

Secretary;

3047<sup>1</sup>

This is a duplicate copy of one sent by E mail  
on 25<sup>th</sup> July. (in case the original didn't get through)

Auckland

25.7.13

The Secretary, Constitution Advisory Board,

Please accept this submission.

This is a critical time in the country's history when we are emerging from a period of conciliation with Maori for claimed past injustices.

The Treaty of Waitangi has been central to these claims. It gave assurances that resources of fish and forests, important to a hunter gatherer people of that time would not be jeopardized by signing but its original provisions have been enlarged and distorted so widely by present day claimants that it has lost credibility and respect.

Concessions made by inept government negotiators go well beyond fairness and seriously impinge on the human rights of all other New Zealanders. An example of this is the Racist fishing laws where your rights depend upon your ethnicity.

In these conditions, the prospect of a Democratic constitution holds both a threat and a promise. It has the promise, if properly handled, of reuniting the country, of providing a guide for future governments and a curb for their excesses but by far the greatest gain lies in its noble central principles of Liberty, Fraternity and Equality. All citizens, regardless of Ethnicity will be entitled to the same rights.

The threat lies with the near certainty that Maori will attempt to have the ideal, American type constitution modified to a Treaty based version retaining the elements of Bi-Culturalism which is Racism, not Democracy.

To ensure that this doesn't happen, every citizen should be given the chance to indicate his or her choice in a binding national Referendum.

If there is to be government run discussion about the process, then an adequate number of Democratic speakers, e.g. Dame Salmond plus Law Society members, should be appointed.

The rules of Democracy state that it is independent of Race, Religion and duration of tenure.

As the Treaty is about what one race claims against the others, there is no place for it in a truly democratic constitution.

With one based largely on the American model , as Taiwan has recently done, much of the effort in producing it would be reduced.

Give us the type of Democratic constitution that we seek so that Maori and New Zealanders of all ethnicities can go forward together as One Nation with One People .

Chas Lindegren.

3896

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 8:02 p.m.  
**Attachments:** My Submission.doc

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

---

Full Names: Charles Lindgreen Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: Submission Upload: C:\Documents and Settings\Administrator\My Documents\My  
Submission.doc

Submitted on the 25 July 2013 at 20:01





Auckland

25.7.13

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Chas Lindegren.

4926

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 8:36 p.m.  
**Attachments:** My Submission.doc

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

Full Names:	Charles Lindegren	Organisation Name:	Email:	Phone:
	Postal AddressA:		Postal AddressB:	Postal
City:	Auckland	Postal Region:	Postal Post Code:	Postal Country:
Submission:		Submission Upload:	My Submission.doc	New Zealand

Submitted on the 25 July 2013 at 20:35



Auckland

25.7.13

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This is a critical time in the country's history when we are emerging from a period of conciliation with Maori for claimed past injustices.

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Chas Lindegren.

1594

**From:** :>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 26/06/2013 9:52 a.m.  
**Subject:** CAP submission

Tony W Lindop BSc & Eileen A Lindop BSc BA email:

We came to New Zealand from England in 1976 on a 3 year contract & have stayed here permanently. Four generations of our family now live in this country & are making a valuable contribution to its success. We are all very committed to the future of New Zealand.

We do not want to see the Treaty of Waitangi incorporated in any Constitution that may be proposed for New Zealand. The Treaty is an historic document that will no longer be appropriate or relevant to present-day New Zealand, once the outstanding claims before the Waitangi Tribunal are settled. We now have a wide & growing range of ethnic interests & cultural backgrounds living permanently here as New Zealand citizens. So enforcing the interests of one minority group of citizens is racist & opens up the possibility of other minority groups - Indian, Chinese, Korean etc. having their ethnic interests recognized in any Constitution. There remain only part-Maori citizens, who now live a western lifestyle with cars, television, computers & other modern facilities, bearing no relation to the original Maori lifestyle.

New Zealand does not need a written Constitution in addition to the Bill of Rights. The country was organized by the British under their historic & well proven system of Parliamentary Democracy with a freely elected parliament that has supreme authority over the laws governing the whole country. The Courts have no place in law-making; they administer and interpret the laws. Any citizen of any ethnic group can stand for parliament & express their views on any subject. Even the Maori Seats are an old, condescending anomaly & should be abandoned before Chinese or Indian seats are proposed.

We believe a 4year or 5year Parliament would be preferable, leading to more stable & thoughtful government. The House of Representatives is overloaded with 120 Members. With the present population, even 100 Members is more than adequate.

Thank you for the opportunity to express our views to the Panel.



1860

To :- Submissions,  
Constitutional Advisory Panel,  
C/O Ministry of Justice DX SX 10088  
Wellington.

We the undersigned wish to voice our concern and to state  
that we are opposed to a written constitution based on  
Treaty of Waitangi Principles.  
We feel that such a constitution would decrease equality and  
be divisive to our New Zealand Society. We prefer the Status  
Quo where Parliament is sovereign.

Name	Address	Signature
Kevinia Ann Hui		
Gill Kommerer		
Arad Kommerer		
ANNE LINDSAY		
Percy Moore		
Nayana Jell		
Nichelle Bellamy		
Tania Jenkins		
Brian Throssell		
Jeanne Young		
Shirley Kelly		
Kath Coombe		
Les Wood		
Pat Olds		
Kerry Harlow		
Barbara Stilwell		
Judith Lins		
Marion Sturmer		
Margaret Hall		
CHRISTINE WOODWARD		

346

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 15/04/2013 7:04 a.m.  
**Subject:** The form on your contact page has just been submitted

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

Contact Name: Cecilia Lindsay Phone: Email:  
Comment: Listening to the  
conversation on National Radio yesterday I would like to recommend every school have on public  
display, its individual presentation of the Treaty (or equivalent), in essence, as an invitation

Tiriti Together -

in this prevailing language of Aotearoa New Zealand, invites all languages in this learning community,  
to offer volunteer translations to the essence of our founding document, for public display,  
appreciation and dynamic negotiation.

Ko tatou nga tangata, o tenei whenua kua tuku iho mai I runga, he Rangatira. No tatou ano te Tino  
Ranagatiratanga o tenei whenua. We, as people of this God-given land, Rangatira, holding our sacred  
authority to protect this land, Tino Rangatiratanga 我们, 作为上帝赋给丰富土地的人民  
Rangatira 拥有神圣的权利来保护这片土地, Tino Rangatiratanga. Wy mensen van dit land, Rangatira,  
wat ons gegeven is van God howden onze heilige autoriteit ons dit land te bavaren.

Ka hoatu te kawanatanga ki te aremata mena. Grant the governorship of Kawanatanga to the  
Sovereign 授权给女王 Geef de regering van Kawanatanga aan de koning.

No te iwi Maori te Tino Rangatiratanga mo ake tonu atu. So long as the Soverign respects our Tino  
Rangatiratanga 只要女王尊重我们的Tino, Rangatiratanga Zolang als de koning onz Tino  
Ranatiratanga.

No te kawanatanga matou I tiaki, pera ki ana iwi. Protecting us as if her own 保护我们像她的子民 Voor  
ons zorgen als haar eigen.

Kotahi te Atua, kotahi te iwi, kotahi te reo. All beliefs and religions together. 不论何种宗教和信仰。 Al  
de geloven te Samen.

Sign Up For Updates: Yes

Sent on the 15 April 2013 at 07:03

3785<sup>1</sup>

**From:** Roger Lindsay  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 24/07/2013 2:27 a.m.  
**Subject:** CAP Submission

I find APARTHEID totally abhorrent. Please DON'T ALLOW ANY RACIST LEGISLATION in our constitutional review.

Regards,  
Roger Lindsay

Tauranga :

Email.

Sent from my iPad

4355

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 31/07/2013 9:24 a.m.  
**Attachments:** Submission ConstitutionalAdvisory Panel Stephen Lines.docx

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

Full Names: Stephen Lines Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal  
City: Wellington Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: Submission Upload: Submission Constitutional Advisory Panel Stephen Lines.docx

Submitted on the 31 July 2013 at 09:24



July 31<sup>st</sup> 2013

**Constitutional Advisory Panel**

**This submission is from: Stephen Lines, first year student at Victoria University of Wellington undertaking a conjoint Law and Bachelor of Arts Degree majoring in Political Science and Public Policy.**

**I can be contacted on**

Dear Panel,

I wish to write expressing my opinions of New Zealand's current constitutional reform, particularly in the two main areas of written vs. unwritten constitution, and the status of the Treaty of Waitangi.

My submission will cover two main points in why I strongly oppose a written constitution. Firstly, how the inflexible nature of written constitutions means that they often do not move fast enough with changes in social environments and contexts. Secondly, I will look at how written constitutions grant too much power to the judicial branch of the constitution.

The second part of the submission will cover why I oppose the Treaty of Waitangi to be fully incorporated into any constitutional document. Firstly due to the differences of the two versions of the treaty and secondly, that the treaty principles already established provide a sufficient role and context of the treaty in law.

**For An Unwritten Constitution**

One of the strongest arguments for an unwritten constitution, such as we already have, is the fact of its flexible nature. The entrenched and supreme nature of constitutions in other countries, most notably the United States, means that constitutional laws that were relevant and applicable to the social context of which they were derived, sometimes become irrelevant some years down the track. Due to the fact that they are entrenched and supreme, it becomes very difficult for the law to change and hinders the progress of social advancement. One only has to look at the current U.S constitution to become aware of this. The third amendment of the constitution which prohibits forced quartering of soldiers in home during peacetime provides an example of how items can become irrelevant. The second more controversial and topical example is the second amendment which allows the right to bear arms. One only has to mention the countless and horrific shoot outs which have occurred in the United States, including the recent Sandy Hook shootings which killed 28 people, to show the devastating consequences of such an amendment. The nature of the written US constitution entrenches public policy into social environments of completely different contexts and because it so happens to remain in the constitution, people see it as their God given right to do so, thus making it very difficult to repeal such laws.

This flows on to my second point which is the fact that a supreme and entrenched written constitution would give too much power to the judicial branch.<sup>1</sup> This would give powers to judges to strike down government legislation in which they interpret as a violation of the constitution. I would see in my opinion that the current arrangement in New Zealand of Parliamentary supremacy means that legislation can be democratically fought for or appealed.

**Conclusion: An unwritten constitution is beneficial to New Zealand**

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<sup>1</sup> Of whom, it is important to note, are not democratically elected.



## **Treaty of Waitangi**

There are a number of arguments that can be made in favour and opposition to the inclusion of the Treaty of Waitangi in a New Zealand Constitution, however, I am of the opinion that the wording of the Treaty should not be incorporated in any such document.

Firstly, the most important argument against the incorporation of the Treaty is the fact that there are major unresolved interpretational issues between the English and Maori versions of the document. One such example can be found in the very first article of the treaty. In the English version Sovereignty is said to be ceded from Maori to the Her Majesty the Queen, however, the Maori text uses the word 'Kawanatanga' which is the Maori term for governorship. This means that Maori may have thought they were allowing the British to govern whilst retaining their sovereignty. With such major unresolved differences in the translations of the Treaty, it would be of bad legal form to incorporate the Treaty as a whole into legal statute. Its conflicting nature would lead to many more disputes than it would hope to resolve.

In saying this, I believe that the Treaty of Waitangi has found sufficient space in the New Zealand legal environment through the case of *New Zealand Maori Council v Attorney General* 1987<sup>2</sup> which materialised the principles of the Treaty of Waitangi. Such principles which include acting in good faith towards Maori, active protection of the Maori people and right of redress are now bound in common law and many ending up in statute (i.e. right of redress treaty settlements)

**Conclusion: The Treaty of Waitangi should not be incorporate into legislation**

## **Overall Conclusion**

I strongly support an unwritten constitution and believe that the Treaty of Waitangi should not be incorporated into legislation.

On a less substantial note, I would also express my desire to see parliamentary terms increased to four years to allow governments to better implement consistent policy without the threat of a looming election which would else hinder their plans.

Thank you for considering my submission,

Yours sincerely,

Stephen Lines \_

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<sup>2</sup> [1987] 1 NZLR 641.

306

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 14/04/2013 10:49 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Zara Jane Ram Linn Organisation Name: Wintec Email:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: Postal Post Code: Postal Country: New Zealand Submission:  
Please read all of this, you wont regret it:

I believe that the Government is not for the people and would rather take away peoples happiness just for more money. They put the prices of smokes up instead of giving those few extra dollars to children who are under fed or to people who are living on the streets. WHAT ABOUT ALL THESE FISH AND CHIP SHOPS WITH HEALTH AND SAFETY CERTIFICATES THAT ARE YEARS OLD. Most people who smoke cigarettes are not doing for no apparent reason but because of stress and with the government constantly raising the prices for their own selfish reasons all their doing is putting more stress on the people. To make things worse they brought out Chronic, Chronic is killing people just to put more money in the Governments pocket. I believe the government should start looking at proper ways to pursue our country to be a better place for everyone instead of just guessing. For example Marijuana grows 10X faster then a tree and has thousands more uses, such as paper, clothes and even fuel. God made it for a reason, a guy i know has smoked Chronic for two years straight, now the effect of marijuana is the opposite, it sobers him up, what do you think gods trying to say?? can we please start putting happiness before money and greed because we will just end in destruction.

Sent on the 14 April 2013 at 10:48



1038

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/06/2013 1:00 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Name: john walter linton Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Te Puke  
Postal Region: Postal Post Code: Postal Country: New Zealand Submission: do not  
adopt a constitution, NZ is ok now

Sent on the 4 June 2013 at 13:00

1038a.

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/07/2013 8:44 a.m.  
**Subject:** CAP Submission

All maori seats should be abolished,  
John & Nancy Linton

1049

**From:** <  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/06/2013 2:56 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Nancy Mary Linton Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal City: Te  
Puke Postal Region: Bay of Plenty Postal Post Code: Postal Country: New Zealand  
Submission: No not in favour of Constitution.

Enough restrictions now.

Sent on the 4 June 2013 at 14:56

190

**From:**

**To:** <constitutionalreview@justice.govt.nz>

**Date:** 10/04/2013 3:38 p.m.

**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Kara Ann Lipski Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal  
City: Wellington Postal Region: Greater Wellington Postal Post Code: Postal Country:  
New Zealand Submission: I fully support that we make a constitution that reflects the Treaty of  
Waitangi, the NZ Bill of rights and any other law that supports everyone either born in this country, are  
from Pacific Island that we have a close relationship with, or who have made  
the choice to live in Aotearoa/New Zealand.

There may be a future when Kiwis decide to move towards a republic (with an appointed or elected head of state) and when that time comes, there must be a constitution in place to guide the process - otherwise we might end up with a major muddle. There are many examples around the world to help us avoid making similar mistakes.

Sent on the 10 April 2013 at 15:37

4083

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 29/07/2013 5:59 p.m.

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

Full Names: Ross List and Lee Hannah Organisation Name: Email:  
Phone: Postal AddressA: Postal  
AddressB: Postal City: Tauranga Postal Region: Postal Post Code: Postal  
Country: New Zealand Submission: I vehemently oppose any constitution that is based on the  
treaty of waitangi. As I see it the treaty is a document which says only that all races are to share in the  
prosperity of our country and definitely not just Maori.

1. I reject references to the treaty of Waitangi and/or its principals in any constitutional document.
2. I also want such references removed from all existing legislation.
3. All Maori seats should now be abolished owing to the fact that with MMP there is no need for these preferential seats.
4. All race based representation on all local bodies be abolished.
5. I totally oppose seperatism.
6. I ask that the Waitangi Tribunal be abolished.
7. Before any constitution is written in law particulary based on seperatism or race there must be a referendum by the people; not politicians.

Submitted on the 29 July 2013 at 17:58

241

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 12/04/2013 2:10 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

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Full Names: Charles Little Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Somerville Postal City:  
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: 1. No - there is no need for a single document at this stage .

Reasons :- The current system works and until we decide to become a Republic there is no urgency to change . Also until we resolve the grievances from the Treaty of Waitangi it will be difficult to produce a Constitution that will be acceptable to all New Zealanders.

2. No .

Reasons :- As the current constitution states that the rule of law should be respected by all New Zealanders therefore the law should have the higher status.

3.Parliament .

Reasons :- The constitutions is about the will of the people and parliament is more or less elected by the people so should be able to best represent their interests. The Courts do not always reflect societies wishes.

Sent on the 12 April 2013 at 14:09

24/9

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 12/04/2013 2:31 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Charles Little Organisation Name: Email: Phone:  
Postal AddressA Postal AddressB: Postal City:  
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand

Submission: 1. I believe that once grievances are resolved that the Treaty should be archived as a historical document. The vast majority of New Zealanders are not of British origin so have no relationship with the "Crown"; yet they are still being asked to contribute to Treaty settlements - this is not fair and I would suggest legally questionable.

2.No.

Reason . Unless this country wants to head down the path of apartheid any future constitution should be a document that applies to all New Zealanders regardless of gender , race or religion. We all learn from the past but we cannot live in it . The Treaty was drafted in simpler times and initially achieved the result of avoiding further bloodshed and possibly even genocide but it is not relevant to modern New Zealand society . Historical grievances need to be rectified to allow New Zealand to move forward as one nation and one people.

Sent on the 12 April 2013 at 14:30



24/6

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 12/04/2013 2:40 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Charles Little Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: 1. Maori views should be voiced through their local MP.

2. I strongly believe that it is time to abolish race based electorates so that Maori can participate in representing the interests of all New Zealand.

3. As above I am against specific race based seats in local government. There are mainly eloquent Maori who can stand for election and debate issues of importance without being given undemocratic representation.

Sent on the 12 April 2013 at 14:40

241c

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 12/04/2013 3:07 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: Charles Little Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Somerville Postal City:  
Auckland Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: 1. about 100 .

Reason :- There are 70 elected representatives and 51 list members that were not democratically elected . With the current population 100 could adequately represent the people.

2. I suggest 4 years .

Reason :- Frequently tough decisions need to be made for the benefit of the country . These are not always popular or immediately understood by the general population . Currently we have 2 years to implement changes and the 3rd year usually diluting them with an eye to the next election . The extra year would allow some of the benefits of reforms to materialise.

3. The anniversary of the previous election.

Reasons :- with the dates known in advance there is less chance of manipulating dates to suit some economic or global event.

4. Population mainly with some geographic input for rural areas.

Ideally each MP should represent the same number constituents but due to the larger distances in rural areas the MP in this area would have fewer numbers.

5. If it is a list MP then the seat should be lost and a new list MP appointed. If it is an elected MP then they should be able to stay on as an independent until the next election.

Reasons :- The list MP was chosen by the party therefore forfeits any rights if they leave that party . An elected MP was presumably picked by the people to represent them and it is possible that leaving the party may be the constituents wishes.

Sent on the 12 April 2013 at 15:06

2312

**From:** "John Little"  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 3/07/2013 5:16 p.m.  
**Subject:** CAP Submission

The Maori seats should be abolished. Not only is it racist to have them, but with MMP there is ample opportunity to have specific Maori parties ie. Maori and Mana.

---

John Little

---

Takapuna

2869.

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 6/07/2013 12:37 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission  
**Attachments:** Submission forConstitution.docx

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

Full Names: William Gary Little Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal City:  
Kaitaia Postal Region: Northland Postal Post Code: Postal Country: New Zealand  
Submission: Submission Upload: Submission for Constitution.docx

Sent on the 6 July 2013 at 12:36



# Submission for Constitution of New Zealand

## Bill of Rights:

- The Bill of Rights should be included in the New Constitution.
- The Act should have a higher legal status than other laws (supreme law) and should not be administered by parliamentary caucus but by the courts.
- The Supreme Court should have the power to decide whether legislation is consistent with the Act.
- A panel of leading judges (or Supreme Court) should be responsible for overseeing whether a Bill is consistent with rights in the Act.
- The Judiciary should have the power to strike down legislation or parts of legislation that it finds to be consistent with the act and that Government would be required to act on any declaration.
- The Act should comply with Supreme Law.

## Maori Representation:

- The Maori Seats in Parliament should be abolished. An incorporation of the basics of The Treaty of Waitangi in the New Constitution should ensure that Maori interests are complied with in legislature.
- Local government acts should ensure that there is specific Maori representation on local boards and councils and should create Maori wards for this representation.
- Maori should have the right to vote in either the General roll or the Maori roll in local body government elections.
- Parliament should retain a Minister of Maori Affairs and add a Minister of Local Body Maori Affairs.

## Electoral Matters:

- If the Supreme Court or panel of judges is responsible for overseeing legislation, the number of MPs in parliament could stay at 121. Should Maori Seats be abolished, this figure could be reduced to 114. However, as there may be more local body workload requirements, 121 may be more realistic.
- If legislation continues to be overseen by parliament, more MPs would be needed to ensure that their committee and constituent obligations are not over-burdening.
- A longer term would allow more time for government to plan, implement and test policies.



- The election date should be set in law, but can be changed by a 75% majority vote by the full parliament (or by the supreme court).
- Electorates should be based on population numbers. Electorates with large geographic areas should have extra funding to permit extra staffing travel to all parts of the electorate.
- MP's are elected because of their affiliation with a party and they must stay with the party to retain parliamentary legitimacy. List and electorate MP's must remain with the party that they were elected in. If an MP leaves or is removed from his or her party, the member should not remain an MP in parliament and the vacated position be filled by another list member (if a list MP) or a by-election held.
- A form of MMP representation should be retained.

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### Treaty of Waitangi

- The treaty of Waitangi should be a formal part of the New Constitution.
- The Treaty principles should be enshrined in our New Constitution but not the treaty itself. The Treaty basically states that Maori have the same rights and privileges of British subjects and the "undisturbed possession of their Lands and Estates Forests Fisheries and other properties". This implies that Maori general rights are the same as the "British" (non-Maori?), and that the assets under their control at the time of the signing must remain under their control unless Maori wish to relinquish their ownership. The Waitangi Tribunal should ensure that infringements on these rights can be remedied. World, New Zealand, and Local conditions have changed since the signing of the Treaty, but the basic tenets still remain.
- The Waitangi Tribunal should have redress to the New Constitution so that legal process and results of claims must be acted upon by parliament. At present the tribunal can only suggest redress and governments (caucus) can ignore tribunal recommendations.

### The New Zealand Constitution

- There should be a single document for the New Zealand Constitution.
  - The New Zealand Constitution should be responsible to and enacted by a supreme court not Government.
  - Changes to the New Zealand Constitution should require a 75% full parliamentary vote.
-

1099

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 5/06/2013 3:11 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: David & Roberta Littlejohn Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal City:  
OTAKI Postal Region: Kapiti Coast Postal Post Code: Postal Country: New Zealand  
Submission: To maintain NZ as a democracy, with strong ties to the U.N.

and the Commonwealth. Migration will need to be carefully

assessed to ensure the best balance of skills and ethnic

background are achieved to ensure N.Z's prosperity. Settlement of migrants must be spread over the country and

not concentrated on Auckland as it is to-day.

Sent on the 5 June 2013 at 15:04



1255

**From:** Michael Littlewood  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>  
**Date:** 10/06/2013 12:57 p.m.  
**Subject:** CAP submission  
**Attachments:** Submission to the Constitutional Review.pdf

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I attach my submission to the Constitutional Review.

I will appreciate your acknowledgement of its receipt.

Cheers,

Michael

Michael Littlewood  
Retirement Policy and Research Centre  
University of Auckland Business School

Auckland  
New Zealand

<http://www.rprc.auckland.ac.nz><<http://www.rprc.auckland.ac.nz>>  
<http://www.PensionReforms.com><<http://www.PensionReforms.com>>



Submission to the Constitutional Review<sup>1</sup>

10 June 2013

1. Introduction

My name is Michael Littlewood.

I am a New Zealander.

I was prompted to write this submission by the race questions in the 2013 Census. They are the same questions as in the last 2006 Census but what's changed is that, in the last three years, I have been tracking down my family's roots. I have always been interested in the family's stories but the Internet has allowed me to find out who all of them really were.

I now know the names and origins of all 32 of my Great Great Great ("GGG") grandparents. They were from:

- England:	15	47%
- Ireland:	10	31%
- New Zealand (Maori)	1	3%
- Scotland:	4	13%
- Wales:	2	6%

I even have photographs of six of the 32 GGG grandparents. I know quite a lot about half of them including, in a couple of cases, their GGG grandparents but others are still shadows.

At some point in New Zealand's entire peopled history, one of the people or families from each of the main strands of my past arrived by boat: six by sailing ship between 1823 and 1874 and one by steamer in 1892. The other arrived by sailing canoe about 700 years ago.

So, what does this have to do with the 2013 Census and what does that have to do with the Constitutional Review?

I think my family's story illustrates what's right about the way we New Zealanders do things and, for the reasons I explain below, also what's wrong. In all of New Zealand's 4.5 million inhabitants, probably only my two brothers have exactly the same racial background as me.

Other than for the most recent arrivals, all New Zealanders share different versions of my story – some slightly different, others very different. That's New Zealand's story; that's what should make us New Zealanders.

2. The 2013 Census questions on race

The 2013 Census's Individual Form, like others before it, had three questions on race.

<sup>1</sup> Emailed to the Constitutional Advisory Panel on 10 June 2013.

**Question 11 asked:**

"Which ethnic group do you belong to? Mark the space or spaces which apply to you.

- New Zealand European
- Maori
- Samoan
- Cook Island Maori
- Tongan
- Niuean
- Chinese
- Indian
- Other such as Dutch, Japanese, Tokelauan. Please state:"

Based on the nationalities of my GGG grandparents, I suppose I should have chosen 'New Zealand European' and 'Maori' but I really do not feel as if I "belong" to those "ethnic groups". Given that "belong" is as much about perception as DNA, I chose "Other" and wrote in 'New Zealander'.

As I did that, I wondered what the users of this information would really make of my answer. Because mine was an awkward choice from the statisticians' point of view (it doesn't answer the real question), I suspect that my answer, and the answers from those who did the same as me, will be ignored. The statisticians will probably think that 'New Zealander' doesn't tell us anything. I disagree for reasons I explain later.

However, what would they have made of my answer if I had chosen "New Zealand European" and "Maori" as I expect they might have wanted? The significance of the answer to this question, by definition, diminishes over generations. I think it is now irrelevant and it is time the statisticians realised that. If your grandparents were born in New Zealand, perhaps even your parents, you are surely a New Zealander, regardless of your racial background.

I think it's wrong for the Census to ask me questions about my feelings, which is what question 11 really does. I also think it's wrong for whatever reason to slice and dice New Zealanders according to their feelings about ethnicity. I understand the wish of statisticians to continue asking the same questions from Census to Census so they may look at changes over time but it must surely be time to stop asking New Zealanders a question about their feelings on race.

For reasons that I explain below, I think question 11 is a metaphor for the race-based elements of the Constitutional Review.

**Question s 14 and 15** are more directly relevant to the Constitutional Review. Question 14 asked:

"Are you descended from a Maori (that is, did you have a Maori birth parent, grandparent or great grandparent, etc)?"

I assumed that the "etc" included the possibility of a GGG grandparent or even a GGGG grandparent so, based on my ancestry, I should have answered 'yes'.

Question 15 then went on:

"Do you know the name(s) of your iwi (tribe or tribes)?"

If 'yes', the question then allows up to five entries:

"Mark your answer and print the name and home area, tone or region of your iwi below:"

I now know enough about my Maori GGG grandmother to have given the requested information but I did not. Instead, I answered 'no' to Question 14, effectively saying that I did not have a Maori ancestor. I then wrote a note in a self-inserted panel at the bottom of the form to the effect that at 1/32<sup>nd</sup>, my Maori ancestry is and should be almost irrelevant and I took exception to the possibility of any statistical interpretations being drawn from such a small proportion. Because the Census form did not let me specify the number of my GGG grandparents who were Maori, I did not want to participate in that enquiry.

To emphasise that particular 1/32<sup>nd</sup> of my background would be to ignore the 15/32<sup>nds</sup> derived from my English forebears, 10/32<sup>nds</sup> Irish, 4/32<sup>nds</sup> Scottish and 2/32<sup>nds</sup> Welsh. I think that is fundamentally wrong.

At least Questions 14 and 15 are not, as with Question 11, asking me about my feelings on my Maori ancestry. However, if I had said 'yes' to Question 14 and given details of Tiraha's iwi then Statistics New Zealand could have assumed that my Maori ancestry was anywhere between 1/32<sup>nd</sup> and 32/32<sup>nds</sup>. That's because Question 15 did not ask for the fraction of my ancestry that Tiraha represented. It is 1/32<sup>nd</sup> and that's who I am, not 32/32<sup>nds</sup>.

In fact, as far as Statistics New Zealand is concerned, if I had described Tirahi's iwi, they would have no idea even that I was as much as 1/32<sup>nd</sup> Maori. The answer could have been the same if Tiraha had been my GGGGG Grandmother (1/128<sup>th</sup>), rather than my GGG Grandmother.

Make no mistake – I am very happy to have discovered Tiraha and to have a photograph of her - seeing that photo was my 'Who do you think you are?' moment. But I am also very happy to have discovered my other 31 GGG grandparents and to know something of their stories. Because Statistics New Zealand did not want to know about the other 31 GGG grandparents, I decided not to tell Census 2013 about Tiraha.

So why is Statistics New Zealand asking the questions about Maori ancestry (other than that the questions were also in earlier Censuses<sup>2</sup>)? Part of the answer is to figure out how many Maori seats in Parliament there should be. I know that is not directly connected (see later in this regard) but the answers to Questions 14 and 15 across the country matter in that calculation.

I assume the Census data also feed into the government's Budget allocations because of connections between poverty, education and race. However, we should not include race as a qualifier for redistributive aspects of Budget allocations. If people are poor, they need help. If they are illiterate or innumerate, they need different help. If communities need support because of economic changes, we should offer that; but if they are Maori, even part-Maori or part-part-part-Maori? That, of itself, should not be a defining qualifier for help.

<sup>2</sup> Questions 11, 14 and 15 were exactly the same in Census 2006.



I think the time has come to stop trying to define today's New Zealanders by the race of, in my case, GGG grandparents. Unless Census 2018 asks how many of my GGG grandparents were Maori, Questions 14 and 15 should go. If questions like them are to stay in Census 2018, they should extend to include the ethnic background of all 32 of my GGG Grandparents. If Census respondents cannot answer Question 15 for all 32 GGG Grandparents then we should stop asking about just the Maori members of that group.

Anyway, where will it all end? If the focus is on the diminishing share of the population's DNA that is attributable to just Maori, how will my GGG grandchildren answer the equivalent of Questions 14 and 15? On the highly unlikely assumption that they collect no further Maori DNA from their own parents or grandparents (my children's children), my GGG grandchildren will claim just a  $1/512^{\text{th}}$  connection with Tīraha. If Census questionnaires continue to collect the race data, does Statistics New Zealand propose to ignore the other  $511/512^{\text{th}}$  of their DNA? What possible significance might  $1/512^{\text{th}}$  represent?

On this basis, the number of self-declared 'Maori' must continue to grow, even if New Zealand's overall population doesn't change. We see that from the Census data – so-called 'Maori' as a percentage of the total population were just 7% in 1951. By 2006 (the last Census) they had reached 16%, an increase of 129%<sup>3</sup>. In the same period the total population grew by 114%.

This kind of official analysis inevitably becomes a nonsensical *reductio ad absurdum* and must stop. I understand that doing something about the Census questions is not part of the current conversation about our constitution.

### 3. Connection to the Constitutional Review

So, why do the race questions in the Census matter to the Constitutional Review? The issue here is the separate representation of Maori through the Maori seats in Parliament.

The Constitutional Advisory Panel (CAP) does not fully explain how the number of Maori seats is currently fixed in *New Zealand's constitution: The conversation so far* (September 2012; accessible [here](#)). Here's what the CAP says:

"Firstly, the [Representation] Commission divides the number of people living in the South Island by 16, which is the number set out in the Electoral Act. The result is called the "population quota."

Secondly, the Commission divides the Maori electoral population and North Island electoral population by the South Island population quota. This calculation results in the number of North Island and Maori electorates." (CAP 2012 at p. 22)

Later (CAP 2012 at p. 28) there is another incomplete explanation:

"The number of Maori electorates now changes with changes in the Maori population. It is calculated by dividing the Maori electoral population by the population quota for South Island general electorates. After the 2012 election, there were seven Maori electorates."

So, what exactly is the 'Maori electoral population'?

<sup>3</sup> And that excludes people like me who have a Maori ancestor but do not declare that in the Census.

First, we need to know who is a 'Maori' under the Electoral Act 1993.

Maori means a person of the Maori race of New Zealand, and includes any descendant of such a person" (Section 2, Electoral Act 1993)

Next, section 76 allows a "Maori who possesses the qualifications prescribed in that behalf by this Act..." to have an option of being registered on the General or the Maori Roll<sup>4</sup>. In summary, anyone who claims at least one Maori ancestor can be a "Maori". In my case, having just one of my 32 GGG Grandparents is sufficient. For my children's children (currently eight in number), having just one of their 128 GGGGG Grandparents will be sufficient.

Section 45 of the Electoral Act 1993 drives the process of establishing the number of Maori seats. It uses the number of people who have chosen to go on the Maori electoral roll in relation to the "total number of persons of New Zealand Maori descent registered...as electors of either General electoral districts or Maori electoral districts..." and applying that proportion "...to the total number of ordinarily resident persons of New Zealand Maori descent as determined by the last periodical census".

There is a significant disconnect between those "of New Zealand Maori descent" and those who are on the Maori Roll. A table of Maori electoral statistics in *The Origins of the Maori Seats*<sup>5</sup> shows that in 1949 (the earliest year for which numbers are given), 83% of all 'Maori' of voting age were on the Maori Roll. That proportion is now (2008) 60% though that is higher than its low point in 1990 of 34%.<sup>6</sup>

About half of all 'Maori' of voting age are on the General Roll and that has been roughly the case since 1990 when it was 52%. It was 46% for the 2002, 2005 and 2008 elections.

In other words, the increasingly flawed Census Questions 14 and 15 play a central role in determining how many Maori seats there are. For the reasons I have described, I think that's wrong. With the suggested removal of Questions 14 and 15 from Census 2018, the basis for determining the number of Maori seats would have to change. I prefer to see them abolished altogether.

#### 4. The rationale for Maori seats

The CAP does not fully explain the rationale for the original introduction of separate Maori representation. Historically, the voting franchise in New Zealand (and in many other countries) was defined by just property – to qualify, a New Zealand resident originally had to either own land of a minimum value or be a tenant of a property with a minimum annual rent<sup>7</sup>. That's because taxes were largely based on property, there being no form of individual income tax.

<sup>4</sup> This right to choose between registration on either the Maori or the General Roll was introduced in 1975. "From 1893 until 1975, those persons of more than half Maori descent were not allowed to vote in a European electorate. Those of less than half Maori descent did not qualify to vote in a Maori electorate and had to cast a vote in a European electorate." *The Origins of the Maori Seats*, John Wilson, Parliamentary Library, 2003, 2009 p.19 (accessible [here](#)).

<sup>5</sup> Wilson, *op cit* at p.15.

<sup>6</sup> There also seems to be something wrong with the numbers in John Wilson's table: for 2002, 2005 and 2008, the total of the Maori of voting age on both the Maori roll and the general roll has exceeded 100% of all Maori of voting age (101.9% in 2002, 102.2% in 2005 and 105.5% in 2008).

<sup>7</sup> The New Zealand Constitution Act 1852 (an Act of the UK parliament) set out these requirements.

The CAP says that Maori were not individual landowners but as “land was held communally [they] could not vote even though they paid taxes and were affected by decisions.” (CAP 2012 at p. 28). That is true but is not a complete explanation. A fuller look at this issue gives greater context to electoral history and the now pressing need for change.

The Maori Representation Act 1867 changed the 1852 Act’s requirements by providing for the direct election of four Maori Members of Parliament, New Zealand’s first ‘universal’ suffrage, albeit limited to Maori.

The preamble to the Act described why:

“Whereas owing to the peculiar nature of Maori land and to other causes the Native Aboriginal inhabitants of this Colony of New Zealand have heretofore with few exceptions been unable to become registered as electors or to vote at the election of members of the House of Representatives or of the Provincial Councils of the said Colony. And it is expedient for the better protection of the interests of Her Majesty’s subjects of the Native Race *that temporary provisions should be made* for the special representation of Her Majesty’s Native subjects in the House of Representatives and Provincial Councils of said Colony.”<sup>8</sup> (My emphasis)

After setting out that there will be “four members of the said House who shall be elected under the provisions of this Act to represent therein the inhabitants of the Colony of the Maori race” (section 3) and four “Maori electoral districts” (section 4), section 6 of the 1867 Act stated:

“Such members shall be chosen respectively from amongst and by the votes of the Maoris inhabiting each of the said districts who shall not at any time theretofore have been attainted or convicted of any treason felony or infamous offence...”

Section 2 described who was entitled to vote in these districts:

“The term “Maori” in this Act shall mean a male aboriginal native inhabitant of New Zealand of the age of twenty -one years and upwards and shall include half-castes.”

The Act therefore imposed a racial threshold for the franchise, a threshold that in fact persisted until 1975. “Half-castes” presumably excluded those who did not have at least one full-blooded parent though it’s not easy to guess how that might have been tested in 1867. In any event, there had scarcely been sufficient time in the short life of the colony for there to be many potential voters of less than “half-caste”. On that basis, it was then still clear who was a Maori and who was not.

The CAP’s *New Zealand’s constitution: The conversation so far* does not explain that the directly elected Maori representatives were seen as a stop-gap, as the quoted preamble made clear, until land-ownership issues were resolved as it was intended that property ownership would continue to define the right to be a voter. Section 12 of the Maori Representation Act stated:

“This Act shall continue in force for five years after the passing thereof...”

At the time, it was expected that Maori land-ownership issues would be resolved within those five years but they weren’t – the 1867 Act was extended for a further five years in 1872<sup>9</sup>.

<sup>8</sup> The original legislation is accessible [here](#).

<sup>9</sup> The Maori Representation Act Amendment and Continuance Act, 1872 (accessible [here](#))



"In 1876 the Act was extended indefinitely as European members began to fear that abolishing the seats would result in a flood of Maori voters onto the European rolls, thereby jeopardising the chances of European members in those seats."<sup>10</sup>

From this distance, it seems ironic that it was the MPs representing general voters who opposed the reform that should now happen.

Opportunities for reform were also missed in:

- 1879 when the Qualification of Electors Act (accessible [here](#)) gave the vote to all men over age 21 and who had lived in New Zealand for at least a year<sup>11</sup>.
- 1893 when women were given the vote. As noted above, since 1867, Maori already had their own constrained version of the universal franchise.

I think it is wrong to use race as a qualifier for anything but especially something as important as choosing a Member of Parliament<sup>12</sup>. The fact that being a 'Maori' is such a flawed concept makes that doubly difficult.

##### 5. The relevance of the Treaty of Waitangi

Some suggest that we must retain the separate, race-based, Maori seats because of the Crown's obligations under the Treaty of Waitangi.

For example:

"Equally there is no doubt Treaty principles impose a positive obligation on the Crown, within constraints of the reasonable, to protect the position of Maori under the Treaty and the expression from time to time of that position. ... Maori representation – Maori seats – have become such an expression." *Taiaroa & Ors v Minister of Justice & Ors* (04/10/19 94), HC, Wellington, CP 99-94, McGechan J, p. 69. (cited in John Wilson, *op cit.* p.19)

As the CAP notes in *New Zealand's constitution: The conversation so far* (at p. 30) the Waitangi Tribunal reached a similar conclusion, also in 1994<sup>13</sup>.

At the time of the Treaty, representation of anyone in a parliament, never mind Maori, would probably have been furthest from any of the signatories' minds, Pakeha or Maori. The preamble of the Treaty's English version said that Queen Victoria was "desirous to establish a settled form of Civil Government", presumably (if someone had asked) in the form of something that looked like the then Westminster style of government.

There were just three 'articles' in the Treaty: the first article of the English version "cedes" to the "Queen of England" sovereignty over New Zealand. The second guarantees to the chiefs full "exclusive and undisturbed possession of their Lands and

<sup>10</sup> *The Origins of the Maori Seats*, John Wilson, Parliamentary Library, 2003, 2009 p.10.

<sup>11</sup> The Qualification of Electors Act 1879 preserved the property-related qualifications of the original 1852 legislation (section 2(1)) though not as an additional registration to the general residency qualification (section 2(2)). Maori who satisfied the property requirements could register on the general roll (section 2(3)) but the new Act did not change the provisions of the Maori Representation Act 1867. Interestingly, a 'Maori' for this new Act was defined as "...an aboriginal native inhabitant of New Zealand, and includes any half-caste, living as a member of a Native tribe, according to their customs and usages, and any descendant of such half-caste by a Maori woman" (my emphasis). Aliens were disqualified (section 2(4)).

<sup>12</sup> Since 1967, a person standing in a Maori electorate does not have to be Maori though, according to John Wilson (*op cit.*, p. 19), there has yet to be a non-Maori elected.

<sup>13</sup> The Waitangi Tribunal's decision is accessible [here](#); the recommendation is in paragraph 5.1 of the report.

Estates Forests Fisheries and other properties.” It also specifies that Maori will sell land only to the Crown, what Article 2 called “the exclusive right of Pre-emption”. The third article guarantees to all Maori “all the Rights and Privileges of British Subjects.”

Putting aside the very difficult issues of translation, of understanding and of intent – whether in fact there was the ‘meeting of minds’ that is required under both international law and English law – it seems difficult at this distance to see how the Treaty could possibly be interpreted as requiring separate, race-based representation in a parliament that represents all New Zealanders, then described as “all British Subjects”.

The fact that, in the 1994 words of McGechan, J. “Maori representation – Maori seats – have become such an expression” of the Crown’s obligation “to protect the position of Maori under the Treaty” may rationalise what we have now *ex post*, but seems at variance with history:

- The Treaty itself said that Maori should have “all the Rights and Privileges” as all other British subjects – not special or separate – the same rights and privileges;
- The voting franchise for non-Maori under The New Zealand Constitution Act 1852 was founded on property ownership or tenancy – we must guess that, if the question had been raised in 1840, signatories to the Treaty would have assumed something similar for New Zealand;
- The Maori Representation Act 1867 was intended, as a temporary measure, to overcome the practical difficulty that many Maori owned land communally, rather than individually;
- Once property ownership or tenancy disappeared as a unique qualifier for the franchise, the separate representation of Maori should also have been abolished. That it didn’t can be explained by contemporary politics, then and now, and has no obvious link to the Treaty.

It is not surprising (given the now extremely low threshold that establishes whether a New Zealander is ‘Maori’ or not) that the number of Maori MPs representing electors on the General Roll significantly exceeds the number of Maori MPs themselves. In 2013 there are 16 ‘Maori’ MPs representing electors on the General Roll and just seven, separately elected Maori MPs.

I think the distinction between Maori electors and others; between Maori MPs and others is now indefensible.

I am not suggesting we ignore public policy issues of direct concern to Maori. We do not need a ‘Female Roll’ and ‘Female MPs’ to ensure issues of concern to women are addressed; nor do we need an ‘Asian Roll’ and ‘Asian MPs’ to address the needs of the Asian community. The fact that there are still issues of concern to Maori does not justify a Maori Roll and Maori MPs. In 1840, the Treaty signatories did not directly contemplate separate representation in a parliament of New Zealanders, but even if they had, that is no justification to continue race-based separatism in 2013.

#### 6. The Maori seats should go

It is now time for New Zealand to grow up. Just as significant efforts are presently being made to resolve Treaty grievances (I support those efforts), Maori need themselves to cast off the state of victimhood that sees their ‘special’ needs as demanding race-based representation. I see no chance of this change being accepted by the political entities that currently depend on the presence of separate Maori representation. That’s like

asking turkeys to vote for Christmas. So, we must not expect our politicians to conclude that this necessary change should occur.

That political reality should not prevent the CAP from recommending the abolition of race-based representation but the proposal would come even more powerfully from Maori themselves. That would represent maturity; thinking about what's good for the country rather than for a particular part.

Here is a suggestion: after the last Treaty of Waitangi settlement is signed, Maori themselves should petition Parliament to abolish the Maori Roll and separate Maori seats. That would be a hugely unifying gesture; a sign of maturity.

#### 7. "Great big melting pot"

In its history, New Zealand has done a lot of things well and some things badly. I think the good has significantly outweighed the bad. There has been a large recent change in the ethnic make-up of New Zealand residents (particularly in Auckland) and again, some of the ways we deal with that will be good and some, less than ideal.

I think we can show the rest of the world what to do about a lot of things and the way we oppose the growing international drift to separatism and balkanisation is an example. Creating and maintaining a single New Zealand peopled by just 'New Zealanders' should be a constant focus of our attention.

Everyone who lives in New Zealand and who comes here to settle should be or become a New Zealander, perhaps of Maori or Tongan or Chinese or German descent, but first and foremost a New Zealander. We should all hold fast to the idea that there are some things we New Zealanders all agree with. A political distinction or favour based on race, however well-intentioned, is not and should never be one of those.

I believe strongly in the sentiments of a 1969 song:

"What we need is a great big melting pot  
Big enough to take the world and all it's got  
And keep it stirring for a hundred years or more  
And turn out coffee-colored people by the score."

Blue Mink (1969), lyrics by Cook and Greenaway

The Ngapuhi chief Hone Heke is supposed to have said at Waitangi in 1840: "There are too many Europeans here now [to avoid change] and there are children that will unite our races."

I like the idea that "children...will unite our races".

I think it's time our Parliament acknowledged that.

Michael Littlewood





3873

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 1:26 p.m.

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

Full Names: Sabrina Liu Organisation Name: Email: \_\_\_\_\_  
Phone: \_\_\_\_\_ Postal AddressA: \_\_\_\_\_ Postal AddressB: \_\_\_\_\_ Postal City: Auckland Postal  
Region: Auckland Postal Post Code: \_\_\_\_\_ Postal Country: New Zealand Submission: Dear  
Constitutional Advisory Panel,

As a Chinese born NZ citizen who has spent seven years in this multi-cultural country, I would like to see some improvement/amendment in the Bill of Rights Act or related legislation to emphasize the equality of races and prevent racism against new immigrants, esp. against those who have a different appearance or cultural background than the Pakeha immigrants .

"Freedom of expression" is one of the cornerstones of NZ human rights act. On the other hand, a citizen of this land should also feel secure, without having to be constantly badgered by defamation, fabricated not only by the new Nazis but shockingly composed in the hands of politicians like Winston Peters or even the media who would rather sacrifice the reputation of a diligent and tolerant group of people in order to snatch more headlines and viewing rates. TVNZ made up stories and refused to investigate the mistake they made about the Christmas Charity lunch. NZ Herald published letter from a Howick resident who blamed the Chinese for the reduced numbers of shellfish on the beach and the editor did not bother to check the fact or to offer an alternative explanation other than the accusation that the Chinese are greedy. Mr. Peters, while being one of a kind in the political world, is a disgrace to all educated people who do not care to dignify his nonsense with a comment. Individuals, organizations, media, politicians, businesses...at the moment just feel free to bluster anything without any facts/data to backup their stories and never need to be responsible for the consequences - that is an abuse of the "freedom of speech" and no doubt triggers stereotypes and racial hatred. If water filter businessman Philip John Smart faces legal consequences of his sales tactic and can be regulated by the Fair Trading Act, what do we regulate the media and the politicians with when they dress up a quiet, hard-working, but timid ethnic community as a monster who's conveniently be able to answer for all our economic, housing and social problems? We all appreciate different opinions and can accept criticism as long as they are built upon solid facts.

In an attempt to revive our economy, the current immigration policy lures the rich and skilled Asians here, should those new residents be treated like equals rather than as exotic gourmet for the politicians, business owners, and media to prey on? I admit that a very small number of new immigrants may not be familiar with the local custom or regulations - they do not represent the whole race. Most of the immigrants are trying hard to learn the language and accommodate to the European custom although they do not have to. (For the comment that says the Chinese have different background and cannot live with European immigrants - I wonder what the Maori people think about how the Europeans have a different way of life compared to the Maori.)

New Zealand being an immigration country, is a peaceful and safe haven that rewards hard-working

and responsible people - I believe that is the main reason many Asian immigrants chose New Zealand as their homeland. I hope the legislation/constitution would acknowledge that New Zealand is built jointly by the locals (Maori) and the immigrants (European or non-European), recognize the equality between races, and protect honest law-abiding people from racism and institutional racism. And for that reason, I also believe constitution (the collective Parliament decision) should be above the Bill of Rights Act based on the hope to see more learned MPs capable of representing immigrants who live and work hard like any Pakeha, in the parliament in the near future.

Please excuse any grammar or spelling mistakes or confusions in this submission. English after all is my second language. I thank you for your time and consideration and apologize for any misunderstandings I have about NZ constitution/legislation.

Best Regards,

S.L.

Submitted on the 25 July 2013 at 13:25

709

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 30/04/2013 9:37 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: John Hamilton Livesey Organisation Name: None Email:  
Phone: Postal AddressA: Postal AddressB:  
Postal City: Christchurch Postal Region: Canterbury Postal Post Code: Postal  
Country: New Zealand Submission: On the question of Maori representation in Parliament, I think  
that there should be no reduction in the number of Maori seats, nor should they be abolished. They  
are a valuable means of ensuring that Maori have at least some voice and voting power in parliament.  
This is the bare minimum that is implicit in the Treaty of Waitangi.

Sent on the 30 April 2013 at 21:36



709a

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 30/04/2013 10:01 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: John Hamilton Livesey Organisation Name: None Email:  
F.none: Postal AddressA: Postal AddressB:  
Postal City: Postal Region: Canterbury Postal Post Code: Postal Country:  
New Zealand Submission: 1. The number of members of Parliament is fine at about 120. Fewer makes proportionality more difficult and reduces the number available for important committee work

2. A term of 3 years seems fine. Maybe 4 years would do little harm but 5 years as in the UK is too long - elections must be reasonably frequent if a government is to be able to claim to represent the people, ie to be democratic.

3. Election dates should normally be fixed, say the second Saturday in November every 3 years. The exception would be if the government of the day loses a confidence vote in Parliament (and the Governor General agrees there is a genuine loss of confidence, not just a gaming of the system).

4. The size of electorates should relate to the number of registered voters (for both General and Maori electorates), and boundaries as far as possible reflect community of interests.

5. The rules should differ for electorate and list members. Electorate members should be free to leave their party (if any) without sanction. List MPs should leave Parliament if they leave their party.

6. In addition to the above, I think that the election of a party member in one electorate should not in and of itself allow other party members to join them in parliament (where the party fails to gain 5% of the vote). The reason is that this has consistently been used to game the system in order to get very minor parties into parliament.

Sent on the 30 April 2013 at 21:59

7096

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 2/05/2013 8:14 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: John Hamilton Livesey Organisation Name: None Email:  
Phone: Postal AddressA: Postal AddressB:  
Postal City: Postal Region: Canterbury Postal Post Code: Postal Country:  
New Zealand Submission: I think that NZ does not need the constitution to be written as a single document - the present situation is fine. The reason is that it is not clear to me that countries with a written constitution are better governed than ones that do not, nor is it obvious that they better respect civil rights. For example, the USA constitution does not prevent the US having extraordinary high levels of private gun ownership and hence murder rates; nor does it seem to prevent the indefinite detention without trial of terrorist suspects at Guantanamo Bay - both unexpected for a constitution that purportedly aims to protect life and liberty.

This also avoids the difficulties referred to in questions 2 and 3.

Sent on the 2 May 2013 at 20:13

709c

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 2/05/2013 8:38 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: John Hamilton Livesey Organisation Name: None Email:  
Phone: Postal AddressA: Postal AddressB:  
Postal City: Postal Region: Canterbury Postal Post Code: Postal Country:  
New Zealand Submission: The current flag should be changed. The Union Jack part is an  
anachronism harking back to a colonial and racist era long gone.

One alternative possibility is to just leave the southern cross on the flag without the union jack, and  
shift its position a bit.

Another possibility is the koru flag designed by Friedensreich Hundertwasser.

Sent on the 2 May 2013 at 20:38

2275

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 3/07/2013 3:48 p.m.  
**Subject:** CAP Submission

Maori seats should be abolished

---

Regards

A J Livingston

3 854

**From:** Robert Livingston  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 25/07/2013 1:13 a.m.  
**Subject:** CAP Submission

I fear that efforts to rewrite our existing, perfectly adequate constitution will result in a divided nation.  
Why try to fix something that is not broken?

---

Robert Livingston  
Nelson

74

Sent on the 30 March 2013 at 19:37



4903

Secretariat, Constitutional Advisory Panel, Ministry of Justice. Wellington.

William George Lloyd

29 July 2013.

Christchurch, Otago

Email

Telephone

The Panel has sought input on a number of matters and I comment.

Should New Zealand have a written constitution ?. NO

This country is governed by laws, Common Law stretching back to the time of my illustrious ancestor King John. Acts of Parliament, numerous regulations in particular road traffic law not essentially promoted by the will of the populace but accepted as common sense. There are also local bylaws subservient to the Common Law. This body of law has proved and does prove adequate for the common good. There is no good or sensible reason why this situation should change.

Comment. In almost forty years of local authority service, including the last eighteen as The Town Clerk, Treasurer and Returning Officer of the now abolished Borough of Port Chalmers, I was called upon a secretary, treasurer and financial advisor to many local clubs, societies and groups. I still examine the annual accounts of a small number of organisations. Often when a group was seeking registration as an Incorporated Society I would be called upon to formulate its Rules or Constitution. It was pointed out to me very early in the piece that the minimum restrictions should be placed on the activities of the group, and the only necessary requirements was how one became or ceased to be a member and the disposal of assets if and on winding up of the organisation.

Should our unwritten constitution have the highest legal status.? YES

Parliament, sometimes called "The Crown" or "The Queen" alternative appellations for certainly the whole populace fairly elected, makes the Law. The Public Service operates this law and adds, only adds, to it by Regulation

It is therefore not beholden that any other authority should be able to change or abrogate the Law. The Judiciary interprets the Law and this is its sole function. Allowing any other authority to anyway change the law is a recipe for disaster and anarchy.

A prime example of a written constitution is to be found in that of the United States of America, where both state law and the courts can overrule Federal Law.

Continues on page 2

*WGL*



Should the Treaty of Waitangi be included in a written constitution? NO.

The Treaty of Waitangi was written in the English Language by a British naval officer. His intent was quite clear and the three articles state succinctly:-

- 1, There shall be no separatism
- 2 Land and assets can be retained ,sold or otherwise dealt with as the parties so desire
- 3 All people are equal, there is no preference or partiality given to any party or race.

Some years ago there was a catch-cry "The Treaty is a fraud" Since I have no experience in the Maori Language I cannot comment on such a thought. However the British sailor's intent is quite clear and if either the formal Maori or the colloquial Maori translations do not accurately confirm that intent then there **NEVER WAS** and **IS NOT** a treaty.

Allowing that such a treaty does exist then its proper principles must be that all people, whether Maori, Welsh/Celtic/Anglo Saxon (as I am), Chinese, Indian, Pacific Islanders or whatever are equal and that no special privilege attaches to any one race, tribe, party or iwi. Otherwise there will be separatism, racial even religious intolerance. One only needs to look at recent happenings in Northern Ireland, and Bosnia or currently in Syria, Pakistan, Afghanistan and Egypt to view the effects that separatism has on its people. In the largest country which has a written constitution the United States of America the Civil Rights Movement of the recent past was basically a cry from minority people for integration.

Comment. When first attending University many years ago I was astounded to discover that certain places were reserved for Maori, who might have a lesser educational standard than was required of me. In my service in the British Army during the Malayan Emergency I was stationed at General Headquarters, Far East in Singapore., being involved with the movement of forces both in Malaya and to Korea. We, other ranks and NCOs, had much to do with the local people and made friends with Malays, Eurasians, Indians and Chinese Malaysians. and learned much racial tolerance thereby.

Thank you for the opportunity to make this submission,

Sincerely,



W.G Lloyd.

4979

**From:** Nardia Lloyd - Medacs  
**To:** "'constitutionalreview@justice.govt.nz"' <constitutionalreview@justice.g...  
**Date:** 26/07/2013 9:50 p.m.  
**Subject:** CAP Submission

Good Afternoon

I would like to voice my concern about the composition of the panel that has been set up to investigate this matter and I am gravely concerned at the seeming lack of impartial and independent review, that should be a mandatory part of this process, displayed by the Maori representatives – I cite Sir Tipene O'Regan recent presentation in Otago as evidence.

I demand that no decision on this matter is made without a public referendum.

#### CONSTITUTIONAL REVIEW SUMMARY OF ISSUES

##### 1. Size of Parliament

(1.a) Should the number of MPs stay the same, increase or decrease?

Decrease

##### 2. The length of the term of Parliament and whether the term should be fixed

(2.a) Should the parliamentary term stay at 3 years or increase to 4 years?

Stay at three years.

(2.b) Should the election date stay flexible or be fixed?

It should be fixed.

##### 3. Size and number of electorates, and method for calculating size

(3.a) Should the number of electorate stay the same?

The electorate sizes should broadly reflect similar population sizes right across the country and as the population grows so the number of electorates should grow to reflect this – I would support more electorate seats and less list MPS

(3.b) Should the method of calculating the size of electorates be changed?

I have no knowledge of this – I think the electorates should be based on population density – so a vote in one area means the same as a vote in another – if the current method does not allow for this fairness then it should be changed.

#### 4. Electoral integrity legislation

##### (4.a) Should electoral integrity legislation be re-introduced?

No people should have the opportunity to disagree with their party – if they can prove that they are representing their electorate the people that voted them in they need to have the right to disagree if they have the mandate to do so.

#### 5. Maori representation, including Māori Electoral Option, Maori electoral participation, Maori seats in Parliament and local government:

##### (5.a) Should the Maori electoral option (separate Maori roll) be retained or abolished?

I have no problem if people want to register as a Maori though there is probably little point given my answer to 5b. I would like NZ to be an equal society but I have no problem with how people want to identify themselves.

##### (5.b) Should the parliamentary Maori seats be retained or abolished?

Abolished. Under MMP anyone can vote for any party that they feel represents their views – the growth and support of the Maori party evidences this – under proportional representation special seats are not required as it gives people from a certain background disproportionate power.

##### (5.c) Should local government Maori seats be retained or abolished?

Abolished

#### 6. The role of the Treaty of Waitangi within our constitutional arrangements

##### (6.a) Should the Treaty of Waitangi have a more central role in our constitutional arrangements?

No – our constitution needs to treat everyone in NZ equally under the law. The treaty can be used historically to redress historic wrongs for which I have sympathy and I support but the future has to be egalitarian and free and everyone must be equal under the law.

#### 7. Bill of Rights issues (for example, property rights, entrenchment)

##### (7.a) Should the protection of property rights be included in Bill of Rights?

I'm sorry I do not know much about this – I think that private property rights are important but not over and above the rights of all new Zealanders to access areas such as the river ways and beaches. I think that access to certain areas – such as national parks should not be restricted simply because someone has all the surrounding land. I think they should be obliged to provide access

##### (7.b) Should the Bill of Rights be entrenched?

Yes it should be entrenched.

#### 8. Written constitution

##### (8.a) Should New Zealand retain our present flexible constitutional arrangements with the ultimate law-making power held by elected Members of Parliament, or should a new written constitution, which gives the ultimate law-making power to judges, be introduced?

We should retain the current system. I do not want a written constitution. I most certainly do not want a constitution that enshrines an apartheid approach to race in new Zealand.

#### 9. Any other comments



(9.a) Should the DECLARATION OF EQUALITY be enacted by Parliament?

Yes I support the Declaration of Equality "We New Zealanders of all backgrounds, having founded and developed our society in equality, fairness, and comradeship, oppose any laws which establish or promote racial distinction or division."

(9.b) Should constitutional change be dictated by MPs or subjected to a public referendum?

Public referendum

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Public referendum

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## 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

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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.

Lucy Locke  
Wellington  
New Zealand

2269.

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 3/07/2013 3:41 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

---

Full Names: Michael John Locke Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB:  
Postal City: nelson Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: The term of office should be extended to a minimum of 4 yrs to enable policies to be implemented and followed through. Also to reduce the cost of elections to the tax payer.

List MP's who leave the party therefore have no mandate and should be expelled from parliament.

Maori seats should be abolished. They have sufficient representation in parliament through ordinary electorates.

Sent on the 3 July 2013 at 15:40

4068

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 29/07/2013 4:24 p.m.

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

Full Names: D Lockett Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Whanganui  
Postal Region: Postal Post Code: Postal Country: New Zealand Submission: whats  
wrong with what we have now?? Get rid of all the politicians feeding at the trough at our expense and  
cut out all their perks. Then maybe it is catch up time for overcoming our horrendous debt problem.

Submitted on the 29 July 2013 at 16:23

1402

**From:** lockhart  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 17/06/2013 4:28 p.m.  
**Subject:** re: Submission

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

Jill Lockhart

Papamoa

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/07/2013 5:34 a.m.  
**Subject:** CAP Submission

Constitutional review:

Re Maori Seats.

These should be abolished. they are simply apartheid, and an insult to Maori by implying that they are unable to survive in the modern world without special protection.

Sincerely,

Harvev Lockie

Orewa

Mob



267

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 13/04/2013 8:40 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Name: Neville Lockwood Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: Postal Post Code: Postal Country: New Zealand

Submission: Because the treaty can be interpreted in some many ways and this interpretation is dependent on the social/racial position an individual holds the treaty should have absolutely no part in any modern New Zealand Constitution.

Sent on the 13 April 2013 at 08:39

1486

**From:** "Mike Loder"  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 20/06/2013 2:24 p.m.  
**Subject:** "CAP submission"

A few quick points

Firstly I would like to see a right to self defence enshrined in law.

We are all sick of victims being victimised again in court by Police prosecutors just in case the public get the idea they still have rights.

Shameful.

The next Indian dairy owner who chases a thug robber out of his store with a hockey stick should know he is safe in doing so.

Unless the victim leaves a trail of breadcrumbs to their door and rapes the criminal on Youtube - the cops dont touch them.

They are supposed to represent US - its time to show it. They wont so lets put it in law.

Our grand parents would burn parliament to the ground if they could see how victims are treated.

Next - an end to the creeping erosion of or rights for 'Safety'.

The entire nation can no longer enjoy a glass of wine on the beach because a few idiots are idiots.

Target the idiots. You dont cut a cancer out with a bat.

I want to see privacy laws respected. No more "Ooo here is a terrorist (That WE fucking created) so now you dont have any rights anymore. For YOUR safety".

I want to see big business thrive - under transparent control. The financial system is insane when examined and nearly ended the world as we know it with this latest recession.

I want to see a way for the little guy to settle financial dispute. May only be a few grand but it can cripple small business. Workable and enforced systems. This is huge.

Finally - my RIGHT to responsible ownership and use of firearms should be protected in law. Not granted. Recognized. Im sick of the Police attacking this. Despite the history of responsible use here.

Thanks,

Mike Loder

1719

**From:** Jannie Loewensteijn <  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 28/06/2013 10:48 p.m.  
**Subject:** Constitutional review

New Zealand does not need a constitution which includes a reference to the Treaty of Waitangi.

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

Jannie Loewensteijn  
Katikati

1717

**From:** J Loewenstein <  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 28/06/2013 10:42 p.m.  
**Subject:** Constitutional review

New Zealand does not need a constitution which includes a reference to the Treaty of Waitangi.

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

Marinus Johannes Loewenstein  
Katikati





4087<sup>1</sup>

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 29/07/2013 6:21 p.m.  
**Subject:** Proper Mines Inspections, divorced from Dept Labour, Submission To Justice Review

Submission To Justice Constitutional Review

Bring back properly trained Mines Inspectors, and Mines Rescue, instead of present system, where so called inspections are done by people who have never been in a mine. Department was previously called Labour Department, Remember the present fiasco over the Pike River Disaster,

Strongman Mine had Mines Rescue and proper Mines Management at time of their Disaster under control of Mines Department.

Regards

Robert Logan

Whangarei,

503

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 17/04/2013 3:04 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: shard loibl Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Tauranga Postal Region: Postal  
Post Code: Postal Country: New Zealand Submission: How can you have a constitution  
on something that is stolen and you do not own! You can't! That is why NZ is only 3 countries in the  
world that does not have a written Constitution! Zimbabwe had the biggest written constitution and  
look what happened there!  
because their land was stolen from them! The Crown has stolen the land off Maori and until they  
rectify their actions and return the stolen land there can be no constitution.

Sent on the 17 April 2013 at 15:03

4550<sup>2</sup>

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 1/08/2013 11:14 a.m.  
**Attachments:** My aspirations for the future of New Zealand depends on the way we shape it now.docx

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

Full Names: Tiana Lolesio Organisation Name: Email Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Manukau Postal Region: Auckland Postal Post Code: Postal Country: New Zealand  
Submission: Submission Upload: My aspirations for the future of New Zealand depends on the way we shape it now.docx

Submitted on the 1 August 2013 at 11:14



**Tiana Lolesio -**

**Auckland**

My aspirations for the future of New Zealand depends on the way we shape it now, the decisions we make now and the people in power to fulfil those aspirations.

My aspiration for New Zealand is to strengthen the union of Marriage between a husband & wife that forms the foundation of a strong family.

My aspiration for New Zealand is to be a nation that believes in strengthening families. The family is the strength of a strong community. A strong community is the strength of a nation. Therefore New Zealand stands for building strong families that will carry the aspirations for this country.

What does that look like?

For every child to grow up secure in who they are, where they come from and ready to participate and contribute in the community. That will only happen when a child grows up in a strong family with strong values and a belief system that supports them to be the best they can be. If you believe you will succeed.

For every family to be secure in the community they live in, ready to connect and engage in the aspirations of its community.

For every community to be secure in the strengths they bring to our nation building solidarity across all regions. Our communities strengthen the nation we live in therefore believe in New Zealand as a great nation to live in. Despite our differences or beliefs, the question is, do we believe New Zealand is a great nation? Do we believe in the goals New Zealand has for it's people?

My aspiration for New Zealanders born here is to take advantage of all the opportunities it has given. We are a privileged nation and we need to shine the light and celebrate the strengths of our nation. We need to remind our people how much New Zealanders' have worked to build this great nation. We have become too comfortable in what we have, that we don't appreciate what we have in front of us. We've become so obsessed of comparing ourselves with other nations and not realised we have often led many nations.

My aspiration for New Zealand is to challenge the nation and remind us of how far we've come so that we can move forward in what we sing about. My aspiration for my country is we believe in the foundational principles of our anthem. We are founded on biblical principles whether you are religious or not. You don't have to be religious to know that the principles are what makes a civilised society.

If we believe it, then live it! If you don't then go find a nation that suits your needs.

**"God Defend New Zealand"**



God of nations! at Thy feet  
In the bonds of love we meet,  
Hear our voices, we entreat,  
God defend our Free Land.  
Guard Pacific's triple star,  
From the shafts of strife and war,  
Make her praises heard afar,  
God defend New Zealand

E Ihowa Atua,  
O nga iwi matou ra  
Ata whakarongona;  
Me aroha noa  
Kia hua ko te pai;  
Kia tau to atawhai;  
Manaakitia mai  
Aotearoa

O Lord, God,  
Of all people  
Listen to us,  
Cherish us  
May good flourish,  
May your blessings flow  
Defend Aotearoa

Men of ev'ry creed and race  
Gather here before Thy face,  
Asking Thee to bless this place,  
God defend our Free Land.  
From dissension, envy, hate,  
And corruption guard our State,  
Make our country good and great,  
God defend New Zealand.

Ona mano tangata  
Kiri whero, kiri ma,  
Iwi Maori Pakeha,  
Repeke katoa,  
Nei ka tono ko nga he  
Mau e whakaahu ke,  
Kia ora marire  
Aotearoa

Let all people,  
Red skin, white skin  
Māori, Pākehā  
Gather before you  
May all our wrongs, we pray,  
Be forgiven  
So that we might say long live  
Aotearoa

Peace, not war, shall be our boast,  
But, should foes assail our coast,  
Make us then a mighty host,  
God defend our Free Land.  
Lord of battles in thy might,  
Put our enemies to flight,  
Let our cause be just and right,  
God defend New Zealand.

Tona mana kia tū!  
Tona kaha kia ū;  
Tona rongo hei pakū  
Ki te ao katoa  
Aua rawa nga whawhai  
Nga tutū a tata mai;  
Kia tupu nui ai  
Aotearoa

May it be forever prestigious,  
May it go from strength to  
strength,  
May its fam spread far and wide,  
Let not strife  
Nor dissention ensue,  
May it ever be great  
Aotearoa

Let our love for Thee increase,  
May Thy blessings never cease,  
Give us plenty, give us peace,  
God defend our Free Land.  
From dishonour and from shame  
Guard our country's spotless  
name  
Crown her with immortal fame,  
God defend New Zealand.

Waiho tona takiwa  
Ko te ao marama;  
Kia whiti tona ra  
Taiawhio noa.  
Ko te hae me te ngangau  
Meinga kia kore kau;  
Waiho i te rongo mau  
Aotearoa

Let its territory  
Be ever enlightened  
Throughout the land  
Let envy and dissension  
Be dispelled,  
Let peace reign  
Over Aotearoa

May our mountains ever be  
Freedom's ramparts on the sea,  
Make us faithful unto Thee,  
God defend our Free Land.  
Guide her in the nations' van,  
Preaching love and truth to man,  
Working out Thy Glorious plan,  
God defend New Zealand.

The challenge is to have the right people leading this nation, believing in the foundational principles in this anthem. I believe we have the right people. I pray that NZ will realign itself to its founding principles to become the great nation we sing about. "From dissension, envy, hate, And corruption guard our State, Make our country good and great, God defend New Zealand". God Bless New Zealand.

1728

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 29/06/2013 5:01 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

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

Full Names: John James Ingle Lomas : Veronica Anne Lomas Organisation Name:  
Email: Phone: Postal AddressA:  
Postal AddressB: Postal City: TAIRUA Postal Region: Waikato Postal Post Code:  
Postal Country: New Zealand Submission: We don't believe that a single document constitution  
offers the way forward for New Zealand.

We believe the existing legislative framework works well and contains appropriate checks and balances.

We believe that everybody should be treated equally and there should be no exceptions based on race, colour or creed. We aspire to a NZ where discrimination of any kind, positive or otherwise, is no longer part of our social processes.

Endless re-interpretations of the Treaty of Waitangi are divisive and do not advance the prospect of an harmonious society; and therefore it should not be part of a formal constitution.

We support the dis-continuation of separate representation for Maori at both national and local government level. We support educating and encouraging Maori to fully participate in the universal franchise that New Zealanders enjoy and that, through the mechanism of MMP, ensures fair representation of minorities.

Sent on the 29 June 2013 at 17:00

4431

**From:** Niki Lomax  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 31/07/2013 11:59 a.m.  
**Subject:** CAP Submission  
**Attachments:** 31 July 2013-Niki Lomax-CAP Submission.pdf

To whom it may concern,

Please find attached my submission on the consideration of constitutional issues.

Regards,  
Niki Lomax

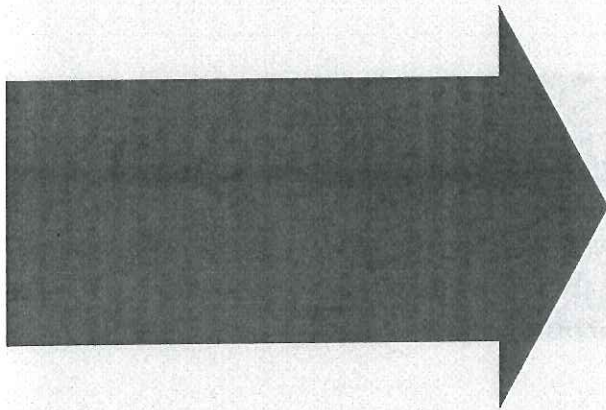


# A Better, Digital DemoCracy

by Niki Lomax

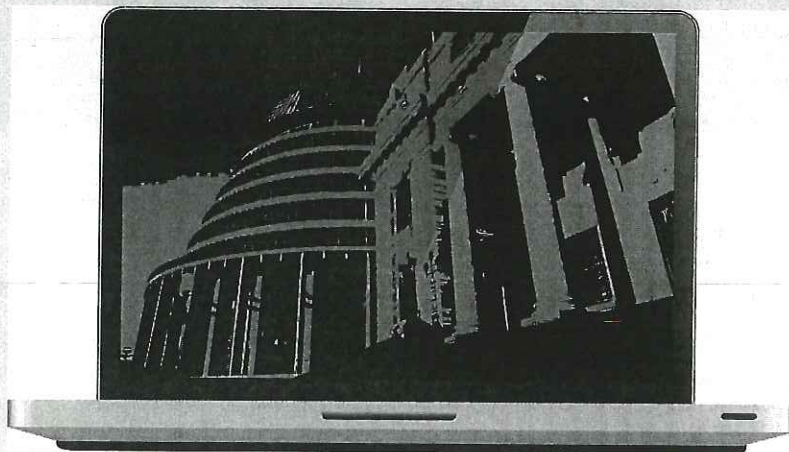
A submission to the  
Constitutional Advisory Panel,  
31 July 2013





## KEY RECOMMENDATION :

*Create a centralised, integrated online government information service.*





## Introduction

This constitutional review is an exciting opportunity for New Zealanders to have a say on some operational issues relating to our democracy and, importantly, engage in a broader discussion about the future of our small Pacific nation. However, it is concerning and frustrating that most New Zealanders are not participating in this conversation. Rather than actively disengaging from this process most people I have talked to either feel unqualified to comment, or don't even know the review is happening. When I have discussed this review with friends and family the most common response has been '*What's a constitution anyway?*'

How can we make our constitutional arrangements part of the public consciousness? How can we expect New Zealanders to hold their government to account if they don't know what they are accountable to? How can we ensure breaches of the Bill of Rights Act receive proportional outrage when most citizens don't know we even have a Bill of Rights? How can we expect anything less than ignorance when the Treaty is taught as a relic of history and not understood to be a relevant, living document?

This submission will not discuss all the issues outlined in the Constitutional Advisory Panel's Terms of Reference, but will instead respond to the Panel's bolder and more ambitious question. *What are your aspirations for Aotearoa New Zealand?* Broadly, I can sum up my aspirations as follows – I want New Zealand to be:

*Sustainable, equitable, inclusive, engaged, and ambitious.  
A better, digital democracy.*

This submission offers one key recommendation which I believe will assist in moving New Zealand towards this goal – the creation of a centralised, integrated online government information service – a tool which will assist in the development of a more informed and participatory public. This online service should incorporate the establishment of a central consultation platform, a 'one-stop-shop' for submitting on parliamentary bills, local plans, or discussion documents.

While I acknowledge this is not a strictly constitutional issue, I hope it will be of some use to the Panel in forming recommendations on increasing civic engagement and knowledge around these issues.

## Start by improving civics education

The 2005 *Inquiry to review New Zealand's existing constitutional arrangements* concluded that the government needed to:

'To foster greater understanding of our constitutional arrangements in the long term, increased effort should be made to improve civics and citizenship education in schools to provide young people with the knowledge needed to become responsible and engaged citizens (Constitutional Arrangements Committee, 2005: 5).'

It seems highly likely that the current constitutional review will produce a similar recommendation.



I absolutely agree that fostering greater understanding through better civics education is important. It is generally accepted that a better-educated public will be more participatory, more successful at holding the government to account, have a greater understanding of their rights and an appreciation of their obligations and responsibilities as citizens. However, the curriculum is only one tool. Creating 'responsible and engaged citizens' will only be possible if parents and teachers are able to reinforce this learning. The government must therefore adopt a comprehensive strategy that aims to make all New Zealanders more informed.

## The government is missing a key opportunity

Everyday New Zealanders make thousands of interactions with the government. Whether it's lodging an ACC claim, checking a student loan balance, collecting superannuation, appearing in court, applying for a passport, renewing a driver's licence, applying for welfare, applying for research funding, completing a tax return, or looking up when public holidays are. Every one of these interactions is an interaction with an interface managed by the government. Every one of these interactions is an opportunity to educate, and it's an opportunity the government is currently squandering.

The current Government is not unaware of this potential. In mid-2012 they set '10 challenging results for the public sector to achieve over the next five years', which included 'Result 10: New Zealanders can complete their transactions with government easily in a digital environment (SSC, 2013).' By 2017, the Government hopes that 70% of all common transactions with government will take place in a digital environment (DIA, 2012).

This goal should be more ambitious.

A bold, well designed, integrated web platform for government which connects services in a meaningful way for the user will make these interactions not only much simpler and enjoyable, but educative. The educative potential of a well-designed interface and strong information architecture should not be underestimated. This also should not be a goal limited to 'customer transactions' but participatory transactions – it should be as easy to make a submission as it is to find out your tax code.

Achieving this will require more than developing some isolated smartphone apps for specific services, or improving front-end design of some core government websites. A better, digital democracy will require more dramatic change.

## A case study: the United Kingdom

The British Government Digital Service (GDS) was established in 2010 as a new team within the Cabinet Office in response to the Martha Lane Fox report: *Directgov 2010 and beyond: revolution not evolution*. The GDS oversees a number of projects which all aim to create a digital service in the UK that is simple, clear and engages people with government.

At the centre of this initiative was the development of a centralised, integrated web platform for government, all located at a single domain: [GOV.UK](http://GOV.UK).

GOV.UK took thousands of government websites and redesigned the entire framework, creating an integrated platform for all government services. Rather than having to learn a new language every time a citizen interacted with a government website, these interactions, as the GDS puts it, are now 'simpler, cleaner, faster'.





The new platform is designed around the needs of the user and designed to make sure people will use it and learn something when they do. The entire structure of the site is designed to be educative, but it has also succeeded in being both intuitive and enjoyable. Searchability has been prioritised so people can find exactly what they are looking for as quickly as possible. GOV.UK can be navigated by department, by topic, or by policy, with other navigation options including 'How government works' and 'Get involved'. 'Get involved' acts as a consultation hub with all open consultations listed with links to relevant information, as well as links to volunteer and community service organisations.

The use of navigation is in itself an educational tool. By listing all 24 ministerial departments, 20 non-ministerial departments, 334 agencies and other public bodies, and 12 public corporations, straight away the user understands the scope of government and gains a sense of how the departments relate and interact.


Underpinning all the work of the GDS is a philosophy of openness. All of the code they write is available on [GitHub](https://github.com), an open source code hosting service, for developers around the world to freely access and use. They have also adopted a culture of experimentation. Rather than launching a final perfect design, they launched a beta version of the site and encouraged feedback. The GDS recognises the need to rapid evolution, encouraging agility and adaptability in the development process.

As discussed in the 2012 [Government Digital Strategy](#), published by the British Cabinet Office, a 'digital by default' strategy is not only beneficial in terms of civic engagement, but its cost effective:

'By digital by default, we mean digital services that are so straightforward and convenient that all those who can use them will choose to do so whilst those who can't are not excluded. We estimate that moving services from offline to digital channels will save between £1.7 and £1.8 billion a year. Government is improving the way it provides information by moving to a single website, [GOV.UK](https://gov.uk).

Transactional services now present the biggest opportunity to save people time and save the government money (Cabinet Office[UK], 2012: 2).'

New Zealand already uses this language. Our own *Government ICT Strategy* talks about being 'digital by default' (ICT.govt.nz, n.d.). At the centre of progress towards this goal should be a similarly open and experimental culture like that of the British GDS. The next steps in New Zealand should not be incremental, they should be bold.

 **GOV.UK**

Inside Government  
Departments Topics Worldwide How government works Get involved  
Policies Publications Consultations Statistics Announcements

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## Get involved

Find out how you can [engage with government](#) directly, and [take part](#) locally, nationally or internationally. You can also [read policies](#) about how government is increasing participation.

### Engage with government

---

#### Respond to consultations

86

Open consultations

394

Closed consultations in the past 12 months

You can give your views on new or changing government policies by responding to consultations. Government departments take these responses into consideration before making decisions.

2 days left

Inspection of services for children in need of help and protection, children looked after and care leavers


Read and respond

Recently opened

A new approach to public private

Recent outcomes

Consultation on (i) the order for

 **GOV.UK**

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Policies Publications Consultations Statistics Announcements


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## How government works

In the UK, the Prime Minister leads the government with the support of the cabinet and ministers. You can find out [who runs government](#) and [how government is run](#), as well as learning about the [history of government](#).

### Who runs government

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#### The Prime Minister

The **Prime Minister** is head of the UK government. He is ultimately responsible for all policy and decisions. He:

- oversees the operation of the Civil Service and government agencies
- appoints members of the government
- is the principal government figure in the House of Commons


The Prime Minister is **David Cameron MP** and he is based at Number 10 Downing Street in London.

[Read more about the Prime Minister's Office, 10 Downing Street](#)

#### The Deputy Prime Minister

The **Deputy Prime Minister**, **Nick Clegg MP**, is the deputy head of government. He is responsible for political and constitutional reform. Nick Clegg is also responsible for other government policy areas and is consulted on all decisions made by the Prime Minister.

[Read more about the Deputy Prime Minister's Office](#)





## 'GOVT.NZ'?

As part of the Constitutional Advisory Panel's report, I hope the Panel will consider including a recommendation that supports the prioritisation of improved government digital services in New Zealand with a view that all tools aiming to increase civic knowledge and participation should be promoted.

There are some truly terrible government websites in New Zealand. Many are clunky, difficult to navigate, and frustrating to use. Traditional models of government procurement are not suited to the rapid evolution of digital technology. Once something is updated, it takes no time at all for it to be out of date again. Centralised guidance and the adoption of an agile, open, and experimental approach to digital services will be a crucial part of delivering effective government services in the 21st century.

Of particular priority should be a centralised database which collates information on all open public consultations similar to the UK's 'Get involved' page. Something like 'govt.nz/submit' could act as a central place for citizens to submit on a bill before parliament, or a council's unitary plan, or comment on a discussion document produced by a ministry. Collating this information has the dual benefit of making the information easier to find, and increasing public awareness of the opportunities available to formally submit on issues of interest.

It should go without saying that protection of privacy and identity assurance should be at the front and centre of any government digital service. This is already a core principle of the government's ICT strategy which states that 'security and privacy by design will be the norm' (ICT.govt.nz, n.d.).

The GOV.UK example is of enormous use. Apart from anything else, the nuts and bolts are openly accessible, free to use and adapt.

## To conclude

Civic knowledge has been a constant theme throughout this conversation and it seems likely that the Constitutional Advisory Panel will receive a lot of submissions championing civics education. It also seems likely that the Panel's report will echo that of 2005 which noted concern that 'too many New Zealanders do not have sufficient understanding of our current system' (Constitutional Arrangements Committee, 2005: 5).

Modernising our democracy by improving digital interactions with government is an obvious and effective way to address this across all sectors of society.

As young New Zealander, committed to this place and its future, I hope this conversation has materially positive outcomes for our country. Improving civic knowledge in New Zealand will require multifaceted solutions. I support prioritising civics education in the curriculum, and I support prioritising the improvement and integration of government digital services in New Zealand.

*A submission by Niki Lomax to the Constitutional Advisory Panel, 31 July 2013  
nikilomax@gmail.com | @nikilomax*

## REFERENCES

- Cabinet Office(UK) (2012). *Government Digital Strategy*. Retrieved 20 July 2013, from: <http://www.publications.cabinetoffice.gov.uk/digital/strategy/>
- Constitutional Arrangements Committee (2005). *Inquiry to review New Zealand's existing constitutional arrangements*. Retrieved 20 July 2013, from: <http://www.parliament.nz/resource/0000002679>
- Department of Internal Affairs (DIA) (2012). *Better Public Services for New Zealand: Action Plan August 2012*. Retrieved 20 July 2013, from: [http://www.dia.govt.nz/vwluResources/Result10ActionPlan/\\$file/Result10ActionPlan.pdf](http://www.dia.govt.nz/vwluResources/Result10ActionPlan/$file/Result10ActionPlan.pdf)
- ICT.govt.nz (n.d.) *Government ICT Strategy and Action Plan to 2017*. Retrieved 20 July 2013, from: <http://ict.govt.nz/strategy/action-plan/>
- State Services Commission (SSC) (2013). *Better Public Services: Snapshot of results at 8 July 2013*. Retrieved 20 July 2013, from: <http://www.ssc.govt.nz/bps-snapshot>

