similar basis therefore we should be able to manage with 50 MPs. However with our population spread we might need a total of 75, split 50 elected MPs and 25 list MPs.

The Country needs a small, elected second chamber to review more thoroughly proposed legislation, ensuring more thought goes into any new Act. This may reduce some of the appallingly ill-thought out legislation that has been manifest in recent years.

Parliamentary term should be four years. At the moment no government takes a longer view than three years at best, often a lot less as they are more concerned with winning the next election than they are of running the Country.

The election date should be a fixed day, similar to the US system. It should not be left to the Prime Minister of the time. The current system favours the incumbent - there is no logical reason why it should.

The Electoral (Integrity) Amendment Act should be restored for elected MPs who part ways from their Party. Any list MP who leaves their Party should immediately be replaced by the next person on the Party list.

Submitted on the 30 July 2013 at 22:37

4285B

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 11:03 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Christopher D Freeman Organisation Name: Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Tauranga Postal Region: Postal Post Code:
Postal Country: New Zealand Submission: Until recently, the Bill of Rights Act has served us well.
Now it needs strengthening. The right to peaceful protest has already been eroded and if the new
security proposals go through as seems likely, our basic right to privacy is severely threatened.
The seriousness of these measures must not be ignored; these two measures together could be
used in the future to undermine free speech. Indeed the signs are there that this is already happening.

Supreme Law is a step in the right direction and the Courts must have the power to decide whether
legislation is consistent with the Act. It cannot be left to the interpretation and biases of parliament

Submitted on the 30 July 2013 at 23:01

Submitted on the 30 July 2013 at 23:29

4290

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 10:09 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Janet Linda Bowskill Freeman Organisation Name: na Email:
Phone: Postal AddressA: Postal
AddressB: Postal City: Tauranga Postal Region: BoP Postal Post
Code: Postal Country: New Zealand Submission:

Aspirations

I abhor the current obsession with Health and Safety outside the legitimate context of the workplace. It stifles independence in the young, prevents the learning embedded in assessing risk, taking it and learning from it. We are a great society who grew and prospered by doing rather than not doing. The present climate of repressive protection is ruining our ability to reach our potential.

I hope for a country where neighbours know respect and help each other, where everyone can grow harvest and enjoy some of their own food, respecting the earth and its products.

I hope for an education system which stops being obsessed with tests and grades and teaches skills which lead to real and worthwhile jobs. I fear for our youngsters who are persuaded into courses of doubtful merit which suck them into debt and fail to deliver marketable qualifications.

I wish for cross party agreement over the funding of pensions and am disappointed that additions to the 'Cullen Fund' remain frozen.

I look forward to realism over the use of petrochemicals and promotion of public transport; light rail, small frequent buses and modern tram systems. The pensioners' bus pass element of the Super Gold Card encourages car-less expeditions and these always involve some form of planned or spontaneous spending within the community. I support tolling, congestion charges and other means of reducing the use of cars.

I hope for the promotion of domestic solar power for water heating and power. Excess can be sold back to the grid and slow or prevent new capital works. The Australian system of subsidised installation has merit. I also hope for a much more sophisticated use and storage of water. Our use of grey water needs to grow as water will be an increasing course of tension all over the world this century.

I do not see any advantage in re-naming the North and South Islands and do not support it.

I hope for a time when we all see ourselves as immigrants and abandon the label 'indigenous' as a description of some of us. 40,000 years is a reasonable qualification for this term. A few hundred years of island hopping, ending here, is not

I expect our government to be alert to the machinations of bigger nations and resist so called 'Free Trade' agreements which end up destroying our freedom to act in our country's best interests. Our 'partners', particularly the USA aim to impose conditions which favour them while managing to continue to keep our goods and services at bay.

NZ Constitution

These are the questions we would like your feedback on:

1. Do you think our constitution should be written in a single document? Why?

I do not. An unwritten constitution is more flexible and responsive to need. Such a system has served the UK well for 1000 years. NZ legislation has a nasty history of being drawn up too fast and without enough care.

2. Do you think our constitution should have a higher legal status than other laws (supreme law)? Why?

I do not. What does this sentence actually mean? Anything written will be subject to argument and interpretation. Law is tested in the courts to create precedents. Also see the answer to the previous question.

3. Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? Why?

The Courts. This is a lot safer than the short-termism of Parliament in which I have decreasing faith

Constitutional Monarchy

I support retaining the Queen and her heirs as Head of State

1. It gives us a point of difference and a powerful European friend in the UK. Every country needs friends and NZ is foolish if it bases a change in Head of State in a desire to 'stand alone'. These days no country can afford to do that and it shows an adolescent phase of national maturity to think so.

2. It gives continuity and stops some superannuated politician living on the fat of the land at taxpayers' expense. The thought, for example of an elected President with executive power is frightening and a figurehead president still allows the usual self serving suspects to line up. Our appointed Governors General do an excellent job and should be more prominent in the life of the country than they seem to be currently. Prime Ministers are far too keen to be the one under the spotlight

Treaty of Waitangi

The Treaty is one of the factors that may be taken into account in law-making and public decision-making. This is how it should remain I do not agree with making it any kind of supreme document nor part of a written constitution.

Bill of Rights Act

The New Zealand Bill of Rights Act 1990 (the Act) confirms fundamental rights and freedoms that the state must respect. It sets minimum standards for all public decision-making.

This is how it should remain. It is good clear legislation.

Māori Representation

The Māori seats in Parliament are a unique feature of New Zealand's democratic system. The Māori seats guarantee that there is a minimum number of members of Parliament (MP's) who can represent Māori views and perspectives in Parliament.

This should remain unchanged unless Maori request it.

Electoral Matters

I support MMP but consider the practice of list members leaving their parties but remaining as Independent members to be dishonourable and against the intention of MMP. I support legislation to prevent this and install the next list member.

I do not support the same treatment for an electorate member who leaves his party. Such a person is answerable to his constituents, who will decide whether or not to support him in due course. Some MPs retain the support of their electorate with their changed allegiance and some do not.

I believe the current % threshold for entry of party list members is too high.

The current contrived position under which the National Party is supported by two theoretical Independents draws the whole MMP system into disrepute and debases the institution of Parliament.

I support four year parliaments in the hope that it will encourage some longer term thinking and not purely a means of contriving re-election. Should this be enacted I support a review after an agreed number of elections as was done with MMP.

Submitted on the 30 July 2013 at 22:07

4305¹

From: "sj.freeman"
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 9:19 a.m.
Subject: CAP submission
Attachments: Constitution Conversation submission.doc

Please find my submission attached.

Jill Freeman

NZ Constitution Conversation submission

My aspirations:

I want to see NZ stay as a Constitutional Monarchy and a democracy.

NZ's constitution

Our constitution should not be written in a single document and it should not have a higher legal status than other laws.

The Courts should have the power to decide whether legislation is consistent with the constitution because it's an important check and balance.

Bill of Rights Act

Our rights need to stop being slowly being eroded, for example we now cannot protest within 500 metres of a mining or drilling operation.

The Treaty of Waitangi

No one group of people should have extra rights over another. We are all New Zealanders and should be treated equally. I do not want to live in a country with two systems, that is called apartheid.

I do not support the Maorification of everything. There are two official languages in NZ - Maori and English. I support using both languages - like they do in Canada with English and French.

Maori Representation

The current system is a good system for Maori views to be represented in Parliament. In local government Maori views should be represented by candidates standing for election and being voted for - just like everyone else

Electoral Matters

We should have less Members of Parliament than we have now as we only have a small population. We have far too many now.

The term of Parliament should remain the same.

If a *list* MP parts ways with the party from which he/she was elected he/she should stop being an MP and leave Parliament. If an *electorate* MP parts ways with the party from which he/she was elected he/she should remain an MP and stay in Parliament.

Jill Freeman

2029

From: "John Freeman (H)"
To: <constitutionalreview@justice.govt.nz>
CC: Dominic Costello
Date: 2/07/2013 4:01 p.m.
Subject: CAP Submission

Gilleen Way...

Any Separate Seats in Parliament or in a Council for that matter smacks of Separatism. Which equals APARTHEID!!!

Are we not all equal?? Or do we have different rules for different ethnic groups?

http://www.nzcpri.com/MS_adx350.jpg

Is New Zealand also going down that path??

John Freeman

2492

From:

To: <constitutionalreview@justice.govt.nz>

Date: 4/07/2013 10:05 a m

Subject: :

| CAP Submission

I would like to see the Maori seats

Abolished

Meg freeman