

4 December 2013

David Parker  
Private Bag 18 888  
Parliament Buildings  
Wellington 6160

Dear David,

As the year comes to an end we thought it might be useful to provide an update on our latest research. We understand the Constitutional Advisory Panel report is imminent and attach our submission for your information. We explore how New Zealand might implement Sir Paul Callaghan's vision of creating a talent-based economy in our *TalentNZ Journal*. Also included is our research on the history of genetic modification in New Zealand. Lastly we briefly introduce our latest think piece on education, which reflects my observations from attending the World Innovation Summit for Education (WISE) conference in Doha, Qatar.

#### **Submission to the Constitutional Advisory Panel**

The Institute undertook the *EmpowerNZ* workshop in August 2012 to explore a range of ideas and think deeply about our current constitution and how it might be made fit for the 21st century.

I thought you might appreciate a copy of the Institute's submission which we have summarised below. To strengthen our constitutional arrangements, we identified six constitutional hotspots and made 40 recommendations – a full list can be found from page 47 of the attached submission:

- 1. Māori Representation.** We found that the Māori seats do not reflect their original purpose. By separating our constitutional framework from our representational framework, there is potential for our constitutional arrangements to provide a more integrated, comprehensive and effective representation of Māori and other minority groups within Parliament. See pages 11-18.
- 2. The Executive Council.** We found that although the Executive Council is one of the three branches of Government and it is the highest formal institution of government, in reality it appears to be an institution lacking any real decision-making power, relevance or public profile. We consider this ambiguity creates problems in terms of transparency, accountability and good governance, whilst creating on-going uncertainty for citizens. We put forward a range of suggestions, such as changing the names of the DPMC to DPMEC, and the *Cabinet Manual* to the *Executive Council Manual* (which would include New Zealand's constitution). Further, we suggest that all minutes of Cabinet are made easily searchable, and that Cabinet be reaffirmed as a committee of the Executive Council in all literature. See pages 18-23.
- 3. Oaths and Symbols.** We suggest that government should update and take advantage of the visible and symbolic parts of the constitution, such as the oaths, flag and coat of arms. These somewhat outmoded symbols of nationhood could be updated to be a true reflection of our identity, reinforcing the core constitutional ideals and values in the public consciousness. See pages 23-28.

4. **Environment.** We found that our commitment to the environment is not embedded in our constitution. We suggest ways this could be rectified. See pages 28-32.
5. **Rights and Responsibilities.** In New Zealand society we often conceptualise responsibilities separately from rights. However, we believe that it is important that the relationship between rights and responsibilities is reflected in our constitution; specifically we suggest that the Bill of Rights becomes the Bill of Rights and Responsibilities.
6. **Length of the Parliamentary Term.** We suggest that, provided our constitutional arrangements are strengthened, the parliamentary term is extended to four years. Although we found that the current length was too short, it is necessary due to the current lack of checks and balances. See pages 34-36.
7. **Civics Education.** There is currently a widespread lack of civics knowledge; hence we suggest civics education should be better integrated into our education system. The public's understanding of our system of government is crucial to the health of our democracy, and it is essential that our core curriculum reflects this. See pages 36-41.

Overall, we came to the conclusion that a move to a codified constitution is needed through a single written document that is supreme law. New Zealanders need certainty over our core values, our beliefs and the procedures underpinning our system of government. This allows us to focus on enhancing our place in the world and delivering optimal outcomes for all New Zealanders. Working with a large number of New Zealanders on this topic has been both stimulating and challenging, and we hope you will find the time to have a quick review of a range of submissions.

#### ***TalentNZ: Creating a place where talent wants to live Journal***

The *TalentNZ* initiative builds on the thinking of Sir Paul Callaghan who envisioned New Zealand as 'a place where talent wants to live'. Earlier this year, two *Sir Paul Callaghan Science Meets Humanities Scholarship* recipients asked 30 kiwis seven questions, resulting in 210 ideas on talent. The 30 interviews along with essays from contributing writers are published in the *TalentNZ Journal* (a complimentary copy accompanies this letter). In March 2014 we plan to travel New Zealand with some of the interviewees, discussing how we might best *grow, attract, retain* and *connect* talent (the four interlinking goals generated from analysing the 30 interviews).

#### **An Overview of Genetic Modification in New Zealand: The first forty years**

The Institute felt it was timely to revisit this area of research to evaluate whether our genetic modification regulatory scheme is fit for purpose. This work has led to the publication of our latest report, Report 16, *An Overview of Genetic Modification in New Zealand: The first forty years*. Please find the executive summary of this report attached. We found the current regulatory framework in New Zealand is not fit for purpose (see pages 67-93). Further, promises of benefits advocated in recent years have not materialised, meaning there is progressively more merit in New Zealand positioning itself as a GM free food producer over time. For example, we found that of the 57 outdoor experiments undertaken since New Zealand's first GM outdoor experiment in 1988, 70 per cent have been undertaken by government-funded institutions with no known commercial benefit.

#### ***Think piece on education***

In September the Institute published a think piece entitled *For me ... it is not enough* (attached). This was written as a result of attending the World Innovation Summit for Education (WISE) held in Doha, Qatar.

I hope you will find this research interesting and that it provides some useful insights for further consideration next year. If you have any questions or would like to receive further complimentary copies of the *TalentNZ Journal* or the full genetic modification report and appendices, please do not hesitate to contact Hannah Steiner, our project manager, at [hs@mcguinnessinstitute.org](mailto:hs@mcguinnessinstitute.org).

We hope you have relaxed and enjoyable Christmas holiday and look forward to making contact with you again early in the New Year.

Yours sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a trailing end, representing the name Wendy McGuinness.

Wendy McGuinness  
Chief Executive

Attachments:

*Ensuring New Zealand's Constitution is Fit for Purpose: Submission to the Constitutional Advisory Panel*

*TalentNZ: Creating a place where talent wants to live Journal*

*Executive Summary: An Overview of Genetic Modification in New Zealand*

*Think Piece 18: For me ... it is not enough*