

409

From: . . .
To: <constitutionalreview@justice.govt.nz>
Date: 15/04/2013 11:34 p.m.
Subject: http://www.ourconstitution.org.nz/form_submission

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

Full Names: Denise La Grouw Organisation Name: -
Email: Phone: Postal AddressA: Postal AddressB:
Postal City: Postal Region: Postal Post Code: Postal Country: New Zealand
Submission: A constitution that acknowledges all human beings right to a sense of belonging.

A constitution that acknowledges not one culture, but all cultures and peoples right to have a spiritual connection to the land, and forces of life although the stories may be different.

A constitution that aims to benefits all people equally - celebrating cultures

A democratic system where all children that are born have the right to develop to their full soul potential

I do not wish to go back to a feudal system where ones lot or job in life is dictated by whakapapa - the who their family is and therefore what one is meant to do. This is feudal and in complete conflict to the notion of a democracy.

What is wrong with our current democracy is that our government is putting business ahead of the needs of the people. Corporations should NEVER HAVE rights over what is BEST for "the people" - the nation - our families well-being, our environments well-being
- we are kaitiaki for future generations

A democracy works for all people if it is about the people, for the people.

A constitution that acknowledges that all human beings are born equal

A constitution that restricts the sale of our land to people other than people that have at least NZ Residency, and protects our natural heritage

A constitution that acknowledges the true history of Aotearoa/New Zealand - its not about land it is about honouring what was promised. We cannot move forward until the truth of the past is truth in the present.

Sent on the 15 April 2013 at 23:33

409a

From:
To: <constitutionalreview@justice.govt.nz>
Date: 7/06/2013 9:30 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Denise La Grouw Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City:
Postal Region: Bay of Plenty Postal Post Code: Postal Country: New Zealand
Submission: Essentially, what I deem important in a constitution that governs our nation are:

Our right to freedom of speech, to gather, and freedom of self expression (with harm to none).

Human rights, we are all different but we are all New Zealanders, and each of us deserves to have a sense of belonging. To this end, I believe any constitution should treat everyone fairly and equally.

the rights on the child needs to be acknowledged, especially in NZ where child abuse is common place.

The right to spiritual freedom - all people should have the right to have their spiritual relationships acknowledged. At present only Maori are able to make submissions on the realm of "spiritual" belief, and connection to the land.

All those born in Aotearoa/NZ are from here. Just through the act of being born here. Fullstop!

I believe we need to go back to being a democracy. We may say that we are, however big business is currently been given more rights than that of the people. True Democracy is about taking care of our people, which may not always suit transnational corporations.

Sent on the 7 June 2013 at 09:29

1181

From:
To: <constitutionalreview@justice.govt.nz>
Date: 8/06/2013 4:38 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: STEPHEN LABONE Organisation Name: Email: ;
Phone Postal AddressA: Postal AddressB: Postal
City: wellington Postal Region: Postal Post Code: Postal Country: New Zealand
Submission: 1: All problems to do with the treaty have been addressed and the treaty is now a historical document.

We are as one, under 1 flag.

2: There is no reason that it should be made part of our constitution

Sent on the 8 June 2013 at 16:37

2576

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 3:24 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Stephen Paul Lace Organisation Name: Email: .nz Phone:
Postal AddressA: Postal AddressB: Postal City:
Wanganui Postal Region: Postal Post Code: Postal Country: New Zealand
Submission: Governance

My view is that we do not need a new Constitution but rather that appropriate changes be made to our existing Legislation and founding documents as required. The development of a new Constitution would likely be a very drawn out and time consuming exercise at a time when the nation needs to be concentrating on more positive matters.

Electoral Term Central Government.

My belief is that we need to move to a 5 year term of Government. The current term is far to short to enable an incoming Government to take power, make change , have any changes show benefits (or otherwise) and then go back to the people with a history of solid progress. Currently , with a 3 year term , the Government has barely taken charge when 12 - 18 months later it must start thinking about the next election. Furthermore the economy tends to be negatively affected by artificial stimulus , election driven, which is damaging and which frequency would be diminished by a longer electoral cycle.

The nation would be greatly benefitted by a longer electoral term enabling the economy to progress in the most natural way , freed of self serving stimulus from politicians.

Please move us to a 5 year term of Government .

Sent on the 4 July 2013 at 15:23

2441

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 8:41 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Stephen Paul Lace Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City:
Wanganui Postal Region: Postal Post Code: Postal Country: New Zealand
Submission: My aspirations are for a country in which the wider population is allowed (& is encouraged) to rediscover the self respect that comes from making provision for ones self and one's family. The Social Welfare System safety net has become corrupted and is use shamelessly by some political parties for political gain. The result has been the destruction of solid values which served earlier generations very well. Once people again have self respect and self discipline and self respect, this country and its people will be much better off in many socio economic ways.

Sent on the 4 July 2013 at 08:40

2441a.

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 9:07 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Stephen Paul Lace Organisation Name: Email: Phone:
Postal Address Postal AddressB: Postal City:
Wanganui Postal Region: Postal Post Code: Postal Country: New Zealand
Submission: We must strive to reach a point at which we are all one people with equal rights in this country. We are all immigrants from elsewhere. There can be no people on earth who have not suffered greatly at many points in history. It serves no people well to maintain a status quo under which looking back at historical events and preserving grievances is the prevailing mindset. Most migrants prior to the most recent decade or two came to this country with next to nothing, many still do. It is what we make of the opportunities this wonderful country offers its citizens that defines us, and for success, a positive, fresh state of mind is essential.

Once the Treaty settlement process has been completed, within the next decade, we have the opportunity to start afresh, all people must be treated equally.

I do not believe in separate representation such as the Maori seats. These must go. All New Zealanders have a responsibility to take an interest in and participate in our democratic system. Political Parties can only thrive if they have broad appeal, to do so they must have representation from all ethnicities. This is already evident.

We must recognise, value and respect our diverse heritage and origins. It is the combination of these which has made the country the special place it is today.

All citizens should have equal rights to natural resources such as water, air, airspace and minerals. These must be managed by the Government for the benefit of all.

Sent on the 4 July 2013 at 09:07

2667

From: "Dr D. De Lacey" <
To: <constitutionalreview@justice.govt.nz>
Date: 5/07/2013 12:03 p.m.
Subject: CAP Submission

Dear Review Committee,

The Maori seats should be ABOLISHED
as they are racist, undemocratic, unreasonable, unfair and contrary to
natural justice and have a hint of apartheid,

yours sincerely
David de

Lacey

Information from ESET NOD32 Antivirus, version of virus signature
database 8523 (20130703)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

ConstitutionalReview - Re: Fwd: Constitutional Review Correspondence for the Panel

From: ConstitutionalReview
To:
Subject: Re: Fwd: Constitutional Review Correspondence for the Panel

>>> 17/01/2013 1:00 p.m. >>>

>> 7/01/2013 12:31 p.m. >>>

>>> 7/01/2013 11:10 a.m. >>>
 Hi

This was received by Ministers Sharples and English and is forwarded directly to the Panel.

From: Miles Lacey
Sent: Tuesday, January 15, 2013 8:30 PM
To: B English (MIN); P Sharples (MIN)
Subject: Constitutional Law Reform Submission

To the Constitutional Review Panel:

I would like to offer my submission on the review of our Constitutional laws. I am not a lawyer so I have not used the terms of lawyers. Any discussion about Constitutional reform must involve input from as wide a diversity of people as possible, including unemployable scum such as myself.

Electoral matters:

- The size of Parliament.
 The number of Members of Parliament should be kept at 120.
- The length of terms of Parliament and whether or not the term should be fixed.
 The length of a Parliamentary term should remain at three years and the election date should be fixed on the first Saturday of November. If a government resigns before then or loses a vote of confidence an election should be held. Also Members of Parliament on a party list should be restricted to a maximum of three Parliamentary terms. I would also add that no person can be on both a party list AND run as an electoral candidate.
- The size and number of electorates, including the method for calculating size.
 The number of electorates should be set at 70 and the size of the electorates should be calculated on the basis of total number of all registered voters divided by 70 give or take 5,000 either way. The electorate boundaries can only be changed on the basis of the census and the numbers of voters on the electoral roll. As an example: if there are 3,500,000 voters that number would be divided by 70 thus each electorate must have about 50,000 voters. (See notes below re: Maori.)
- Electoral integrity legislation.
 The laws as they exist at the moment are satisfactory.

- Crown-Māori relationship matters:

There needs to be greater clarification as to whom groups who claim for Maori actually represent. Organisations that claim to represent Maori must be democratically elected by, and accountable to, Maori people as a whole and not just tribal based Maori.

- Māori representation including the Māori Electoral Option, Māori electoral participation and Māori seats in Parliament and local government.

The Maori electoral roll and Maori seats should be maintained. The formula for calculating Maori seats would be slightly different. Total number of Maori voters divided by the total number of registered voters per seat (as calculated for the electorate seats above) equal the number of seats Maori would have. So let's say there are 400,000 registered voters and it's calculated each electorate seat must have 50,000 voters. That would mean there would be eight Maori seats.

Maori representation in local government should be through elected representatives only. It should be up to local government to decide if Maori should have separate representation.

- The role of the Treaty of Waitangi within New Zealand's constitutional arrangements.

The Treaty of Waitangi should be acknowledged as a historical document of great importance but it should not be made a part of a Constitution because the Treaty of Waitangi has too many different and conflicting versions and it's been interpreted in so many different ways by racist bigots of Maori and non-Maori descent that it has become a divisive and largely self-serving document that has only served to enrich a privileged elite amongst Maori. Most Maori have seen little or no gain from this document.

- Other constitutional matters:

New Zealand should become a Republic with the powers of the Governor-General passing onto a democratically elected, non-partisan President elected for a non-renewable eight year term. The President must be born in New Zealand and be forbidden to have been a past or existing member of a political party or a political lobby group. However this should be determined by a binding national referendum rather than a panel.

The use of Urgency should be restricted so that legislation cannot be passed under urgency unless it is agreed by all Parliamentary parties for this to happen. People are fed up with Parliament passing laws under Urgency to avoid public input, debate or discussion. Also all laws must go to Select Committee.

- Whether New Zealand should have a written constitution.

New Zealand should have a written constitution under one law that cannot be amended without a national referendum in which a minimum number of 75% of all registered voters need to take part AND that 75% of the votes cast must be in favour of the change.

- Bill of Rights issues.

The Bill of Rights should be an essential part of the Constitution. However, I would propose that it be tightened so that government departments cannot be exempted from adhering to the Bill of Rights and that private entities cannot ignore the civil liberties components of the Bill of Rights.

These are my suggestions on Constitutional Reform in New Zealand.

Yours Sincerely
Miles Lacey

2868

From: "Anna Laing" <
To: <constitutionalreview@justice.govt.nz>
Date: 6/07/2013 12:11 p.m.
Subject: CAP Submission

These seats are unwarranted, this country is made up of a multitude of nationalities, the system allows for all ethnicities to be represented.

The Maori seats are representational of institutionalized racism which permeates every sector of New Zealand society and the majority of New Zealanders are sick of being made to feel like second class citizens, where an individuals culture is dismissed as unimportant alongside that of the Maori culture which is that of a minority race.

Anna Laing

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.

Tessa Laird
Auckland
New Zealand

5125

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 7/08/2013 4:05 p.m.

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

Full Names: Michael Lally Email: Phone: Postal AddressA:
Postal City: Tauranga Postal Region: Bay of Plenty Postal
Post Code: Postal Country: New Zealand Submission: I do not want a constitution which
includes the Treaty, we do not need a constitution election every 3 years

Submitted on the 15 June 2013 at 14:10

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 11:45 a.m.

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
 Phone:) Postal AddressA:

That NZ keeps pace with change letting go of policies and practises that take us out of integrity with and undermine the above principles.

Submitted on the 29 July 2013 at 11:43

4033a

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 12:04 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA: ;
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1) Yes I do think the constitution should be a
single document so it can be easily identified and used and has a definite process that involves
consultation before it can be changed.

2) Yes I think all laws must be in line with the constitution for them to be legal. This then makes sure
the values and principles are reflected throughout NZ and in everything we do.

3) Courts - as parliament has a vested interest in the law under question. Courts ideally are unbiased
and have accumulated expertise.

Submitted on the 29 July 2013 at 12:03

4033b

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 12:59 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1) & 2) & 5) I think the bill rights needs to
incorporate and be consistent with te Tiriti o Waitangi and the United Nations declarations on human
rights and rights of specific groups such as indigenous people's, women, children etc

3) As a woman living in a country where women still do not get equal pay across the board - I think
the NZ Bill of Rights Act needs to be incorporated into an NZ constitution making it supreme law. So
that every other law must be consistent with it. This then
makes the whole country consistent, accountable and responsible to all its citizens.

4) The courts - as they stand outside the parliamentary system and ideally are unbiased along with
expertise.

Submitted on the 29 July 2013 at 12:58

4033c

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 1:18 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1) &2) Te Tiriti o Waitangi is integral to a new
constitution must be a formal part of any such document!! It is the basis of our bicultural nation with
principles and values which are an inherent part of our way of life. Without it who are we?

Submitted on the 29 July 2013 at 13:17

4033d

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 1:54 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1)&2)3) I believe a robust process addressing
Maori representation, participation and perspectives within local and national government needs to be
developed by Maori with Maori. This will enable Maori to work out how effective the current system is
at
local and national levels and if a new system needs to be developed at the local and national level
what that needs to be.

Submitted on the 29 July 2013 at 13:53

4033e

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 2:10 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: ; Postal AddressA:
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1) -5) I like MMP I think it is a fairer
representation of what voters want and forces the major parties to work with others.

I like the system the way it is at the moment I think it is fair. I think the electorates should have the same number of people in them.

A member who leaves a party straight after an election has their seat declared vacant and there is a new election.

Submitted on the 29 July 2013 at 14:09

4033f

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 11:45 a.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA: ~
Postal AddressB: Postal City: Auckland Postal Region: North Island Postal Post
Code: Postal Country: New Zealand Submission: 1) My aspirations for NZ in a global
society are that we are world leaders in honouring, living out and in holding ourselves accountable
and responsible to the values and principles set out by the te Tiriti o Waitangi and the United Nations
in its declarations
supporting human rights. Where we honour, care for and celebrate the first peoples of this land and
the rich heritage and continuing legacy they give us while moving thoughtfully and respectfully into the
future for all people and the environment.

That NZ keeps pace with change letting go of policies and practises that take us out of integrity with
and undermine the above principles.

2) A country that recognises and practises fair and just processes based on the above principles.

Submitted on the 29 July 2013 at 11:43

40339

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 29/07/2013 12:04 p.m.

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

Full Names: Elspeth Lamb Organisation Name: Creative Beginnings Email:
Phone: Postal AddressA:
Postal AddressB: Postal City: Auckland Postal Region: Nth Island Postal Post Code:
Postal Country: New Zealand Submission: 1) Yes I do think the constitution should be a
single document so it can be easily identified and used and has a definite process that involves
consultation before it can be changed.

2) Yes I think all laws must be in line with the constitution for them to be legal. This then makes sure
the values and principles are reflected throughout NZ and in everything we do.

3) Courts - as parliament has a vested interest in the law under question. Courts ideally are unbiased
and have accumulated expertise.

Submitted on the 29 July 2013 at 12:03

3921

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 28/07/2013 10:59 a.m.

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

Full Names: Sharon Anne Lambert Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Papamoa Postal
City: TAURANGA Postal Region: Bay of Plenty Postal Post Code: Postal Country:
New Zealand Submission: I want the treaty of Waitangi and the UN Declaration on Indigenous
Rights enshrined in our constitution as fundamental values of our nationhood. From this basis I think
we can strive towards transformation of Aotearoa. I want these fundamental values then
written into all government departments / ministries and their practises so they are "normed" and not
a tack on. I want our education system to be the first department to embrace the constitutional
transformation and so spread the word...

Submitted on the 28 July 2013 at 10:58

5341

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 8:33 p.m.
Attachments: 2013_12_July_ConstitutionReview Submission personal.docx

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

Full Names: Lisa Lamberton Organisation Name: Email
Phone: Postal AddressA: Postal AddressB: Postal City: Hamilton
Postal Region: Waikato Postal Post Code: Postal Country: New Zealand Submission:
Submission Upload: 2013_12_July_Constitution Review Submission personal.docx

Submitted on the 30 July 2013 at 20:32

Hamilton

30 July 2013

Independent submission to the Constitutional Advisory Panel

I would like to make a submission on the following topics:

- New Zealand's constitution
- The Bill of Rights Act
- The Treaty of Waitangi
- Maori representation
- Electoral matters

1. Participation

The Constitutional Advisory Panel (CAP) has commented that "Public understanding and participation is needed for enduring constitutional arrangements that reflect the values and aspirations of New Zealanders" (2012).

I agree wholeheartedly with the above statement. The first point of my submission is to question whether there has been sufficient wide-ranging and representative public participation in this review. I also question whether the people who have presented submissions have had access to useful resources with which to guide their opinions. The Constitution Conversation website advises members of the public on how to make a

submission, however, it has not stimulated any noticeable public discourse around the varying submission topics. In Radio New Zealand's recent series of constitutional review debates, notable speakers such as Veronica Tawhai and Sir Geoffrey Palmer have commented that the public have limited knowledge on the submission topics.

2. Engagement

There seems to be a clear lack of public engagement. Either people are not connecting to the topics, or they are overwhelmed by the volume of information they have to sift through to educate themselves. For the purpose of writing this submission, I have spent many hours researching the topics under consideration, and have come to the same conclusion about each one. There is an abundance of information available, however, most of this information is competing and/or conflicting.

One example is the argument presented by the New Zealand Centre for Policy Research (NZCPR). The NZCPR have dedicated a website – www.constitutionalreview.org – to their argument, and they are determined to achieve wide support for their opinions. The NZCPR are largely critical of the CAP, stating that they are “biased”, and that they promote “a consultation process that locks out non-Maori”. They state that the constitutional review is “a major threat to New Zealand's democracy”. Some members of the NZCPR appear to be exceptionally discriminatory. For example, on 18 January 2013, David Round's opinion piece in the New Zealand Herald – *“Treaty ‘rights’ a trap in constitution plan”* – fell very far short of the kind of constitutional conversation we should be having.

Round's criticism was not in any way constructive, and it is unfortunate that he chose to express his ideas in such an attacking manner. Personally, I do not believe groups like the NZCPR can accurately represent the feelings of the public majority. However, the NZCPR are strong in engaging the public, which is the area where the CAP has fallen short.

3. Information

Radio New Zealand has held a series of interesting and informative debates about the constitution review. Unfortunately, I am the only person I know who has listened to them. Many of my friends and colleagues are quite well-informed people. Some are local or central government employees, while others are highly involved in social rights movements. Most of

these people have not made a submission on the constitution review because they have not actually heard of the constitution conversation or the CAP. This is not an issue that limits itself to any particular class, culture, or demographic. Of those I know who are aware of the review, all have commented (as previously stated in Point 2) that the volume of information is overwhelming.

Another frequent comment has been that there are too many topics to choose to submit on. How does one choose which topic is of greater importance, when each topic is significantly important? I have been unable to make this choice myself, hence why my submission reflects upon the need for the CAP to deliver a more comprehensive educational programme, to increase and improve public participation in the review.

Additionally, I do not believe that youth voters have been engaged in this process whatsoever. The review process has been unfavourable for mature voters, and if anything, it has been ignored by youth voters. It is imperative that the CAP engages youth voters with the 'big questions' being posed. It is after all, *their* future that we are deliberating.

4. Recommendations

Firstly, despite the submission closure date drawing near, I believe that New Zealand's constitution conversation has barely begun. The CAP still needs to engage with the wider New Zealand public. One method is via television, as most people in have at least one TV in their home. TV *advertisements* for the constitution conversation will only attract a certain number of submitters, so perhaps there needs to be a scheduled TV programme that is dedicated to reporting on constitution conversation topics. The programme could invite guest speakers to discuss a different constitution topic each week, and could host a live studio audience to ask questions. The involvement of high profile New Zealanders and politicians would help to attract a broader viewership. The idea would be to take a light-hearted approach to discussing serious issues, as a way of connecting with more people.

Secondly, the CAP has asked for opinions on many important topics, but we – the New Zealand public – do not have enough information or topic-specific education to give the CAP an informed answer... yet. If we had better educational forums that were easily accessible,

then we might have a better chance of giving a well-informed response to the 'big questions' you have posed.

Thank you for considering my submission. I invite the opportunity to discuss any elements of my submission in person, and I will look forward to reading the CAP draft report after this review ends.

Yours sincerely,

Lisa Lamberton

In addition to the Amnesty blurb, I'd like to say the following:

Instead of resisting learning, we should all embrace our three languages and make efforts to become at least a bi-lingual nation, in English and Maori. Whether or not Maori is 'economically useful', there can be no argument that learning another language expands our understanding as humans, and knowing more than one makes it easier to learn others in the future.

I am seriously dubious that that recent governments are able to dismiss our rights as citizens via 'deals' (such as the sky-city deal, which at best is murky, but comes close to corruption) and the extremely rushed and unpopular GCSB bill: both of which really only serve big business at the expense of NZers.

The economic system - perpetual growth - which is proven to logically impossible to sustain has only served to increase the rich/poor gap. Unequal societies are unhappy societies, as no one likes to be poor but also the well-off don't like to be around the poor.

The century of the self is outdated.

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.

Matthew Lambourn
Wellington
New Zealand

1368

From: Lilian Lammas
To: <constitutionalreview@justice.govt.nz>
Date: 17/06/2013 7:35 a.m.
Subject: SUBMISSION

New Zealand does not need a written constitution and we (being Lilian Lorraine Lammas and Lennard James Lammas of Papamoa) strongly oppose any legislation or reference to the Treaty of Waitangi should one be drafted now or in the future.

3835

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 24/07/2013 6:47 p.m.

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

Full Names: Kimberly Lamond Organisation Name: Email: {
Phone: Postal AddressA: Postal AddressB: Postal City:

christchurch Postal Region: Postal Post Code: Postal Country: New Zealand

Submission: I believe that new Zealand should be focusing on the young people in our country. We get bored easily and therefor are more likely to commit petty crimes which Lead down a path of high offence crimes. This is caused by the way the child is raised because there parents don't earn much they become angry and lash out on there children. To fix our poverty rate would fix our crime rate.

Submitted on the 24 July 2013 at 18:46

1028

From: <
To: <constitutionalreview@justice.govt.nz>
Date: 4/06/2013 11:39 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Archibald Gordon Lamont Organisation Name: nil Email: :
Phone: Postal AddressA: Postal AddressB: Postal
City: Postal Region: Auckland Postal Post Code: Postal Country: New
Zealand Submission: I believe that for the future success and stability of New Zealand it is
essential that the principle of one person, one vote and everyone being equal in all aspects is adhered
to. As the make-up of the population shifts - Pakeha decreases and Asian/PI
increase - inequable treatment of any ethnic group will cause disharmony. There are no indiginous
people in this land with Maori being only slightly less "Johnny-come-lately" than many
others. Wrongs that were done should be corrected but no ongoing bias should
be given to any one group for any reason.

Sent on the 4 June 2013 at 11:38

813

From: "Lindsay and
To: <constitutionalreview@justice.govt.nz>
Date: 10/05/2013 8:22 p.m.
Subject: Submission to Constitutional Advisory Panel

My submission regarding the New Zealand Constitutional Review is 'I want no change to New Zealand's unwritten constitution'. It has served us well since the 1852 New Zealand Constitutional Act was passed. It is, in my opinion, particularly important that it be a constitution based on equality for all 'One People One Nation' and not RACE related .

Thank you

Lindsay William Lamont

Tauranga

4146

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 10:02 a.m.

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

Full Names: dianne alice landy Organisation Name: Email: Phone: Postal AddressA: Postal AddressB: Postal City: kapiti Postal Region: Postal Post Code: Postal Country: New Zealand Submission: I read this is to assist with checks and balances for the government. what a joke this govt does what it wants ignoring the treaty of waitangi as well as the peoples voice. housing is no longer affordable to average new Zealanders would seem you need to be an offshore investor or just rich to purchase property. why are Arab women allowed to wear burka in public. yet if I was in an Arab country I would be forced to wear a burka. sick of this govt forcing us into poverty and lower standard of living. govt lines own pocket. blue collar crime a bloody joke in this country. slap on wrist. whAt checks and balances? I do not believe we are in a democracy. this govt sucks. of course it should have higher powers to actually hold this govt to task and supply the checks nd balance to don o key and his back slapping cronies.

could be one or ten documents. government won't listen or adhere to it.

Will this stop the double standards for rich and poor.

Will this hold any weight at all

Will just sit on some shelf gathering dust.

Submitted on the 30 July 2013 at 10:00

2613

From: Murray Lane <
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...
Date: 4/07/2013 8:08 p.m.
Subject: Maori seats

To: The constitutional Review committee:

The time for Maori seats in parliament is well and truly over. They should be abolished. All New Zealanders should be treated equally, as NZ citizens, NOT of a particular race, with special rules applying.

If the Maori seats are retained, then there needs to be allocations for "asian" seats, and "pacific island" seats, and "european" seats etc... do you see how silly it will become. NZ will become a racially divided nation.

ABOLISH THE MAORI SEATS.

Murray Lane
Cambridge

3833

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 24/07/2013 6:16 p.m.
Attachments: CONSTITUTION 2013.docx

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

Full Names:	Robin Humphrey Lane & Jeanette Winifred Brunton	Organisation Name:	Email:
	Phone:	Postal AddressA:	Postal
AddressB:	Postal City: Wellington	Postal Region:	Postal Post Code.
Postal Country: New Zealand	Submission:	Submission Upload:	CONSTITUTION 2013.docx

Submitted on the 24 July 2013 at 18:15

Aspirations for Aotearoa NZ

A nation where: indigenous rights are respected by all; tolerance, compassion and fairness are valued, migrants are welcomed for the contribution they make; the gap between the rich and the poor narrows rather than widens; all children have the start in life they need to grow up healthy, capable citizens; all of us value our democratic rights and accept our ensuing responsibilities to enable citizens to be healthy, educated, compassionate contributors to Aotearoa NZ

New Zealand's constitution

Should it be written in a single document?

Yes, if there was scope for changing parts of it to meet changing circumstances.

Why? It would be helpful to governments like the current one. It seems that, in recent events and decisions made, they are unaware of aspects of it. If the constitution was in one document, public servants and advisers would find it easier to point out such illegalities to the executive.

Supreme law?

Yes. Why? The Bill of Rights has been over-ridden recently eg payment to family carers of adult disabled children. If Bill of Rights was part of constitution, this would not happen.

Decision on consistency of legislation and constitution

A difficult one. I'd prefer the Courts, but they are not our elected representatives. We have a parliamentary democracy, so once in power, a government has the power to do what it wants. Eg changing the GCSB legislation to make it do what the executive want it to do, once it was made public that our law enforcement agencies were acting illegally according to the former law. On the whole, I'd accept Court ruling, but am aware that judges can be prejudiced and it's not usual to fire them!

Bill of rights

Bill of Rights should be part of the constitution which has supreme law status. Courts should decide consistency.

Treaty of Waitangi

The three basic statements should be some part of formal constitution. Would prefer the indigenous version of 'governance' ('kawanatanga') to 'sovereignty'.

Māori representation

Representation of Māori views. Current arrangement, so long as Māori want it.

Local government. perhaps a statutory board as in Auckland. A requirement to consult anyway.

Might be difficult to set up direct representation by Māori – would need to be elected by a special Māori roll of voters.

Electoral matters

Length of term. While we have a unicameral system, 3 years is long enough before calling the government and opposition parties to account.

MPs leaving their party. if in electorate seat, should stay, as people did vote for person. List MPs should have to leave Parliament. They have no mandate from electorate.

2076.

From: "Tony Lane" <
To: <constitutionalreview@justice.govt.nz>
Date: 3/07/2013 7:06 a.m.
Subject: CAP Submission

Re Maori seats,

I believe that these seats are an anomaly imposed upon the voter from previous well-meaning but misguided political groups.

It is time that the Maori faced up to the fact that we are all New Zealanders.

If a Maori wishes to get into parliament he/she, currently, has two avenues A Maori seat or a general seat. This is unconstitutional as it gives the Maori an unfair advantage.

The Maori people do not need special treatment any more they just need to get over their foreseen grievances and become part of New Zealand.

W. A. (Tony) Lane.

2968

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 10/07/2013 11:08 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names:	Daniel Ryan Lang	Organisation Name:		Email:	
Phone:		Postal AddressA:		Postal AddressB:	
	Postal Region:		Postal Post Code		Postal City:
Zealand	Submission:	Our constitution should be written in one single document, compiled of historical bills and treaties and amendments pertaining to those bills and agreements. The introduction of a single document to serve as our constitution will ensure that legal decisions are made consistently in cases that deal with issues relating to the our current collective bills and agreements, such as treaty claims. The introduction of a single document to serve as our constitution will allow every New Zealander to understand our fundamental law more easily, which one can argue is a prerequisite to the smooth operation and development of a forthright and politically honest nation.			

As our founding document, and comprised of our current bills and understandings, the New Zealand constitution should have the highest legal status possible. This will safeguard it and ensure that it will not be able to be overturned by any government. Attempts to amend it in any way should have to go through the Supreme Court to give the country's founding document the high level of care and consideration that it deserves.

The courts should have the power to determine whether legislation is consistent with the constitution. This is because it will provide a necessary check and balance, as much as Royal Assent does, in which the Governor General provides consent for legislation to pass through into law on behalf of the Monarch. I believe that courts having the power to decide whether legislation is consistent with the constitution is standard practice in most countries.

Sent on the 10 July 2013 at 11:08

1376

From: Philip Langley
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...
Date: 17/06/2013 7:35 a.m.
Subject: Submission on Costitution

As a resident of New Zealand I consider there should be one rule for all, one vote per person and equal rights and responsibilities. The current direction that the constitutional review is going is not representative of these ideals. I strongly oppose legislation that embodies or references the Treaty of Waitangi. There is so much interpretation of the meaning of the Treaty that it is not a valid document to use in legislation. Let any constitutional documents embody the ideal that all New Zealanders are equal and subject to one governance with equal rights and responsibilities.

Kind Regards

Phil Langley

Paengaroa,

1454

From: ..
To: <constitutionalreview@justice.govt.nz>
Date: 19/06/2013 6:40 a.m.
Subject: Treaty of Waitangi

I strongly oppose any legislation or reference to the Treaty of Waitangi in a constitution, should one be drafted now or in the future.

The reason being that this small country cannot continue to afford the amounts of money in settlements, which should be used instead in Health and Education for everyone.

D.Langlois

1139

From:
To: <constitutionalreview@justice.govt.nz>
Date: 6/06/2013 7:42 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission
Attachments: Support the Treaty- submission- Dora Langsbury.doc

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

Full Names: Dora Roimata Langsbury Organisation Name: Email:
Phone: Postal AddressA: Postal
AddressB: Postal City: Christchurch Postal Region: Postal Post Code:
Postal Country: New Zealand Submission: Constitution Conversation – Submission – Dora
Roimata Langsbury

What are your aspirations for Aotearoa New Zealand?

- That there are just and honourable relationships based on the Treaty of Waitangi.
- That we engage in a longer, more in-depth conversation in order to develop a values based, Treaty based constitution.
- That Tangata Tiriti and Tangata Whenua work together in co-governance and co-management.

How do you want our country to be run in the future?

- In a way which reflects te Tiriti o Waitangi.
- That the Governor General be Tangata Whenua, representing a rangatira to rangatira relationship with the Queen. Thus acknowledging the sovereignty of Tangata Whenua in the Declaration of Independence. During the period from the date of the election until a new government is sworn in, the Governor General will be the defacto government.
- That Iwi Authorities assume the responsibilities of Regional Authorities, which will allow Iwi to fulfill their kaitiaki responsibilities of Article 2 of Te Tiriti.
- That Local Authorities establish Maori Wards, using the Maori electorates.

Thinking of the future, what role do you think the Treaty of Waitangi could have in our constitution?

- He Wakaputanga and Te Tiriti are the founding documents of our country. They need to be the umbrella for our constitution.
- Te Tiriti o Waitangi provided the framework for an ongoing relationship between Maori and others who came to settle here. Any future constitution needs to develop from the starting point of this document.
- He Wakaputanga (the Declaration of Independence) and te Tiriti o Waitangi provide the fundamentals for governing in this country. Any further constitution needs to develop from the starting point of these two covenants.

Do you think the Treaty should be made a part of our constitution? Why?

- The entire process for determining our constitution needs to be based on the Treaty—rather than trying to fit the Treaty into an existing constitutional framework.
- As Tangata Whenua I understand that te Tiriti o Waitangi provided for the establishment of a government which allowed your people to come here. It's important to our status as Tangata Whenua that this document is the basis for our constitution.

- The Treaty of Waitangi benefits all New Zealanders and enriches us as a country, therefore it should be central to the constitution.
- The Treaty is the foundation document of our nation, therefore the constitution needs to reflect this.
- The Treaty provides a basis for honourable and just relationships between Maori and all other New Zealanders.
- I belong to an NGO organization and a Political Party that both have a Treaty commitment. We believe that governance is about partnership.
- We as a country have made a Statement of Support to the Declaration on the Rights of Indigenous Peoples. If we are going to live up to the commitment it is essential that we honour the Treaty relationship.

How should Maori views be represented in Parliament?

- Maori electorates should be entrenched.
- Maori electorates should be proportional to the total Maori population.
- By Maori electorates that are aligned to iwi/hapu boundaries.
- Maori should be able to choose their electorate by their iwi/hapu affiliation.
- Maori voters have an expectation that the candidates in their electorate whakapapa to the iwi/hapu of that rohe. When asked, these Maori voters would also like the option to be able to vote for the Maori MP who would represent their iwi/hapu electorate.

How can Maori electoral participation be improved?

- By electing Maori MP's who are not censored by the party political process. If Maori electorates are set up along iwi/hapu lines, this opens up the possibility for Independent candidates to stand in these seats, who are supported by their iwi/hapu. Maori voters have great expectations of their electorate MP's and actively utilize their MMP right to split their vote.
- No more Maori electoral option. Automatically enroll all Maori at birth. Maori then have the option to opt off once they reach the voting age. This will ensure that the proportion of Maori electorates accurately reflects that actual number of Maori in the total population and not just the Maori electoral population.
- Maori should be able to opt off and on the Maori roll at any time they update their electoral status, not just every 5 years after a census.
- By ensuring that all New Zealanders receive Civics education and Treaty education, starting at primary school and continuing through out their lives. That this education is not only provided through schools but also by other Maori organisations such as Maori Women's Welfare League, the Wananga's and NGO's.

How should Maori views and perspectives be represented in local government?

- That Regional Authorities be operated by iwi along iwi boundaries. This will stream line the kaitiaki responsibility of both Regional Authorities and Iwi thus de-politicising their role.

- That Local Authorities have Maori Wards, Maori Advisory Panels and a Kahui Kaumatua. The councilors from the Maori Wards are elected from the Maori Electoral role. The Maori Advisory Panels and Kahui are appointed by the local iwi/hapu.

- The existence of these 4 representative groups will ensure partnership, co-governance and co-management of our shared resources in a culturally safe and sustainable way.

How many members of Parliament should we have?

- Proportionate to the current electorate size. No maximum.

How long should the term of Parliament be?

- 4 years.

How should the election date be decided?

- At least, but no longer than every 4 years.

What factors should be taken into account when the size and number of electorates are decided?

- Actual population size of both Maori and non-Maori.

What should happen if a Member of Parliament parts ways with the party from which he or she is elected?

- If the MP is an Electorate MP they can remain as they have the mandate of their electorate. If they are a list MP they must resign from Parliament and be replaced by the next person on their list.

Submission Upload: Support the Treaty- submission - Dora Langsbury.doc

Sent on the 6 June 2013 at 19:41

Constitution Conversation – Submission – Dora Roimata Langsbury

What are your aspirations for Aotearoa New Zealand?

- That there are just and honourable relationships based on the Treaty of Waitangi.
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How do you want our country to be run in the future?

- In a way which reflects te Tiriti o Waitangi.
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- The Treaty of Waitangi benefits all New Zealanders and enriches us as a country, therefore it should be central to the constitution.
- The Treaty is the foundation document of our nation, therefore the constitution needs to reflect this.
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- We as a country have made a Statement of Support to the Declaration on the Rights of Indigenous Peoples. If we are going to live up to the commitment it is essential that we honour the Treaty relationship.

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- If the MP is an Electorate MP they can remain as they have the mandate of their electorate. If they are a list MP they must resign from Parliament and be replaced by the next person on their list.

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.

Jack Langstone
Auckland
New Zealand

2586

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 4:08 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Stephen Langton Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB: Postal City:
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand Submission:
In regards to the Constitution I would endorse the inclusion of a constitutional provision for the
protection of nature and the environment. Such provision would include the human right of a clean
and healthy living/working environment and to solidify
protective rights of National parks and endemic fauna and flora in New Zealand. As this is an
important issue to me and I feel it also important to many other New Zealanders it should be included
within the new constitutional framework.

Sent on the 4 July 2013 at 16:07

168

From:
To: <constitutionaireview@justice.govt.nz>
Date: 9/04/2013 9:43 p.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: David Lapwood 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
Has No place in present day....and future New Zealand.

Our citizens have now have become so integrated (mixed blood of Maori, English, and of many other nations alike) that Now we...the citizens of New Zealand deserve to be treated as one people.

The Treaty of Waitangi was scribed to serve two diverse groups of people in a time buried deep in our past, Now....all it serves is to encourage separatism and to clearly favour a minority group who hold a clear agenda towards financial gain.

Sent on the 9 April 2013 at 21:42

2938

From: Sally Lark <
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>
Date: 9/07/2013 11:14 a.m.
Subject: my submission for the constitutional review

I would like to submit my comments for the constitutional review.

I believe that to live in NZ in the current day everyone has to be treated equally whatever their ancestral background and how long they have been here. This includes new immigrants, refugees, asylum seekers, as well as people born in NZ.

There should be absolutely no bias based on length of time in the country, culture, religion, colour, sex, size, age, or how affluent you are. Therefore the Treaty of Waitangi has NO place in a constitution for New Zealanders. It is inconceivable that one section of the population would have special consideration above all others. When laws are passed, the justice system, and political decisions need to be for all the NZ population and cannot be made based on race, religion or any other basis.

If New Zealand is to have its own constitution then the cornerstone must be equality for all, not equality for 85% and special consideration for 15%. Not only is NZ a democracy it is a meritocracy society, which should be reflected in the passing and interpretation of our laws which are influenced by what will be our constitution.

I would like to see an end to a separatist Maori election roll, and guaranteed Maori seats. In my opinion they propagate the racial argument and if they are to continue then proportionally there should be guaranteed parliamentary seats for Asian, Pasifika, Arab, Indian, European and any other culture I have inadvertently omitted.

New Zealand needs a constitution for a multicultural society in 2013 going forward and a binding set of values that will stand for generations to come. A Constitution based on bias and discrimination will be taking a giant leap backwards in creating an equal and harmonious society.

An example to examine is the American constitution, whereby the European descent, African American nor American Indian are given special privileges within their constitution, yet they arrived at different times in history and had different initial experiences when they first lived there. As a nation they looked forward not backwards and progressed to create an equal society.

Sally Lark

2938a

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 24/07/2013 12:38 p.m.
Subject: [RELEASED FROM QUARANTINE] [SUSPECT SPAM]

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

Full Names: Sally Lark Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City: Wellington Postal Region: Postal Post
Code: Postal Country: New Zealand Submission: 1.What are your aspirations for Aotearoa
New Zealand?

Above all else my aspiration would be for equality for all.

Everyone to be treated equally, and that there is no discrimination or persecution of any population sector. It greatly upsets me that my neice came home in tears from school because she was denied the opportunities and access open only to Maori students.

I believe in personal freedom, choice, and responsibility. I would like to see these values upheld in a constitution rather than discrimination based on culture, colour, religion, sex, age, or ancestry.

2.How do you want our country to be run in the future?

A freely and fully elected government in line with the true principles of democracy, with no special privledges or parlimentary seats for one sector of the population.

Submitted on the 24 July 2013 at 08:52

2938b

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 24/07/2013 12:39 p.m.
Subject: [RELEASED FROM QUARANTINE] [SUSPECT SPAM]

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

Full Names: Sally Lark Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City: Wellington Postal Region: Postal Post
Code: Postal Country: New Zealand Submission: Maori views in parliment should be heard in
the same way as everyone elses, through their region's MP. Why should one portion of the population
be heard above others? For NZ to move forward it needs to treat all citizens equal.

I don't think the problem of a lack of engagement for electoral participation is just a problem within the
Maori population. There is a general disinterest within the wider population for electoral participation.
Advertising campaigns based on party issues around
election time would help everyone to decide who they support and want as the majority party. Why
would you only want to target 15% of the population to vote?

Maori views and perspectives should be heard in local government in the same way as everyone else.
I refer to my earlier question of; why should one portion of the population have thier views and
perspectives heard above all others? Are we not equal in the
eyes of the lord and law?

Submitted on the 24 July 2013 at 08:41

3956

From: John LaRocco ·
To: <constitutionalreview@justice.govt.nz>
Date: 28/07/2013 3:51 p.m.
Subject: CAP submission
Attachments: constitutionalreview.docx

My constitutional suggestions

NZ Constitutional Suggestions

Central to Commonwealth (as well as American) law for almost eight centuries was the concept of intrinsic rights. As John Locke wrote, the social contract between a government and citizens is embodied in the rights and legal protections it provides. New Zealand had a Bill of Rights without a constitution, and as such, I believe that a Bill of Rights is the cornerstone upon which any constitutional legitimacy rests.

Current events have highlighted my own interest in the New Zealand Bill of Rights Act 1990. I was born and raised in the United States, but came to New Zealand to continue my studies in engineering. Before traveling to a new country, I read about the New Zealand political and legal systems. I believe that political systems, like mechanical or electronic systems, should include multiple failsafes. In machines, these protect against malfunction. In politics, they protect against abuse of power.

One right that I believe should be added to the New Zealand Bill of Rights, and constitutionally protected, is the right of citizens to engage in sousveillance. "Surveillance" programs constitute Orwellian observations from above, but "sousveillance" constitutes observations from below. If the image of surveillance are omnipresent cameras, the image of sousveillance are citizens looking back from smart phones and personal cameras. Criticism is a powerful corrective response to human error. I believe that citizens should be able to observe police officers (and other uniformed public workers) in open spaces. In addition, police officers may be issued head or helmet-mounted cameras to record their behavior while on the job. Constitutional protection of sousveillance would allow citizen journalism to flourish, and simultaneously allow law enforcement the capacity to defend themselves from slander.

The New Zealand Parliamentary system has worked well for decades, but I would suggest a few minor tweaks. Any adult New Zealand citizen could propose a law for consideration by Parliament, and if it fails to pass, Parliament may propose an alternative or compromise. This feature has existed under the Swiss system, and I believe allows for a real-time conversation between citizen and lawmaker. Integrating the legislature with online access would allow New Zealand to shed costly bureaucracy while simultaneously becoming more accessible.

In addition, a degree of flexibility should be kept for future changes and updates. I believe that the Internet will continue to reshape society, and the Millennial generation will use this as current leaders retire. Online voting, participatory budgeting, and other things may reshape the politics in years to come. New Zealand has a history of pragmatic legal compromise, especially amongst the Anglosphere. I believe that your great country has the civil society and respect for rights conducive to successful innovation. I wish you luck on your Constitution.

-Regards,

John LaRocco

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.

Amie Larouche
Christchurch
New Zealand

2470

From: Bill Larsen <
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 9:25 a.m.
Subject: CAP Submission

For the sake of racial harmony in this country the Maori seats MUST be abolished. They have for decades, especially since MMP, been wooed and promised all kinds of things to support either Labour or National in their greed to govern. Lange was the worst, promising to allow Treaty claims to go right back to 1840 costing tax paying New Zealanders billions in this never-ending cycle of so-called Treaty compensation for supposed wrongdoings in the past. Imagine the US government giving Manhattan back to the Iroquois or whoever briefly resided there in the past.

My ancestors were stripped of their land during the Norman conquest - do you think the British Government would honour a claim by me? No way.

Maori have many educated people who have political aspirations - they are as well- equipped as anyone else to stand in and win a general seat .

Abolishing these seats would be greatest thing we could do to ensure a country with one law for all and the rest would fall into place ie removal of all Treaty and principles thereof references in legislation.

I could go on - we need a country with ONE LAW FOR ALL - The same law for all our ethnic peoples be they European, Polynesian, Chinese, Maori, Indian, Cambodian or whatever.

4195

From: p and mf latimer
To: <constitutionalreview@justice.govt.nz>
Date: 30/07/2013 2:36 p.m.
Subject: Re constitutional review

We oppose strongly any change to our constitution unless a referendum of the people shows at least 70% want it to be fully discussed publicly and then decided upon. There is no mandate

to review it now.
How dare the Govt go ahead, playing patsy, with our money in order to keep in bed with the Maori lot! The expense for this political conniving should be met by The National and Maori parties

and their findings on the matter be given to the Hen and Chickens press to distribute amongst the lighthouse family.

4553²

From:
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>
Date: 1/08/2013 1:09 p.m.
Subject: Re: "CAP submission" Sir Graham and Lady Emily Latimer
Attachments: Sir Graham and Lady Emily Latimer CAP Submission July 2013.doc

Arohamai please see attached submission.

From:
To: "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>
Sent: Thursday, 1 August 2013 1:06 PM
Subject: "CAP submission" Sir Graham and Lady Emily Latimer

Tena Koe

I have omitted to forward a submission on behalf of Sir Graham and Lady Emily Latimer late last night.

I have attached the submission, and have forwarded a signed original by post.

I hope that this submission will be able to be accepted by the Constitutional review panel.

Nga Mihi, na

Sir Graham and Emily Latimer

“A CONSTITUTIONAL CONVERSATION”

Submission of Sir Graham and Lady Emily Latimer

Dated this 31st day of July 2013

1. The central thought of this personal submission is that the Te Tiriti o Waitangi/Treaty of Waitangi is the only meaningful legal written constitutional document, which stands between all citizens, and central Government /State.
2. The partial privatisation of a public commons asset (ie the 49% sale of Mighty River Power) and the proposed sale of State Owned Enterprises Meridian, Genesis Power companies is on a scale the submitters have not witnessed since the New Zealand Maori Council v Minister of State Owned Enterprises Maori lands and waters case, New Zealand Court of Appeal hearings of 4-8 May 1987¹.
3. The submitters personally sat through the Court of Appeal hearings in 1987, and in our submission remember the work of our solicitor the late Martin Dawson in achieving that victory against greed. It is our personal view that present Governance for apparent short-term profit has lead this nation , its citizens, to the poverty of spirit, body , and poverty of mind that we see in our communities ; and which we see in all the negative statistics that citizens Maori are the lead numbers of, for example wahine Maori cigarette smoking illness.
4. We have had, and still have thanks to our faith, some belief that the ethics of *democracy* meant that social justice, social equality of citizenship gave some hope. ,*inter alia*, that a young male Maori had hope; in the land of milk, mutton and much-ness.
5. The reality was, and is since 1984 that the few have got wealthier, and many have got poorer; but mostly many had lost hope; and young male Maori suicide are amongst the highest in this world .
6. This personal submission has been prompted by State inviting the audience to participate in a “constitutional conversation”. The idea and societal discussion as a public conversation, it would be fair to say been

¹ [1987] 1 NZLR

occurring in the last 25 years with such events as the White paper on the Bill of Rights 1986-1988, the 1989 Royal Commission on Social Policy lead by Sir Ivor Richardson, the publication of books such as *Unbridled Power*, by Sir G Palmer, the call by then National Party Prime Minister Jim Bolger in early 1990s for consideration of Republic. Indeed, we have memories of such a public conversation occurring within New Zealand Maori Council circles since 1963. After fifty years we submit our personal views to this conversation knowing that though we may pass on soon this conversation will not die.

7. What we perceive in the current constitutional conversation, and its construction out of a Maori Party, National Party MMP governance “deal” is though with all respect, a one way conversation which is with all respect to its participants, designed to preserve the current political power status with all its attendant goods and evils.
8. So that this submission is being clearly read and understood let us be clear the current political power is in public law, that Parliament is sovereign. The majority elected representatives in Parliament exercise sovereign power on our behalf. The judiciary will when called upon by a litigant party use such public legal actions as judicial review to question political policy².
9. The press/media will use their publication to question political power, but the submitters wish to make it clear in their view the public understand that what Cabinet wants Cabinet gets, so this country is ruled on a day to day basis by 29 people sitting around a round table.
10. Given the essential truth we see in nature of that saying... “*power corrupts, absolute power corrupts absolutely*”, and given these submitters recent participation³ as litigant parties, in High Court and Supreme Court in the New Zealand Maori Council proceedings against that Cabinet power partial SOE selloff policy it is our belief that this constitutional conversation is to be polite a “fob off”,... designed to keep the status quo.
11. Fears of citizen pakeha as to “Maori special rights”, fears of citizen Maori as to entrenched pakeha suppression of Maori peoples involvement as Maori; will all be pandered too, inflamed and extinguished as those in power entrench themselves. As an example, of why we urge caution, and please focus on the messages not the messengers outward appearances, during the You Tube clip attached to the website ones sees

² See and read [2010] New Zealand Law Review paper, entitled “Administrative Law” by Hanna Wilberg.

³ See and read recent Supreme court sitting SC 98 / 2012 NZMC & Anor v A-G & Ors [judgment 14 February 2013]. The submitters urges the Panel to google and read the SC judgment and read therein paragraph 5, that the fight for court enforcement against Cabinet dictatorship is far from over

the presenters in front of the “Treaty of Waitangi” that sits on a wall in the Te Papa National Museum. Please **note there is no preamble** published on that huge wall –sized “Treaty”. That alone, has always been of major concern to us, and we use this submission to urge Professor Burrows a co-chair of this “**constitutional committee**”; and whom we professionally acknowledge as a written law albeit mostly academic expert, to look into that and ask himself why is that. A Preamble in any statute may be used by Courts in statutory interpretation work by Courts’ applying rule of law. We would also comment we found the words of Sir T O’Regan interestingly on the nail, **ie the constitutional conversation is about how we relate to each other...** We say this despite our public differences where we have viewed ⁴ Sir Tipene as the architect of tribal corporatism, via his early role as Chairman of Maori Fisheries Commission 1989-1996.

12. It is timely for all citizens to consider the need for a written supreme law based, amongst other key rule of law principles⁵, on the Treaty of Waitangi⁶; and to which the conduct of our temporary lawmakers can be made accountable
13. What the submitters propose is that the Treaty of Waitangi, in both languages be adopted in a New Zealand’s supreme law, like the written constitution of United States of America, [with its Preamble, seven Articles, and 26 Amendments; agreed “amendments”] which reflect the updated accumulated wisdom of all human societies. The submitters refer the Panel to the text “*The Treaty of Waitangi in New Zealand’s Law and Constitution*”⁷ where that author concludes that the Treaty should be put into law, and that responsibility for resolving differences between Crown and Maori should be given to a treaty court made up of High Court judges and members of Waitangi Tribunal. Such is our faith in the independence, and intelligence of our judiciary we submit every law Court in the land be empowered to apply a treaty based constitution.
14. We submit that responsibility for resolving differences lies not just as between Crown and Maori, but as between non-Maori and Crown, as between non-Maori and Maori; Maori and Maori; thus meaning constitutional resolution lies with each and every citizen, having a constitutional right and ability to access the Treaty’s jurisdiction.

⁴ Sir G Latimer as Deputy Chair TOKM gave Affidavit for the Plaintiff in the 1992-2000 High Court to Privy Council litigation *Te Waka Hi Ika o Te Arawa v Te Ohu Kaimoana* [2000] NZLR

⁵ See for example legitimate expectation discussed in H Wilberg article

⁶ See for example, the published opinion of public law expert, Dr MSR Palmer (Barrister) extract from his text in particular last paragraph at p153 where he opines ... “*The primary conclusion I draw in this chapter is that the legal status of the Treaty of Waitangi in New Zealand is incoherent and its legal force inconsistent*”

⁷ “The Treaty of Waitangi in New Zealand’s Law and Constitution”, by M S R Palmer, (2008), V.U.P, see pp 102-104

15. So it was in December 2011 there was filed to the Waitangi Tribunal a contemporary treaty claim, signed off by Sir G Latimer that asks the Tribunal to examine and see if it is a treaty breach that section 10 of the Treaty of Waitangi Act 1975 which provides that only a Maori, or any group of Maori can make claim to that Tribunal; and if so recommend that each citizen has a right to make application to the Tribunal for Treaty compliant ruling as regards present or future Crown conduct. The short point is that access to Treaty jurisdiction ought with the treaty adopted as a supreme law be available in any Court in this land. The Tribunal has just this last month refused to register this claim stating it is inappropriate for it to inquire into its own enabling legislation, which frankly if we had the time, energy and money (which we do not, even with offer of pro bono counsel) we would seek High Court judicial review of.

16. With the central government removal of Environment Canterbury ["ECAN"], ie the Canterbury regional council **in breach of best rule of law practice**. It is worth repeating here that then the New Zealand Law Society in an open letter of 28 September 2010 to Attorney-General (on behalf of all lawyers) stated its concerns with how government had in regards ECAN **flouted** rule of law. "Flouted" is in plain lay-person speak "breaking the law". The submitters note the announcement of Government on Friday, 7 September 2012 on TV One News that the government-appointed ECAN replacement Board of Commissioners have just had their powers extended through to 2016. This continuation of removal of regional council democracy decision-making is it is submitted the death knell of an "open democratic society". Yet the NZLS with its statutory function to protect rule of law does not seek declaratory judgment, ie litigate against unbridled power; and seemingly thereby condones such conduct, confining themselves to writing "letters".

17. What we propose as a written New Zealand Constitution would read by way of Preamble something like this

We the people of Aotearoa New Zealand

Recognise the injustices of our past;

Honour those who suffered for justice and freedom in our land;

Respect those who have worked to build and develop our country;

Believe that Aotearoa New Zealand belongs to all who live in it, united in our diversity

We therefore, through our freely elected representatives, adopt this

constitution as the supreme law of this Nation State so as to:

- *Heal the divisions of the past and establish a society based on democratic values, social justice⁸ and fundamental human rights;*
- *Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;*
- *Improve the quality of life of all citizens, and free the potential of each person;*
- *Build a united and democratic Aotearoa New Zealand able to take its place as a sovereign state in the family of nations⁹.*

This Preamble would be followed by the ARTICLES of an Aotearoa New Zealand constitution which would adopt in order of priority the following Articles:-

- [1] THE TREATY OF WAITANGI in both its languages, AS THE FIRST AND PRIMARY ARTICLE;*
- [2] Clause 29 Magna Carta 1215¹⁰;*
- [3] The Constitution Act 1986;*
- [4] As to Amendments, the Amendments in the current constitution of USA 1, 3, 4, 5, 6, 8, 9, 14, 15, 16, 19¹¹, seem to the writer entirely appropriate in the 21st century.*
- [5] The treaty principles of mutual respect and options;*
- [6] The Constitution Act 1986;*
- [7] The UN Declaration of Rights Indigenous Peoples.*

⁸ See text "Pursuing Social Justice in New Zealand" Edt R Porter, 2007 Maxim Institute, p88 "A society which values social justice..."

⁹ Adapted from suggested constitutional wording authored by Hon. M Moore, in his text "A Brief History of the Future" (1998), Shoal Bay Press Ltd, Christchurch, NZ, p 152

¹⁰ Essentially no (wo) man shall be diseised of their property, liberty without due process ...

¹¹ Google "the Constitution of the United States of America"

WE conclude by submitting that if the Treaty is not front and centre of any written constitution, then for its inherent survival as a living force of thinking it is best to keep it out and preserve its strength as a spiritual covenant that as such maintains its high moral ground.

.....
Sir Graham & Lady Emily Latimer 31 July 2013

1681

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 28/06/2013 9:42 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Anne Lauchlan Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City: Hastings
Postal Region: Hawke,s Bay Postal Post Code: Postal Country: New Zealand
Submission: I want to see One law for all races in New Zealand,the Treaty of Waitangi and the Maori
affairs Dept abolished, an apology from Maori for the brutal Killings of settlers, Truth and Honesty
from Governments

Sent on the 28 June 2013 at 09:38

4 864

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 5:00 p.m.
Attachments: Submission.odt

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

Full Names: Marie Laufiso Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City: Dunedin Postal Region: Postal Post
Code: Postal Country: New Zealand Submission: Submission Upload: Submission.odt

Submitted on the 31 July 2013 at 16:59

Mauriora, Greetings and Talofa lava to You All, Esteemed Members of the Advisory Panel

I am writing on behalf of two younger siblings (), our cousin () and myself. We were all born and raised in Dunedin.

As four first-generation New Zealanders of Samoan and Tongan descent, we work, alongside six other Tauwiwi plus our Director, as co-facilitators of Tauwiwi Solutions.

Tauwiwi Solutions is a facilitation service offering workshops tailored for Paakehaa and other Tauwiwi.

As an extended family, we and other kin have been working on issues related to Te Tiriti o Waitangi and a Nuclear-Free and Independent Pacific since the late 1970s-early 1980s when the three Laufis we were at high school.

Our generation is now responsible for two more generations - eleven children born between 1988 and 2005 plus two grand-sons (aged 6 and 5 years respectively). Five of those eleven and both grand-sons have Tangata o Aotearoa ancestries (Ngaati Awa/Te Whaanau a Apanui, Ngaa Puhi and Ngaati Porou.)

In our Tauwiwi Solutions, we speak of the emotional challenge for most Tauwiwi to accept that the history we think we know has not been that lived and experienced by Tangata whenua here. For example, most people do not realise that there are TWO versions - (a) Te Tiriti and (b) The Treaty. And there are key differences.

Furthermore, we speak of He Wakaputanga (or Whakaputanga) o Rangatira o Niu Tirenī (Or Declaration of Independence) signed in 1835 as the founding document of this nation. We refer to Te Tiriti as the first immigration document.

We believe, on the basis of the 1948 Nationality Act (whereby New Zealand moved from the status of a Dominion of Britain to "independence," being able to issue her own passports), that New Zealand is a very young nation. Sometimes, we compare her immaturity to that of an adolescent. That gives us hope that one day, she will grow up and move on from her colonialist history concomitant with that of any settler nation.

When we speak in these workshops, we speak of doing this work now so that our grandchildren, when they are grown, don't have to.

OUR ASPIRATIONS

The Aotearoa New Zealand of which we dream

- has made peace within herself and has "re-stored the balance"
- has grown up and started to dismantle the structural violence of institutional racism and income inequality.
- has He Wakaputanga AND Te Tiriti o Waitangi as core documents which every New Zealander has studied and discussed
- values all children so highly that education and health care is totally cost-free, regardless of their parents' incomes

- has a minimum living wage of \$19 an hour
- has recognised that impoverishment of children is an abrogation of their citizenship and sovereignty rights.

-

530

From:
To: <constitutionalreview@justice.govt.nz>
Date: 18/04/2013 8:49 a.m.
Subject: [RELEASED FROM QUARANTINE] [SUSPECT SPAM]
http://www.ourconstitution.org.nz/form_submission

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

Full Names: Andrew Laurence Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City:
Auckland Postal Region: Auckland Postal Post Code: Postal Country: New Zealand
Submission: It is vital that when discussing a constitution the rights of ALL New Zealanders be taken into account. ALL New Zealanders have equal rights and privileges that come from being a New Zealander. The constitution MUST enshrine freedom of political and religious beliefs and practise, and must NOT bestow special privilege to any group or ethnic race. This includes maori.

As a New Zealander I find it increasing distressing that my rights are being consistently undermined and my cultural heritage is being disregarded in the name of political expediency. This is an abhorrant just as the atrocities that were inflicted upon maori over history are. 2 wrongs don't make a right.

Any constitution must now bow to the current political whims or cultural nuances of the day, It must enshrine the rights of all individuals, not just the rights of a few.

I do not believe that as a nation we have the maturity to draft a reasonable constitution. One drafted at this point in time would be hijacked by those with an agenda and will not serve democracy or freedom well.

Sent on the 16 April 2013 at 22:23

2575

From: Donald Laurence
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 3:21 p.m.
Subject: CAP Submission

Sirs and Ladies,

the sake of our country I wish the Maori seats to be ABOLISHED.

For

Sincerely

Mr Donald Laurence

2548

From: <constitutionalreview@justice.govt.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 4/07/2013 12:33 p.m.
Subject: CAP Submission

All New Zealander's have the right to be ELECTED to any local or national political office, that he or she has the capabilities to hold, but ONLY when elected to do so by the PEOPLE OF NEW ZEALAND!

No person should be "Gifted" into holding office that have Racial or Religious undertones, as ALL people of this country must be treated equally and without prejudice.

Laurence

3888

From: "R or J Laurenson"
To: <constitutionalreview@justice.govt.nz>
Date: 25/07/2013 5:14 p.m.
Subject: CAP Submission

This is the submission of Jeremy Laurenson, Horticulturalist of Blenheim NZ.

Size of Parliament

The number of Members should stay at 120 and should not be increased for increased electorate size. Further with the abolition of the Maori Seats (cf below) there is little if any requirement for overhang.

Term of Parliament

This should stay at three years.

There is merit that a longer term would provide better continuity for a government to progress its program. Alternatively a four year term would simply increase tenure security to sitting MPs by 33%.

As I look at the behaviour of MPs in the chamber and as I reflect on the number of MPs guilty of misdemeanours or even criminal conduct there is no way that increasing their secured term by 33% would be useful.

Size of Electorate

In line with the 'Size of Parliament' above electorates might increase in size but there is nothing magical in some sort of ratio of MPs to electors. With a majority of list MPs who don't 'represent' their electorates why would anyone be silly enough to increase the electorates? Either electorate MPs run/drive faster or list MPs help or both.

Electoral Integrity

If either an electorate MP or list MP leaves a party they should be out the door. There is no place for people who have been elected on a party ticket to opt to become independent.

Maori Representation etc

The present position with Maori seats and special seats on some councils is a flagrant negation of democracy.

Democracy says all citizens are equal and in a democratic system there is simply no place for separatist legislation/representation.

This is not a Maori issue it is an obvious affront to democracy.

In a democracy there can be no preferment - women, Maori, landowners, ratepayers etc, etc.

The role of the Treaty of Waitangi.

There is no such thing as 'principles' flowing from the Treaty.

The treaty was a simple agreement to make all people in NZ equal under the law in NZ. There was no partnership (how could there be partnership with the crown - the crown is the supreme power and how can supreme power be shared).

So trying to enshrine the 'principles' is a nonsense. There are no principles. Further, any such enshrinement simply cuts against democracy in yet another way. If in a democracy everyone is equal what is the reason for making some parts of a democracy 'more equal than others' under some sort of framework applicable only to a minority. To reiterate - a democracy sees everyone as equal.

The notion of enshrined 'principles' is both misguided and abhorrent

Bill of Rights

I have no informed view on this.

Written Constitution

I think that things work OK as is. With a written constitution

interpretation would be required from time to time by the Courts and indeed, given the respect which I accord to our politicians I imagine that such interpretation would be frequent. Why would we cede the way our society operates to the courts. Yes the politicians are not that bright and do pass some dreadful legislation but at least we can fire them (every THREE years) but not so the judges. At least one Supreme Court judge has had to be sent to London to rid us of reformist zeal.
So, no written constitution.

Jeremy Laurenson

3657

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 17/07/2013 11:31 a.m.
Subject: [RELEASED FROM QUARANTINE] [SUSPECT SPAM]

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

Full Names:	Josnua Laus	Organisation Name:		Email:		Phone:	
	Postal AddressA:		Postal AddressB:		Postal City:	Auckland	
Postal Region:	North Island	Postal Post Code:		Postal Country:	New Zealand		
Submission:	I want this country to be the richest, smartest and fairest in the world.						

I see this happening if the country is run in relation to the human condition, our technology which affords us our position in the universe and the coming changes, such as post-scarcity & eutectics, climate change, genetic engineering, etc

I want to see more transparency and automation in government, with an aim of implementing intelligent and autonomous control systems and lessening of need for human error, ie implementing the best solution available for a problem at all times.

The Bill of Rights of this country could borrow a thing or two from the European Union, in specific the Right to Self-Determination, ie the true freedom to do what one wants with one's own body, with the best information available required before any currently controversial issue (ie drug use, suicide).

Also rescind the Right to Reproduction, ie sterilize the population (or one half) using reversible contraception and then simply means test prospective parents (personal opinion: erode the bi-parental ideal, there are no checks or balances that the future citizen being formed is being well served by the two amateurs (recent) traditionally used).

The Treaty of Waitangi is a historical document and should not be included in the constitution.

"Maori" representation could be extended to any native-born citizen remaining as a special privilege afforded by genetic legacy and/or circumstances of birth (ie NZ "royalty" brand). At the time of writing it is currently a form of racial privilege and draws the obvious comparison to racism. If the aim is to assist communities that exist as different socio-economic zones then special representation could be further tailored along these lines (eg Hipster representation?).

If Parliament is representational of the people then the mechanisms of it could reflect in the makeup of parliament, ie 30% non-voting populous = 30% empty parliament.

Electorates based on physical locality have lost relevance with the advances in telecommunications, electronic or Virtual electorates could be established, fulling up on a first come first served basis.

The election date could co-inside with the least busy day of the year, in order to maximize voter turnout, OR leave the polls open permanently with a upper limit on the number of recast votes available to an individual citizen during a voting cycle (ie 4 year period), this would allow everyone to vote without the need for a single event. (ie computerized network of opinion, "Facebook" government).

Members of Parliament that part ways with their party could be given more work to occupy their free time free from politicking.

Submitter's Profile

A scientifically literate lab technician related to the food industry. My personal hope is for the technicians, the people who create, operate and maintain our technology, will gain greater representation in future, so that efficient, pragmatic and elegant solutions to this country's present, past and future problems, can be implemented wisely.

Submitted on the 16 July 2013 at 18:48

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 10:28 a.m.

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

Full Names: Joshua Corey Laus Organisation Name: Email:
Phone: Postal AddressA: Postal AddressB:
Postal City: Auckland Postal Region: Auckland Postal Post Code: Postal
Country: New Zealand Submission: This submission is just for the structure of our parliament.

The idea is an expansion of the principle of representational democracy, to better reflect the views of the populous.

Let the people vote parties into office. And by "office" I mean the sector of government that the individual wants that party to handle. eg Economic position vote, Environmental position vote, Education, Infrastructure, etc.

The current voting system is a top down approach where the winning party (or coalition) fills the positions from the top down, with the populous, the true shareholder of this nation, not having any say on which political philosophy is applied to their areas of concern.

Vote for the party, for the job you want them to do, rather than forcing them to tackle the whole pyramid.

Submitted on the 31 July 2013 at 10:27

4494

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 9:15 p.m.

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

Full Names: Elisa Lavelle Organisation Name: Email: Phone:
Postal AddressA: Postal AddressB: Postal City: Auckland Postal Region: Postal Post
Code: Postal Country: New Zealand Submission: The Treaty of Waitangi needs to be
understood as our founding document and this needs to be demonstrated through real actions. It's
gone on too long that councils and government consult with reluctance or once decisions have
already been made.

We need Civics education to take place in our schools. The government is currently undermining the traditions of our constitutional history but the public do not have sufficient education to understand why the changes that are being made are wrong for a democratic nation.

Our constitution should be written in a document, which includes clear statements about the place of the treaty. This constitution should have greater powers over other laws so that the government cannot legislate in contradiction to the constitution.

The courts should determine whether legislation is consistent with the constitution. We now have too many politicians who have no respect for constitutional customs.

Submitted on the 31 July 2013 at 21:15

825

From:
To: <constitutionalreview@justice.govt.nz>
Date: 12/05/2013 11:32 a.m.
Subject: <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Glen Law Organisation Name: Email: Phone: 7
Postal AddressA: Postal AddressR: Postal City:
Postal Region Postal Post Code: Postal Country: New Zealand
Submission: I like MMP, I think it is a better way to get a true representation of NZ communities. I do not, however, like the ability for people who get in on a party ticket, that is to say, on the Party List, to stay in Parliament even if they do a Horan or Gilmore.
It is slightly different if you are an electorate MP, although a by-election should be held to confirm the MP still has the confidence of the electorate. If you get in on the Party List, and then leave the Party, you must leave Parliament as well. It is, among other things the most honourable thing to do. If you stay, you are a fraud.

Sent on the 12 May 2013 at 11:30

4666

From: <webmaster@ourconstitution.org.nz>
To: <constitutionalreview@justice.govt.nz>
Date: 31/07/2013 1:31 p.m.

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

Full Names: Mark Law Organisation Name: n/a Email: Phone:
Postal AddressA: Postal AddressB: Postal City:
Postal Region: Bat of Plenty Postal Post Code: Postal Country: New Zealand
Submission: I think that It's about time we became the one people that was talked about by Hobson after the signing of the treaty, not as the direction we appear to be moving as more separatist.

The political system of government appears to be working ok with a democratically elected Government, which can be voted out if they do unpopular things.

It appears to me that there are lots of influential people out there who are trying to re-write our countries history and continue with the grievance psyche which is only dividing our people instead of uniting.

Some of the claims that are being brought before the Waitangi Tribunal have been settled as full and final two or more times and trying to write a persons murderous activities out of history and give their descendants financial compensation. is just plain wrong.

Even the first Maori MP Sir Aparana Ngata (I think thats the correct spelling) said that land confiscations were quite acceptable to those tribes who took up arms against the Crown. They were warned that this would happen as they were in breach of the laws that were brought into New Zealand at the signing of the treaty.

The delegation of Northland Chiefs petitioned the king of England to bring British law to New Zealand to stop the cannibalism and inter tribal warfare that was decimating their populations. (there is a plaque on the fence of a church at Paihia that says exactly that and if it is untrue I am sure that it would not be there if it were untrue, being so close to the Waitangi Marae)

All of these claims or grievances should have been dealt with by now and most of these claims should have been taken up with against the British Government as most of these breaches occurred while this country was governed from Britain.

Why should the New Zealand taxpayer be paying for something that was not our fault. Also it is Maori people who are working and making a contribution to our country and paying taxes that are also paying for these claims.

If these claims don't stop I can see my Grandchildren who are yet born paying more when they are taxpayers.

I am not convinced that a written constitution will make any positive benefits to New Zealand as it could make it difficult for elected governments to pass laws as judges would be saying that this law or that are against the constitution as is happening in the US and judges are re-writing the laws and they are not elected and they can not be voted out by the public. So you can weaken or destroy your democracy

I am also concerned that a written constitution could give Maori a special place above other New Zealanders when we should be bringing all our people together as one.

There is no mention of the tangatewhenua that were here before the Maori people arrived and reference to these people from archaeological digs are being hidden from New Zealanders

It also seems that the Treaty of Waitangi is being re -interpreted from what it meant on the day it was written and that different versions are being used to settle grievances - versions of the Treaty that were not signed.

A written Constitution also becomes frozen in time and is not adjustable and who is to say that what is written today will be relevant in 50 or 100 years.

Whereas the system we have now new laws can be drafted by our democratically elected governments to adjust for the changing times as life goes on.

By the way I consider myself to be a New Zealander, my forebears moved to this country to start a new life in 1856,

to me that is tangatewhenua.

These are some of my thoughts on
forming a written constitution for New Zealand

Submitted on the 31 July 2013 at 13:30