

19 July 2013

Submissions  
Secretariat, Constitutional Advisory Panel  
C/o Ministry of Justice  
DX SX10088  
Wellington

To whom it may concern,

**Submission to the Constitutional Advisory Panel: a survey of 42 *EmpowerNZ* participants**

In August 2012 the McGuinness Institute hosted a workshop for 50 young people called *EmpowerNZ: Drafting a Constitution for the 21st Century*. The aim of this workshop was to create a space for young people to engage with the constitutional review process. The participants spent two days preparing their *2012 Draft Constitution*, supported by eight facilitators with guidance from a number of constitutional experts. *EmpowerNZ* is one of three workshops the Institute has hosted – the others being *StrategyNZ* in March 2011 and *LongTermNZ* in December 2012 – all of which have aimed to create a national conversation on a range of issues, bringing people together from throughout the country to discuss long-term issues with a particular output in mind. The primary goal is always to give participants the opportunity to have their voice heard.

To this end, in June 2013 the Institute circulated a survey among the *EmpowerNZ* participants asking them to respond to the 20 questions posed by the Constitutional Advisory Panel in their submission guide. We also asked an additional four questions which were based on issues that arose during the August 2012 workshop – specifically the environment, whether Aotearoa New Zealand should become a republic, civics education and youth participation.

The results from this survey are attached and on behalf of the 42 *EmpowerNZ* participants who responded, the Institute would like to submit these results as a submission to the Constitutional Advisory Panel.

The 42 survey respondents were: Kirsty Allan, Tele'a Andrews, Sarah Baillie, Todd Barrowclough, Jessica Bush, Louis Chambers, Reed Fleming, William Fussey, Emma Gattey, Paula Gillon, Tiaki Hana Grant-Mackie, Charlotte Greenfield, Rachael Jones, Zachary Kedgley-Foot, Alex Ladyman, Richard Ley-Hamilton, Dipti Manchanda, Ruth Markham-Short, Lauren McGee, Tiana Morgan, Duran Moy, Pania Newton, Lydia Nobbs, Helen O'Leary, Alice Osman, Ihapera Paniora, Elye Parata, Joshua Pietras, Rosa Polaschek, Sophie Pollak, Oska Rego, Stacey Riordan, Christian Silver, Maithili Sreen, Jack Starrett Wright, Kieran Stowers, Diana Tam, Jeremy Todd, Morgan Watkins, Julia Whaipooti, Julia White, and Jeremy Wilson.

This submission will also be available for the public to download on their *EmpowerNZ* website.

Kind regards,



Wendy McGuinness  
Chief Executive

Attached: (1) *EmpowerNZ Participants Survey – July 2013*, (2) *EmpowerNZ 2012 Draft Constitution*, (3) *Statistics on the 42 participants who completed the survey*



# **EmpowerNZ Participant Survey**

July 2013

# Question 1

What are your aspirations for Aotearoa New Zealand?

	Response Count
	42
answered question	42
skipped question	0

## Question 1: What are your aspirations for Aotearoa New Zealand?

1	A fair, liberal minded society built on economic and social reason.	Jul 10, 2013 7:55 AM
2	To have a country where success is measured holistically. By this I mean where our economic success is put into perspective against our social, psychological and environmental well being, not only within New Zealand but in our relationships to other nations.	Jul 9, 2013 9:32 PM
3	An egalitarian society that innovates, embraces change but able to stay true to itself.	Jul 8, 2013 10:22 PM
4	That New Zealand be an all-inclusive society, which tries to mitigate any disadvantages that people have to work with	Jul 6, 2013 12:21 PM
5	To be a sustainable, fair, progressive society that contributes ideas and examples of sensible practice globally. I want New Zealand to be respected across all fields from environmental, to education, to economical.	Jul 4, 2013 2:15 PM
6	Equity, for all people.. To feed the children who live below the poverty line. More engagement with Te Reo and understandings behind the grievances of the Treaty of Waitangi from all New Zealanders	Jul 4, 2013 10:59 AM
7	To be a fair and equal society. To fix some of the intolerances and inequalities.	Jul 4, 2013 10:49 AM
8	- that ToW is recognised as the founding document of NZ. - principles of the ToW are embedded in our constitution - unified country - statistics for Maori improved - kaitiakitanga over our lands, rivers, lakes, coastlines, mountains etc to see that these are protected for future generations - more affordable housing	Jul 4, 2013 9:10 AM
9	- Social equality - New Zealand is a country where young people want to stay after they graduate university - Commitment to the environment and a world leader in tackling climate change - More liveable cities - bike lanes, public spaces, sense of community	Jul 3, 2013 8:10 PM
10	I believe that New Zealand has the potential to lead the way for the Asia Pacific area. Particularly in the area of civic engagement, the environment and democracy.	Jul 3, 2013 2:10 PM
11	I aspire to see us become a true world leader in R&D.	Jul 3, 2013 2:10 PM
12	A more equal society with no poverty. Equal opportunities for all.	Jul 2, 2013 7:44 PM
13	Increased education on civics, particularly in high schools, as many lack basic understanding of important concepts. This leads to less informed decision making, and voting that may not necessarily reflect what a person might have decided if they were fully informed.	Jul 2, 2013 7:08 PM
14	to be a country where people want to live, instead of one where we become educated and leave straight away. NZ should provide equal opportunities among men and women, and among every racial demographic that comprises NZ.	Jul 2, 2013 3:45 PM
15	sustainable, independent, socially inclusive, respectful of diversity, a place where people are uplifted to be everything they think they can be	Jul 2, 2013 3:37 PM
16	For our society to be aware and tolerant, to foster greater community consciousness, to lead and not follow. I believe New Zealand has an	Jul 2, 2013 11:18 AM

## Question 1: What are your aspirations for Aotearoa New Zealand?

	innovative and sincere voice, one that should be acted upon. Thus we need to cherish our achievements, expound our innovations and transcend that which alienates modern societies.	
17	To improve as a nation in terms of: - Economic growth - social development and equality - democratic processes - environmental protection	Jul 1, 2013 1:11 PM
18	That New Zealand would first fix the problems of education, poverty, unemployment, and any others that we face which should then allow us to focus on our clear strengths of world class innovation while maintaining a strong cultural identify.	Jun 30, 2013 10:58 AM
19	To be kind. As bubbly and idealistic as that may sound, that's what I think this country (any country really) needs. In terms of how does a constitution contribute to that, it's in having knowledge. A firm believer that knowledge is power and conversely, ignorance can be destructive and ugly. I think those of us in EmpowerNZ are a privileged minority, engaged in this korero, aware of our rights, a degree of genuine understanding of Te Tiriti and The Treaty. And because of this privilege we can have a conversation. But the privilege isn't a good thing, it's a shame. I aspire for Aotearoa NZ to be kind, to be informed, for there to be genuine civics engagement.	Jun 28, 2013 12:30 AM
20	Peace and equality for all. To be world leaders on various human rights, environmental and political issues. I hope NZ to be an all inclusive society. Free of racism, discrimination and poverty	Jun 27, 2013 5:34 PM
21	A new, written constitution which properly recognises the relationship between the Crown and Maori according to Te Tiriti. A constitution which protects citizens, reflects the heritage and culture of New Zealand and fosters our "fair go" society.	Jun 27, 2013 4:03 PM
22	I hope Aotearoa New Zealand can develop and retain our sense of self while becoming a better and more involved citizen in the global community. I hope our people will have a healthy sense of competition but all start the race on the same starting line regardless who wins and give a hand up to those struggling. I hope we can be more cognizant of the fact that the environment is central to our well being and that it's preservation isn't just a moral imperative but a practical necessity.	Jun 27, 2013 11:53 AM
23	We were once the social laboratory of the world, a country where people came to create a better world, one which often ended up being radically different - giving women the vote, etc. We've lost that recently. I'd like us to regain our ambition determination to do the right thing for our people. For me this means: - A fair country where income inequality isn't as great and where child poverty is minimised. - A sustainable country which practices kaitiakitanga, specifically in relation to our atmosphere: we stop using the atmosphere as a dumping ground and move towards carbon neutrality. - A country where everyone can have their say and where we listen and respect each other. - An innovative country where the laws are clear and simple to facilitate people getting on with their lives. This also means investing in R&D and building a place where talent wants to live. - An inclusive country which manages the influx of immigration in a way which develops a new identity which everyone shares.	Jun 27, 2013 8:52 AM
24	That our legal and political machinery continues to operate in a satisfactory way, and that NZ citizens become increasingly aware of their constitutional cadre.	Jun 25, 2013 9:38 PM

### Question 1: What are your aspirations for Aotearoa New Zealand?

25	My aspirations are that we all truly embrace multiculturalism while not forgetting New Zealand's history and identity. People from all parts of the world find peace and solace in New Zealand because as a community we don't judge. There is so much strength in this. I don't think we need to sever our ties with any country to form our own identity but we need to recognise what that identity is and embrace it.	Jun 25, 2013 1:35 PM
26	I dream of a New Zealand that is environmentally sustainable, and truly egalitarian.	Jun 25, 2013 11:15 AM
27	My aspirations are for an equitable New Zealand, that reflects the promise of New Zealand for all of the people in it. I think New Zealand can be a fair and balanced society that offers a strong bedrock of social and environmental justice, as well as equitable economic outcomes.	Jun 25, 2013 11:11 AM
28	A progressive country, where we draw on traditional and cultural roots but aren't necessarily bound by yesterday's thinking. One where human dignity is respected. Everybody has equal opportunities and a fair say.	Jun 24, 2013 3:50 PM
29	An Aotearoa that values education as both a right and a privilege. This is important not only for giving more people access to better ways of thinking but also for developing a responsibility for knowing better and to continue to do so - for themselves and others.	Jun 24, 2013 2:47 PM
30	To have a constitution that reflects the current societal aspirations for all New Zealanders. To be inclusive and actively work to ensure that the impact of the law on people is equal.	Jun 24, 2013 12:02 PM
31	I hope that New Zealand can be just place for all who live here. We need to eliminate the structural inequities that allow for discrimination and disproportionate hardships towards some groups of our society. Improving access to education, justice and opportunities for balanced lives is of great importance. We need to have buy-in to the idea that prioritising the wellbeing of all people is what will make our country better for everyone. New Zealand ought not to be just a safe and fair place to live, but a place to thrive. This requires that diverse, vibrant communities be the focal point, where differences ought to be respected and celebrated, where understanding and empathy for one another is fostered, and critical thinking encouraged. We also need to set bold examples for the world, with a focus on sustainable and equitable outcomes for the present and into the future. We can do this through an awareness of our unique position in the world's affairs and the duties and responsibilities that come with that.	Jun 24, 2013 12:02 PM
32	I would like to live in a country that is prosperous, but in which that wealth is more equally shared. New Zealand should aspire to effectively address some of its worse social problems, such as domestic violence. I would also like to see New Zealand starting to live up to its "clean and green" image, instead of relying on the small size of its population to sustain this brand.	Jun 23, 2013 8:56 PM
33	A country that keeps improving, so we must be able to provide our children with at least as much, and hopefully more than we have had. An innovative and independent country that is competitive and respected globally.	Jun 22, 2013 1:03 PM
34	Equality/fairness to all citizens; Living up to the clean green reputation; Acknowledgement of Treaty of Waitangi and education about its importance; People of NZ being engaged with nz's framework.	Jun 22, 2013 8:49 AM
35	For a tolerant, diverse, rich country with a focus on low taxes, low and	Jun 21, 2013 4:28 PM

**Question 1: What are your aspirations for Aotearoa New Zealand?**

efficient government spending and personal freedoms. To celebrate our environment and to be well respected internationally.

36	For it to be a country that is sustainable, innovative, and full of opportunities.	Jun 21, 2013 4:17 PM
37	Continue to be down to earth and inclusive, while also becoming a more globally connected and successful on the world stage. Overcoming the risk of becoming a more unequal and less environmentally harmful economy.	Jun 21, 2013 4:14 PM
38	One heart and one mind. Unified	Jun 20, 2013 2:39 PM
39	I believe that the direction we are headed, is adequate however as with all change is not going to be pleasing to everyone, therefore my main aspiration would be an encouragement of cohesion and communication.	Jun 20, 2013 11:16 AM
40	For Aotearoa to be an innovative, ambitious and unique Pacific Island democracy with our own sense of identity, culture and constitutional culture.	Jun 17, 2013 10:40 AM
41	For a strongly liberal, well integrated, well developed nation with a high standard of living, a strong constitutionalism, strong rule of law, transparent and accountable government with certain rights guaranteed to every person.	Jun 11, 2013 4:15 PM
42	To be an independent country that has control over its own future.	Jun 9, 2013 12:34 PM

## Question 2

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

	Response Count
	42
answered question	42
skipped question	0

**Question 2: How do you want our country to be run in the future?**

1	Democratically	Jul 10, 2013 7:55 AM
2	I feel like we are on the right track with this. Maybe no more commonwealth and instead a republic	Jul 9, 2013 9:32 PM
3	Recognizing that we are a South Pacific nation, I would like to see more involvement with the Pacific Island community, creating opportunities for leadership and governance. We are a young nation, and we have to give ourselves more permission to innovate.	Jul 8, 2013 10:22 PM
4	In a way that tries to balance the immediate, medium- and long-term needs of New Zealand (as opposed to merely satisfying the popular demands of today)	Jul 6, 2013 12:21 PM
5	Fairly, with impetus on future planning and sustainability. I want all New Zealanders to be engaged in the running of the country so that their opinions are projected. This would be a result of a government receptive to all opinions that makes information accessible to the public.	Jul 4, 2013 2:15 PM
6	A true democracy	Jul 4, 2013 10:59 AM
7	Democratically and fairly. In a future looking way.	Jul 4, 2013 10:49 AM
8	- porportionate representation - no capitalism - under good leadership	Jul 4, 2013 9:10 AM
9	- By smart leaders with long term goals in mind	Jul 3, 2013 8:10 PM
10	I would like to see New Zealand become a Republic once all the treaty claims have been settled.	Jul 3, 2013 2:10 PM
11	I like the current system in many respects, but I want better state civics education. I also think we need to become a republic, with a presidential type figure. I think BORA should be strengthened or this figure given actual power and elected. Or both, but I express no opinion necessarily for or against both.	Jul 3, 2013 2:10 PM
12	Democratically through MMP with a lower voting age. Continue to be a member of the commonwealth with Queen as head of government. No directly elected leader.	Jul 2, 2013 7:44 PM
13	A constitution in place to ensure greater political accountability; not necessarily entrenched, but one that does more than the current Constitution Act.	Jul 2, 2013 7:08 PM
14	Openly, honestly and co-operatively. Politicians undermine their credibility with constant personal attacks and 'drama' - presenting opposing visions for the country and adopting policies that stem from those visions would likely restore some public confidence in politicians.	Jul 2, 2013 3:45 PM
15	based on democratic principals, in recognition of the right of Maori to live self determined futures in Aotearoa, based on equity and fairness, with the understanding that diversity requires innovation and dynamic responses to the complexity that it brings, with transperency and honesty	Jul 2, 2013 3:37 PM
16	With greater transparency, diversity and honesty. Our leaders need to both adequately act and speak for us but also trust and encourage us to speak for ourselves.	Jul 2, 2013 11:18 AM

## Question 2: How do you want our country to be run in the future?

17	By a government that represents and respects its people.	Jul 1, 2013 1:11 PM
18	Without much of a law background, this I will difficult question to answer. Representation is what I am an advocate of, as long as this is maintained and enhanced, platforms for other great procedures should be created.	Jun 30, 2013 10:58 AM
19	Democratically. With politicians who feel empowered to speak about issues and reforms for genuine long term outcomes, instead of needing political rhetoric for short term political gain. But I think there will always be an interest in retaining the status quo i.e. apathetic masses, so votes can be bought with "politics". I would like to see one day having a majority of women in Parliament and for that not to seem strange. But generally speaking, I think Aotearoa has a good political system. As a minority though, sometimes the danger of a majoritarian favoured democratic system can be detrimental c.f. Foreshore and Seabed. In saying that I value democracy, but don't think it needs to be mutually exclusive with minority rights.	Jun 28, 2013 12:30 AM
20	By the people for the people. I do not want our country to run by corporatism or the political elite. I do not want us to perpetrate the ongoing injustices and developing racism with regards to Maori. I want it be run by strong people, not afraid to stand and up say NZ doesn't endorse nuclear weapons programmes or the Israeli terrorism of the Palestinian state. I want us to care about our workers and our most vulnerable (elderly, disabled persons, ethnic minorities etc) and actively protect and elevate their position in society. I want us to be creative and scientific in how we go about our policies	Jun 27, 2013 5:34 PM
21	In a way which allows better participation by young people, rather than systematically excluding them from taking part in democracy until age 18.	Jun 27, 2013 4:03 PM
22	Empowered communities - less focus on central governance More transparency More accountability More direct democracy More long term vision/planning More productive relationship between government and civil society Treaty of Waitangi as a blueprint for a relationship between Crown-Maori (or Government/Maori?)	Jun 27, 2013 11:53 AM
23	I'm broadly happy with the basics of how our country is run. I'd like to see: - More use of mechanisms like the Land and Water Forum: collaborative decision-making which includes all stakeholders and develops good decision-making faculties. - A healthier respect for local democracy: I'd like to see the Government stop interfering with local government and allow local bodies to make decisions about issues which affect their area rather than having them governed by ministerial discretion. - A commitment to guardianship and protection of Aotearoa's resources: e.g. Guardians for the Future (a beefed up Parliamentary Commissioner for the Environment) who look over big decisions which affect our resources. - Less use of urgency and more transparency and opportunities to participate in important parliamentary bills. This might also include stronger conventions around how our MPs behave. I'm sceptical about using referenda to extensively, although I think them and things like Citizens' Assemblies offer some potential as one tool to engage the population.	Jun 27, 2013 8:52 AM
24	As a parliamentary monarchy.	Jun 25, 2013 9:38 PM
25	Ideally I would like our country to be run like a democracy - not what is happening at the moment. What distresses me the most is the way Parliament is able to pass legislation at such a fast rate that often people miss out on citing their views on the law changes. Unfortunately, there are many cases that despite the cries of the public, Parliament still goes ahead	Jun 25, 2013 1:35 PM

## Question 2: How do you want our country to be run in the future?

with legislation - e.g. Immigration (Mass Arrivals) Amendment Bill. I would like to see civic education, people feeling empowered to run their country, people feel that they are part of the nation's identity and take pride in the laws that define them.

26	I hope that New Zealand can be run with broader perspective. Our ideal of individual liberty is already tempered by an understanding that individual well-being is inseparable from the health of society. But our institutions are yet to fully reflect the fact that society's wellbeing is inseparable from the health of its physical environment. I also hope that New Zealand can be run not only as a means to an end, but with good governance as an end in itself. In particular, I am concerned that the durability of our democratic institutions is taken for granted. This may be in part because we lack a visible constitution that has a readily identifiable impact on the lives of citizens.	Jun 25, 2013 11:15 AM
27	With strong respect for constitutional norms and ideals, with respect for Te Tiriti and looking to be guided by developing international rights and ideals rather than rejecting them.	Jun 25, 2013 11:11 AM
28	I don't like how our politics seems to be about personalities and point scoring. We also need to have leaders that can explore all options instead of ruling them out absolutely without even considering them.	Jun 24, 2013 3:50 PM
29	I'm not entirely sure on this point. I haven't yet decided if the mechanisms of the State are the means by which a country should be run presently, let alone in the future. That being said, I do believe that New Zealand can gain a lot from re-thinking how we see the State, as a social phenomenon, in relation to what gives it life and sustains it: the natural world. Vital things we can learn from it are the complexities of cause and effect; that things are the same/different but more importantly, the EXTENT to which things are the same/different; how our human consciousness operates in relation to other orders of sentience and life; an understanding of how things break down -- as well as how they're constructed -- to learn that accounting for change (always keeping the future in the present) is a good way to have a sustainable social world. I guess what I'm trying to say is that having social systems with a built-in understanding of the natural world and the matrix of relations that shape and re-shape it, will enhance how we operate in the political sphere. A lot of indigenous social systems do, in fact, possess this key ingredient, and are pretty malleable in their application to other spheres of social life. So, I advocate embedding more and more Maori thought and practice into New Zealand political life (as well as social life). Not to be thought of as adopting Maori things at the expense of non-Maori things but as a way to re-embed ourselves in the environment more generally; to add that to the political toolbox, creating a perspective with increased scope.	Jun 24, 2013 2:47 PM
30	I want our country to be run with the input of all New Zealander's first and foremost, not just the one's who are educated and understand the intimate workings of the law. I want the country to be run by people who reflect society, and are willing to accept, own and improve from their mistakes. I would like the future to embrace each and every persons unique characteristics and backgrounds. New Zealand currently looks like it is moving in a positive direction for the future, in particular with gay rights laws and constitutional reviews taking place. Conversations in all corners of New Zealand are happening and so all that I hope for is a New Zealand, where all people's concerns and interests have been taken into account and accommodated for.	Jun 24, 2013 12:02 PM

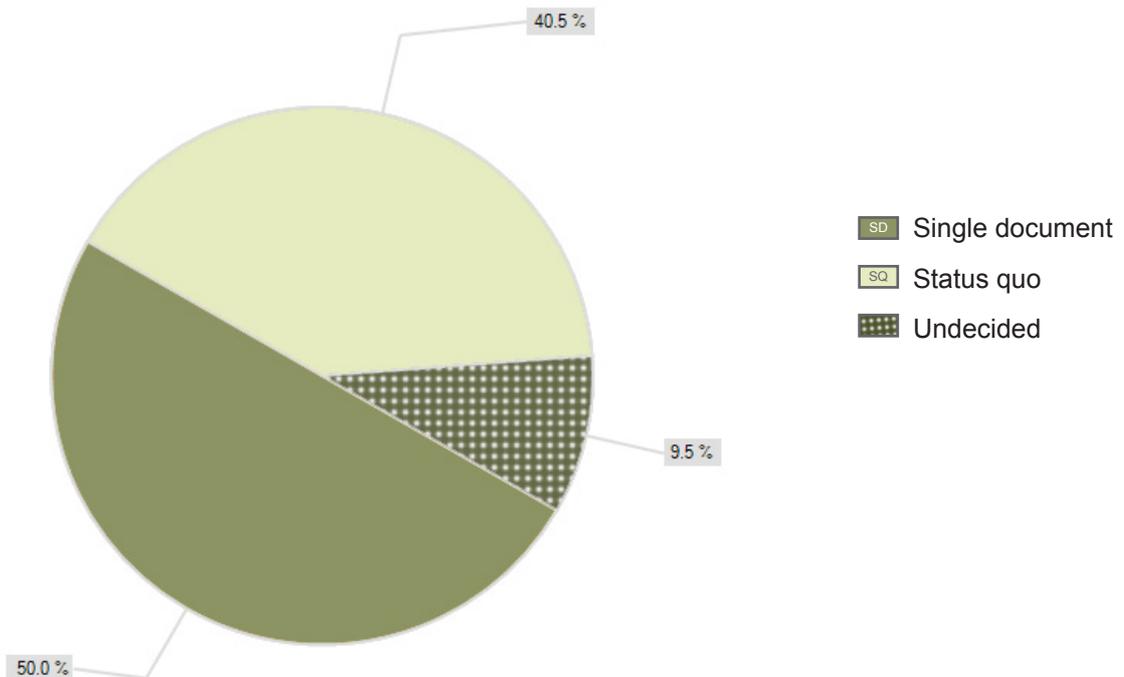
## Question 2: How do you want our country to be run in the future?

31	To avoid power becoming more concentrated in the hands of the few, the focus needs to be on participatory and deliberative democracy. Democratic ideals and rights should be protected by having an informed and engaged public. Decisions need to be made on evidence, experience and with the greater good in mind and the information on which our decisions are made should be commonly available.	Jun 24, 2013 12:02 PM
32	With transparency and accountability and with as much public involvement as possible.	Jun 23, 2013 8:56 PM
33	I want there to be more upward stream communication from citizens to local and central government. I also want youth to have more of a voice in such institutions, and for youth and future perspectives to be more considered to not be reactive, but proactive.	Jun 22, 2013 1:03 PM
34	Happy for it to stay as a constitutional monarchy. Don't see the point in changing to a republic unless the change in the functions/framework is proven to be necessary.	Jun 22, 2013 8:49 AM
35	By politicians who realise more government isn't necessarily better government. For good consensus MMP politics and to celebrate personal freedoms.	Jun 21, 2013 4:28 PM
36	I would like our leaders to be progressive and open minded. I would like our leaders to implement policies they believe in, based on sound reasoning, with a long term focus, rather than policies they believe will win votes. Further, I would like our leaders to want to adhere to the rule of law and other democratic norms, rather than only adhere to principles because they have to, and only adhere to such principles to the minimum extent necessary.	Jun 21, 2013 4:17 PM
37	Continue to have representative democracy that doesn't rely on wealth or nepotism to gain a place in government. Public actors act decisively but also have high levels of accountability to all tiers of society that they serve.	Jun 21, 2013 4:14 PM
38	Democracy with all human rights adhered to	Jun 20, 2013 2:39 PM
39	I believe that our current system of government works well, however a few changes, I believe would create significant, desirable effects. Such as a 4 year term, reducing the small party threshold to 4% and removing the coattails rule.	Jun 20, 2013 11:16 AM
40	Through constructive bi-partisanship that acknowledges and celebrates differences, and a country that is run in the best interests of all New Zealanders.	Jun 17, 2013 10:40 AM
41	Westminster parliamentary democracy with republicanism on the Irish model. Preferably a well written, short and comprehensive written constitution. Again, based on the Irish model. Would keep proportional representation although MMP would have a proper review, reduce the threshold to 4% or lower, maybe switch to direct election based voting.	Jun 11, 2013 4:15 PM
42	Not purely like a business model, but with efficiencies still in mind.	Jun 9, 2013 12:34 PM

# Question 3

**Do you think our constitution should be written in a single document or found across a range of sources as it currently is? For what reasons?**

		Response Percent	Response Count
Written in a single document		50.0%	21
Found across a range of sources - the status quo		40.5%	17
Undecided, what information would help you make up your mind		9.5%	4
	Please explain your choice		35
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



**Question 3: Do you think our constitution should be written in a single document or found across a range of sources as it currently is? For what reasons?**

1	If it is a single document there will always be those that twist it and point back to the source to justify their reasoning (look at the bible as an example). However, if found across multiple sources then there is no clarity around common interests, so it's not an easy question to answer.	Jul 10, 2013 7:58 AM
SD 2	To that is it easy for the everyday New Zealander to understand what exactly our constitution is. However I think the forming of a written constitution is one that should take time with many drafts and consultation.	Jul 9, 2013 9:38 PM
SD 3	Currently, a wide range of sources makes the constitution flexible. However, it becomes inaccessible and too hard to understand – if it is knowable, then it can be designed for any purpose.	Jul 8, 2013 10:27 PM
SQ 4	When constitutional principles are contained in a single document, they tend to be applied almost dogmatically and discretely, rather than considering how differing (potentially conflicting) constitutional values might apply as a whole. The underpinning values behind the constitution also tend to be forgotten	Jul 6, 2013 12:29 PM
SD 5	A single document provides accessibility and clarity.	Jul 4, 2013 2:17 PM
SD 6	I don't necessarily advocate changing the legal status quo, and some things like conventions cannot be appropriately codified. But a single document makes for better public understanding and in democracies that has to be important.	Jul 3, 2013 2:13 PM
SQ 7	A constitution should be flexible enough to change with the times. Codification could make it difficult to change.	Jul 3, 2013 2:12 PM
SD 8	Refer previous answer	Jul 2, 2013 7:12 PM
SQ 9	The status quo has worked in NZ - we are very much a country of if it ain't broke don't fix it.	Jul 2, 2013 3:48 PM
SD 10	As aforementioned, transparency is necessary for not only understanding and awareness but also for mutual trust. With a single document the structure and function of New Zealand government can be available to all, ideally in a concise and accessible format. An informed population should not be feared but embraced, their insight can ensure the political and legal instruments of government continue to adequately represent our values and concerns.	Jul 2, 2013 12:00 PM
SD 11	People will be more aware of New Zealand's constitutional framework.	Jul 1, 2013 1:15 PM
SQ 12	A mix of the two. We already have many documents that can be regarded as constitutional and to rewrite them would be futile. There are still aspects that would work well in a single document, this document should act as a fundamental basis that then links to other documents.	Jun 30, 2013 11:02 AM
13	Unwritten: because I think the unique quality of our system is our flexibility i.e. ability to move fluidly with social changes. But I think we could also have it written in one space, it's just that my mind's eye thinks of the U.S written constitution and how rigid that is. Though i think we can find an "in the middle". One written document that tells us what/where all the pieces of our Constitution are.	Jun 28, 2013 12:36 AM
SD 14	In its current form the NZ constitution is completely inaccessible to the	Jun 27, 2013 5:48 PM

**Question 3: Do you think our constitution should be written in a single document or found across a range of sources as it currently is? For what reasons?**

general public - affording little preemptive protection to the people it is supposed to support the most. It is confusing and messy. You can have a constitution that is written in a single document and that is flexible at the same time. The problems for more arise more in what the content of that single document is, not whether there should be one or not.

SD 15	For clarity and because a new written constitution gives us a unique opportunity to change New Zealand's current situation in legal and real terms.	Jun 27, 2013 4:06 PM
SQ 16	There would undoubtedly be benefits in putting our constitutional arrangements into a single document - most importantly it would be a simple way for the public to understand rights and responsibilities and it would embody NZ values. For the time being at least, I personally prefer the more flexible 'pragmatic evolutionary' constitutional arrangements we currently have because they are more responsive to social and cultural change and keep constitutional authority out of the hands of the judiciary and in the hands of the people. The experience of the United States with gun control is often cited. The right to bear arms was an important right in the past but now presents huge challenges to American policy makers and without cross-partisan support no change can be made.	Jun 27, 2013 11:53 AM
SD 17	I favour simplicity. The only caveat is that if this would force us to change things radically then I'm not sure I would be supportive of this process.	Jun 27, 2013 8:52 AM
SQ 18	While a single document may encourage nationwide familiarity with The Constitution, such codification is superfluous. It also risks devolving into empty cliches and meaningless stock phrases.	Jun 25, 2013 9:45 PM
SD 19	I remain undecided because I am still not convinced that containing the constitution in one document will solve the problems New Zealand faces. What it may however do is help the general public understand and relate to the New Zealand constitution. But unless we attach an almost sacredness to that document - there is no point of having a single document. However, I am not sure that the New Zealand government is willing to do that yet.	Jun 25, 2013 1:35 PM
SD 20	We are a democracy, in which government is by and for the people. The goals and its limits of governmental power should be based in the consent (express or implied) of the people. There is no real way that this basis can be found for our present constitution. Yes, every few years people vote in general elections. But one almost needs a law degree to find, let alone understand, our constitution. In this regard our unwritten constitution is profoundly elitist. The small task of compiling (even as a list that referred to other existing documents) the elements of our constitution would be a major improvement, in that we could at least begin to have a conversation about what it did, and should, contain.	Jun 25, 2013 11:39 AM
SQ 21	The status quo has allowed for significant evolution of rights and the dangers of a crystallised, singularly expressed document are reflected in the American constitution. While I don't think NZ would ever get to that extreme, it is important to keep some ability for flexibility within the constitutional structure. There is a strong argument for strengthening what is contained in that disparate group of laws, and possibly for actually detailing further the rights and protections given to groups to prevent them being so easily overridden - and the ease of understanding our current constitution may be one reason people currently are unattached to the status quo. But the fear of having a static, political constitution that reflects mainly majoritarian	Jun 25, 2013 11:22 AM

**Question 3: Do you think our constitution should be written in a single document or found across a range of sources as it currently is? For what reasons?**

	influences dissuades me from compiling a single written document which might edit the current BORA.	
22	It seems to be working fine. It gives us a lot of flexibility. On the other hand, it's very difficult for the layperson to understand. I'm not sure what would push me either way.	Jun 24, 2013 3:50 PM
SD 23	I feel a written document is needed for the purposes of educating those in the non-political/legal sphere and would be more accessible to people this way. I know a constitution has to be more things to more people so it needs to be conceived of by applying a more developed criteria. I mean more developed in the sense of how it's going to operate as a social document, not merely one for legal and political interpretation; that it has to speak not only FOR people but TO them (not AT them, which, to be honest, is a good way for me to think about my own experience reading legal documents). Sure, there's a register particular to the political and legal worlds and serves a purpose but it's specific to those worlds and in no way should be used when trying to reach as many people as possible, which is the main goal in tandem with deciding what we, as a people, ultimately stand for.	Jun 24, 2013 3:09 PM
SD 24	Accessibility - It makes it easier for the average citizen to pick it up, read and understand it. This will ensure that it is less complex than it currently is.	Jun 24, 2013 12:09 PM
SQ 25	Tools of governance are more complicated than are able to be easily espoused in one document.	Jun 24, 2013 12:02 PM
SQ 26	I am wary of trying to distill our complex constitution into one document. This would be a significant change and would perhaps be inconsistent with our constitutional culture that has developed over many years. Furthermore, important aspects of the constitution may be overlooked in the process. Writing the constitution into one document could also be a distraction. It may lead us to arguing about what particulars should be in or out (certain conventions, for example), diverting our attention away from what is important, which is the re-evaluating of the substance of our constitution.	Jun 23, 2013 9:18 PM
SD 27	To provide certainty and clarity to the everyday New Zealander, as most people do not believe we have a constitution.	Jun 22, 2013 1:11 PM
SQ 28	This affords flexibility and does not give any group (ie judges) powers to strike down legislation. Status quo suits our small nation and allows the country to move with the times more easily. A written constitution locks us in, which is negative, and arrogant in terms of future generations. I believe the general public have a low understanding of nz's constitutional framework, but do not think having a single document will make people's understanding much better. Need public engagement in novel ways.	Jun 22, 2013 8:58 AM
SQ 29	Good for flexibility. Our constitutional arrangements are not broken.	Jun 21, 2013 4:29 PM
SD 30	I believe that there is significant merit in collating our constitution, and having it all in one place. This would make our constitution/constitutional principles more accessible, and I believe it would give them more weight. Persons would less readily walk all over them if it is obvious that they are doing so to begin with. In that sense, I believe there is considerable merit in simply collating our constitutional principles in a single document.	Jun 21, 2013 4:23 PM
SQ 31	Our current system works well legally, and I view the huge amount of resources and controversy to transfer the constitution to one legal document	Jun 21, 2013 4:14 PM

**Question 3: Do you think our constitution should be written in a single document or found across a range of sources as it currently is? For what reasons?**

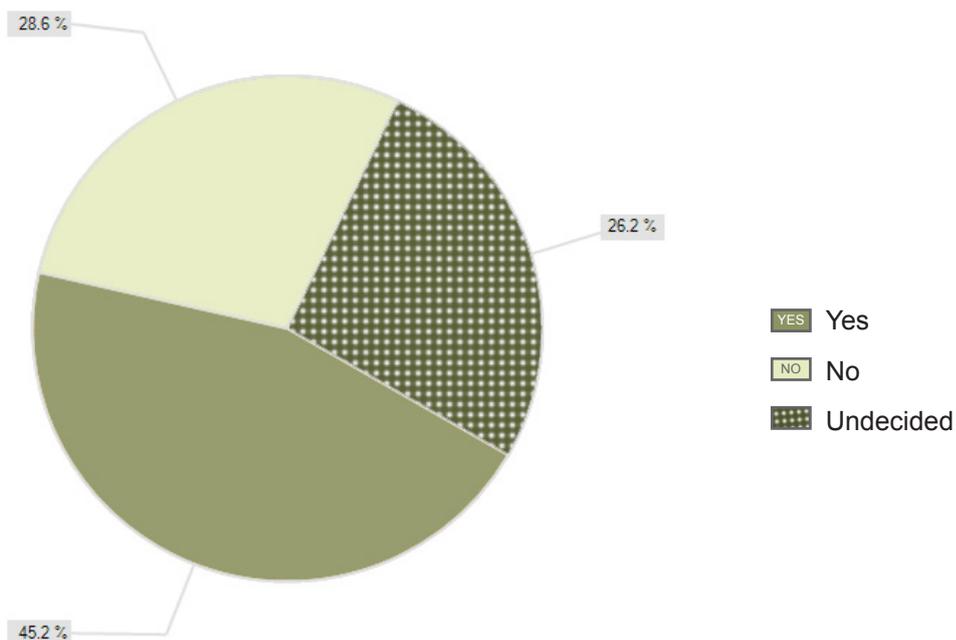
as unnecessary. However, it would be useful to create or promote an easily accessible educational document, which details what is in our constitution. It's worth noting that no constitution is really in one document. Even countries such as the USA, which have one written constitution, rely on constitutional conventions, case law and other relevant statutes to inform their constitution.

<span>sq</span> 32	Id rather it be a flexible document	Jun 20, 2013 2:39 PM
<span>sq</span> 33	Although a single, written document would provide greater understanding of our constitution, I believe that the possible disadvantages outweigh advantages. It may ensure "unjust" laws are not created, however with our current judicial arrangements, it seems unwanted results may be produced. The possibility of judicial bias is unavoidable and not a risk I would be willing to take. Coherence of law in New Zealand (in my opinion) has been somewhat compromised with the introduction of the Supreme Court in 2005 and I believe that more time needs to pass before any kind of greater responsibility is bestowed upon them. I am not challenging the competency of the judges, however commenting of the possibility that the law in this new judicial structure possibly needs time to settle. One obvious comment can be made of the current cross section of judges which involves a lack of representation etc. I also believe that regular amendment is necessary in this ever-developing world therefore "stagnant" law provides possibilities of greater injustice than what may already be occurring with a supreme parliament.	Jun 20, 2013 11:34 AM
<span>sd</span> 34	Certainty, accessibility, stimulating debate.	Jun 17, 2013 10:42 AM
<span>sq</span> 35	It needn't be in a single document (which has issues in itself) but should be more carefully delineated so that conventions, laws etc can be identified as constitutional and relevant to any constitutional debate.	Jun 9, 2013 12:38 PM

# Question 4

**Do you think our constitution should have a higher legal status than other laws (supreme law)? For what reasons?**

		Response Percent	Response Count
Yes, our constitution should have a higher legal status than other laws (supreme law)		45.2%	19
No, our constitution should 'not' have a higher legal status than other laws (supreme law) - the status quo		28.6%	12
Undecided, what information would help you make up your mind		26.2%	11
	Please explain your choice		35
		<b>answered question</b>	<b>42</b>
		<b>skipped question</b>	<b>0</b>



**Question 4: Do you think our constitution should have a higher legal status than other laws (supreme law)?  
For what reasons?**

 1	Perhaps in the future. At this point in time I would say no as I am for a written constitution. I feel that if we have a written constitution it should be tested first before it is made supreme law.	Jul 9, 2013 9:38 PM
 2	I don't understand what supreme law means.	Jul 8, 2013 10:27 PM
 3	I think this would depend on how comprehensive the constitution is. For example, if it is extremely comprehensive, how appropriate it is for New Zealand society may change over time, which would affect the desirability of a constitution being supreme law. I'm inclined to oppose the constitution having a higher status, as this may encourage political interference in the judiciary (who I assume would be the ones responsible for enforcing the Constitution)	Jul 6, 2013 12:29 PM
 4	The constitution's place as a guiding document will be enhanced.	Jul 4, 2013 2:17 PM
 5	I need to read more articles/books on the pros and cons of constitutions having a higher legal status - it seems to give higher protection, but then can give the courts too much power which is not democratic.	Jul 3, 2013 8:12 PM
 6	I need to know precisely what is going in the document before I can say. Suffice to say I like parliamentary supremacy, but tha can undermine the rule of law which I like even more.	Jul 3, 2013 2:13 PM
 7	Fundamental protection of human rights, accountability	Jul 3, 2013 2:12 PM
 8	May be unfair to transfer such a large amount of power to unelected judiciary. However my answer may also depend on WHAT was included in a NZ constitution. If things such as when a bill may or may not be passed through urgency, it may be suitable to have the courts to exist as a check and balance on parliamentary power. However if the constitution included a bill of rights, this is more moral than legal, and should not be interpreted by a homogenous group of unelected individuals in a way that may override other democratically enacted law.	Jul 2, 2013 7:12 PM
 9	Two words - unelected judges!	Jul 2, 2013 3:48 PM
 10	evidence where the constitution has been used as the highest law an undderstanding of what constitutes supreme law	Jul 2, 2013 3:38 PM
 11	If we truly believe in and trust the laws and values inherent in our constitution then supremacy seems suitable. However, this relies on sound and consistent interpretation. Therefore constitutional transparency and clarity will be paramount.	Jul 2, 2013 12:00 PM
 12	An entrenched constitution gives too much power to the judiciary instead of the elected and representative parliament.	Jul 1, 2013 1:15 PM
 13	Otherwise, what is the point of having a constitution. This is what will define our county, it should be held in high regard.	Jun 30, 2013 11:02 AM
 14	It depends but mostly Yes. The Constitution governs our relationship with those that govern us. That's a social contract and it protects whatever the most fundamental values that we as a society choose. Our State should always be held accountable for that. The amount of laws that are made via urgency in this current government reflects many levels of unconstitutional.	Jun 28, 2013 12:36 AM

**Question 4: Do you think our constitution should have a higher legal status than other laws (supreme law)?  
For what reasons?**

<b>YES</b> 15	There are certain fundamental rights that should be given elevated status over others in order to protect people and also the rights themselves from being eroded over time. I think for example freedom of speech is a big one - I have employers in my line of work trying to fire minimum wage workers for passing comments on their personal facebook profiles like "I hate my job, we get treated like dirt". In some countries the courts have upheld the dismissal in such cases and I would hate to see others, including our own, heading down the same path. Why should that right give way to an employers will who doesn't afford the employee the same respect in return? What is stopping them attempting to interfere in the unpaid private lives of their workers like this? Presently - nothing	Jun 27, 2013 5:48 PM
<b>NO</b> 16	I think some parts of our constitution could have a supreme status but I don't think everything should. Much of the constitution is administrative etc I think the Bill of Rights Act could have supreme status. If our civil and political rights are protected then we can make judgments through politics on the rest.	Jun 27, 2013 11:53 AM
<b>NO</b> 17	I do not want to politicise the judiciary, as has happened in the US. I am OK with important decisions being made by the public and by politicians. I think the answer to current issues is to engage the public, not to beef up our constitution. Active citizens is what we need, not a stronger constitution. I do think that we could think about changing things - such as the four year term, but I don't think that making the constitution supreme would protect these aspects of our constitution. Again, a healthy public discussion and democracy is where I would place our efforts.	Jun 27, 2013 8:52 AM
<b>YES</b> 18	(I write the following answers presuming that NZ adopts a single document) it will be meaningless if it remains on the same legal plane as all other law.	Jun 25, 2013 9:45 PM
<b>YES</b> 19	I think because our constitution needs to be able to protect certain fundamental rights and identities from our every changing Parliament. We need certain human rights especially to be made into supreme law, so as to provide the protection to the population without being able to curtail those rights at Parliament's will.	Jun 25, 2013 1:35 PM
<b>NO</b> 20	Our constitution should have a higher status in that it would not be impliedly repealed, and that it should probably be entrenched (requiring more than a bare majority to amend it). But it should not be "supreme", in that Courts would have the power to strike down inconsistent legislation for inconsistency. The principal argument for supremacy is that it provides a real check on Parliament. But the American experience shows that Courts will use constitutions to deny rights just as often as they will prevent abuses — and using the very same provisions. The negative effect of strike down powers is that questions which should be political (gun control; abortion rights; whether corporations have political speech rights) are taken out of the political sphere.	Jun 25, 2013 11:39 AM
<b>YES</b> 21	Elements of it may need more protection. This could be achieved by declarations of inconsistency, but perhaps shouldn't go as far as allowing full striking down of law - maintaining the important balance of the role of Parliament as elected officials.	Jun 25, 2013 11:22 AM
<b>NO</b> 22	I am not in favour of judicial supremacy.	Jun 24, 2013 3:50 PM
<b>YES</b> 23	While providing a means to review it periodically, if necessary.	Jun 24, 2013 3:09 PM

**Question 4: Do you think our constitution should have a higher legal status than other laws (supreme law)?  
For what reasons?**

<input type="checkbox"/> NO 24	It is up to the legislature to change pressing issues in accordance with input from ALL citizens. IT is not god enough to say that is inconsistent with the constitution since ordinary New Zealander's do not necessary know how the legislation is going to impact in the future.	Jun 24, 2013 12:09 PM
<input checked="" type="checkbox"/> YES 25	The future challenges our world faces are unpredictable. Our tools of governance ought to be flexible enough to cope, yet not susceptible to power at the hands of those who may sacrifice long-term good for short term political favour.	Jun 24, 2013 12:02 PM
<input type="checkbox"/> NO 26	I believe that this places too much power in the hands of the judiciary, is undemocratic and is an unjustified threat to parliamentary supremacy. This is especially so given the often vague and general nature of constitutional language.	Jun 23, 2013 9:18 PM
<input checked="" type="checkbox"/> YES 27	I think for it to have credibility it should be supreme, otherwise it will just be overridden, as the NZBORA currently is. NZders love their liberty, but are too trusting that it will be kept by the government, we should be able to enforce our freedoms.	Jun 22, 2013 1:11 PM
<input checked="" type="checkbox"/> 28	Yes and no. Yes, the constitutional laws are fundamental and shouldn't budge in any situation, however I am uncomfortable allowing judges the power to make these decisions. If there Could be a constitutional statement which was just that, and not supreme, but instead guided all other laws inherently, perhaps that would work.	Jun 22, 2013 8:58 AM
<input type="checkbox"/> NO 29	Entrenchment is good but supreme law is over the top.	Jun 21, 2013 4:29 PM
<input checked="" type="checkbox"/> 30	My indecision from this point, stems from the next question. I believe that Parliament should be supreme. It is democratically elected, and it is accountable to the public. Judges are appointed and are not accountable. For this reason I think Parliament should have the final say on such important matters. Further, I think part of the reason our courts have such a reputation for impartiality is that they are not the ultimate arbiters of social policy/moral questions.	Jun 21, 2013 4:23 PM
<input type="checkbox"/> NO 31	This will politicize the judiciary, putting the final say into the hands of a small group of unelected people with limited diversity. This group plays a huge part in public decision making, and should continue to, but not the final say. They are less accountable both technically (because they are unelected) and practically (because the media - traditional and social - pays more and better attention to Parliament/Cabinet/the Prime Minister than it does to court decisions) so should not have the absolute say on constitutional matters, which need at least the awareness and ideally the consensus of the NZ population.	Jun 21, 2013 4:14 PM
<input checked="" type="checkbox"/> YES 32	So it can be enforced above the bill of rights	Jun 20, 2013 2:39 PM
<input type="checkbox"/> NO 33	As stated above, but also a constitution is something which incorporates the way the country is run, and every persons opinion of the issue is different. I would not like the idea of a delegation of power that is not the same as my own, unless I have the ability or possibility to make change. From the other viewpoint, I would have a feeling of helplessness with a set of supreme laws and believe that is not in the interest of the people. The legitimacy of constitution could possibly be degraded as post-constitution-creation, the newly elected representatives of the people would be limited, therefore the supremacy of democracy would be undermined to some extent.	Jun 20, 2013 11:34 AM

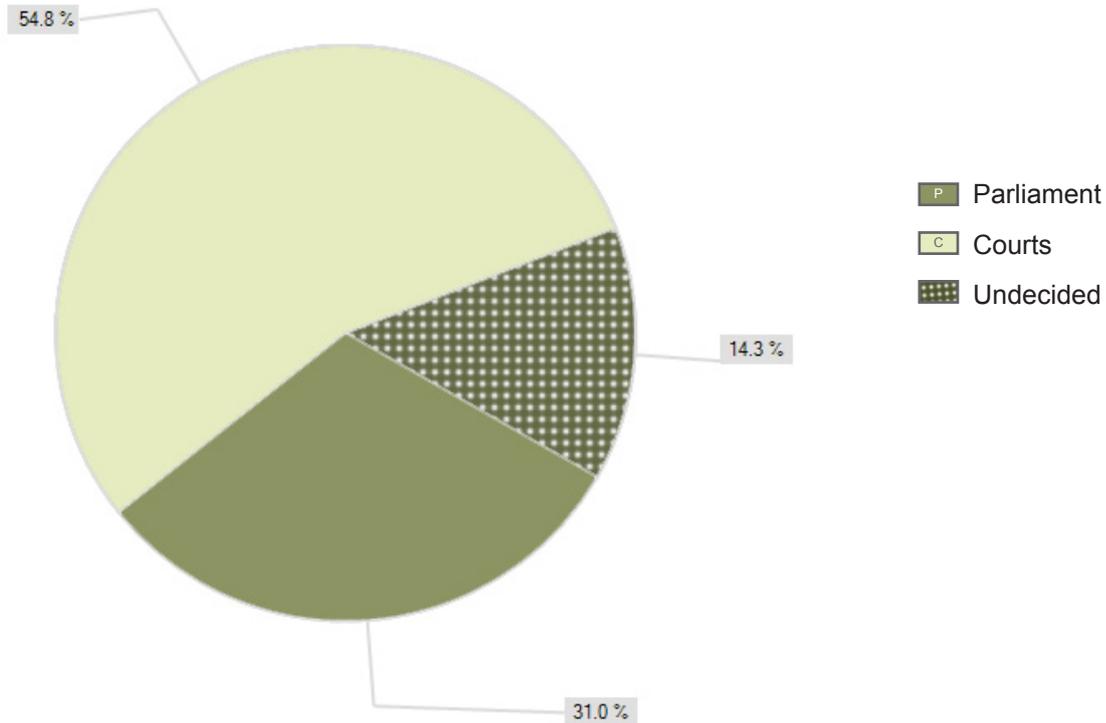
**Question 4: Do you think our constitution should have a higher legal status than other laws (supreme law)?  
For what reasons?**

<b>YES</b> 34	At least some matters which the constitution addresses should have a higher legal status, e.g. electoral law, the New Zealand Bill of Rights Act, the Treaty (and Te Tiriti), some resource management laws.	Jun 17, 2013 10:42 AM
<b>YES</b> 35	Some aspects of the Constitution should have higher standing (e.g. Bill of Rights) but not all, society changes and changes quickly. Supreme law still requires a decision maker and this can result in a circular argument.	Jun 9, 2013 12:38 PM

# Question 5

**Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? For what reasons?**

		Response Percent	Response Count
Parliament		31.0%	13
<b>Courts</b>		<b>54.8%</b>	<b>23</b>
Undecided, what information would help you make up your mind		14.3%	6
Please explain your choice			33
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



**Question 5: Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? For what reasons?**

 1	Parliament is full of people there to further their own interests. You'd hope the court is there for common civility.	Jul 10, 2013 7:58 AM
 2	Supposedly impartial?	Jul 9, 2013 9:38 PM
 3	My understanding of this is pretty limited. But I'm guessing that it's important for those trained in interpreting the law to be left to decide whether something is consistent with the constitution.	Jul 8, 2013 10:27 PM
 4	If Parliament decides whether legislation is consistent with the constitution, this would probably be ineffective - as it is that same Parliament who passed the legislation in the first place. For this option to work a super majority would probably be necessary, but once again political interests may interfere with an objective assessment of the constitutionality of any legislation. Having said that, placing this responsibility with the Courts raises the risk of politicising the judiciary through the appointment process, as seen in the United States.	Jul 6, 2013 12:29 PM
 5	I believe both should have a say, but ultimately decisions should be made with the formal backing of the voting public.	Jul 4, 2013 2:17 PM
 6	Judges have this expertise - politicians don't necessarily have any specialist knowledge on constitutional issues.	Jul 3, 2013 8:12 PM
 7	They are elected. This also would make supreme law unnecessary to some degree. However, the standard of parliamentarians as legal scholars is far below par.	Jul 3, 2013 2:13 PM
 8	Judicial supremacy would make judges too politicised.	Jul 3, 2013 2:12 PM
 9	As above. Depends what is in the constitution as to whether I believe Courts of Parliament should have that power.	Jul 2, 2013 7:12 PM
 10	It is the courts' constitutional role to interpret legislation as such. If Parliament had such a role there is the increased likelihood of inconsistency on this matter when governments change hands	Jul 2, 2013 3:48 PM
 11	Parliament should have the final say over whether legislation, and resultant legal decisions, are consistent with the constitution	Jul 2, 2013 12:00 PM
 12	Courts, to act as a check on Parliament. However I don't think the courts should be able to strike down legislation as being inconsistent with the constitution, rather I see the Courts as having some sort of declaratory role.	Jul 1, 2013 1:15 PM
 13	Not enough knowledge of law here to adequately answer this question. Knowing the difference between parliament and the courts could be a good start.	Jun 30, 2013 11:02 AM
 14	Parliamentarians are politically driven. It would be too subjective and vary with whatever colour parliament is. The Courts, although not perfect (70%male and almost 100%white (given our diverse population)) offer as an objective view as possible. Can interpret constitutional laws (in NZ anyway, not so much in the U.S) with as independently. Parliamentarians have a vested and conflicted interest in outcomes with a constitution.	Jun 28, 2013 12:36 AM
 15	Separation of powers, checks and balances etc. It is absurd to think any system would operate fairly where all ultimate authority on this rests in the	Jun 27, 2013 5:48 PM

**Question 5: Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? For what reasons?**

	one body	
C 16	If there are any supreme parts it should be the responsibility of the judiciary	Jun 27, 2013 11:53 AM
C 17	Courts should have the power to decide, but they shouldn't be able to strike down legislation which is inconsistent. This seems like an odd question: currently the courts can already decide whether legislation is consistent, and they do so. I'm happy with this, but as above, I think courts shouldn't be able to strike down legislation which is inconsistent with the constitution.	Jun 27, 2013 8:52 AM
C 18	The US and Canadian Supreme Courts provide excellent examples of judicial strike-downs of legislation inconsistent with the Constitution, and a model for NZ to follow.	Jun 25, 2013 9:45 PM
P 19	I think Parliament should get to decide - simply because we have a say in who runs Parliament.	Jun 25, 2013 1:35 PM
P 20	I support the conclusion of the EmpowerNZ conference, which would allow courts to find legislation unconstitutional, and require a legislative response. If Parliament then expresses commitment to the course in question, they must be allowed to. This course allows the courts to check Parliamentary power. It raises the political stakes, forcing Parliament to accept the political costs of what it is doing. It would prevent abuses under urgency (as occurred on budget day). But it avoids the legitimacy issues arising when courts are empowered to conclusively decide political questions.	Jun 25, 2013 11:39 AM
C 21	As seen in recent reports of the Attorney-General, the current process is far too political to be undertaken solely by Parliament. The entire purpose of the separation of powers is to have an independent process of enforcing laws - to have it done by Parliament would undermine this to the point of ridicule. The process of selecting justices could require an overhaul to make this palatable however.	Jun 25, 2013 11:22 AM
C 22	The courts should decide on consistency, possibly with the power to make formal declarations of inconsistency which requires legislative response. I am still in favour of ultimate Parliament sovereignty, i.e. a democratically elected body of representatives should call the final shot. However allowing courts to decide consistency fosters 'dialogue' and Parliament does need to be restricted somewhat, giving the Westminster system which fuses legislature and executive. The NZ legislature also seems happier to pass rights-breaching laws than some other jurisdictions like UK and Canada. That should be brought under control.	Jun 24, 2013 3:50 PM
P 23	Parliament, for the reasons outlined above. We are a small country and it is not impossible to get legislation passed with urgency (Foreshore and Seabed Act).	Jun 24, 2013 12:09 PM
P 24	Though I'd like to see the establishment of a permanent and independent Constitutional Commission whose role would be to provide feedback on legislation and policy to assess its consistency with our constitutional arrangements and democratic rights and freedoms.	Jun 24, 2013 12:02 PM
C 25	I feel that this lies more in the judge's area of expertise. However input at the parliamentary stage is also highly desirable - I am just not sure how effective the s 7 reporting process is. For example, late amendments to statutes sometimes do not benefit from this scrutiny (such as in the case of R v Pora where the Court found that an amendment to the Sentencing Act 2002	Jun 23, 2013 9:18 PM

**Question 5: Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? For what reasons?**

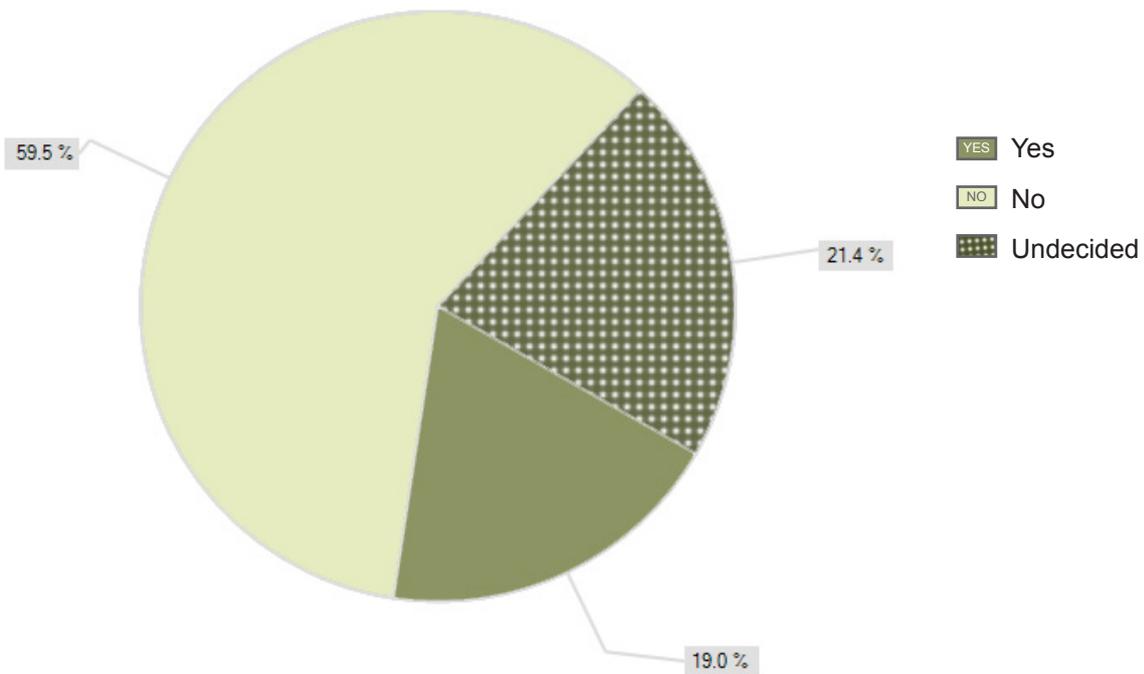
providing for the retrospective application of the Act was contrary to the s 25(g) NZBORA but was bound to apply it anyway).

C	26 In our MMP system, government made the legislation, but needs the majority of parliament to agree, so having parliament check is not going to stop inconsistent legislation, as shown by section 7 of the NZBORA being very rarely successful. To have a better balance of power, the judiciary needs to be checking the legislation to determine consistency.	Jun 22, 2013 1:11 PM
P	27 Parliament have the jurisdiction as they have been voted to hold this role. In theory they represent NZ whereas judges are appointed and do not represent society accurately.	Jun 22, 2013 8:58 AM
C	28 The courts. Parliaments change and are full of MPs who lack fundamental understanding. Judges are better placed to make these decisions.	Jun 21, 2013 4:29 PM
P	29 See answer to 5.	Jun 21, 2013 4:23 PM
C	30 Both. Courts could rule that legislation is inconsistent, as could other bodies when legislation is being passed by Parliament. However, a decision by the court that legislation is inconsistent with the constitution should not make the legislation invalid.	Jun 21, 2013 4:14 PM
P	31 this upholds rule of law	Jun 20, 2013 2:39 PM
C	32 Disregarding my earlier comments, I believe that if we were to have supreme law, decisions of inconsistency should be made by a body outside of government, otherwise there would be little point to the supreme law, as parliament could rule all incoming law as legitimate/consistent. The judiciary would be the most appropriate body due to its experience and composition of learned people.	Jun 20, 2013 11:34 AM
C	33 Placing that power in the hands of Parliament breaches the separation of power and subjects such decisions to politiking.	Jun 17, 2013 10:42 AM

# Question 6

**Does the Bill of Rights Act protect your rights enough? Why or why not?**

		Response Percent	Response Count
Yes, it does protect my rights enough		19.0%	8
<b>No, it does not protect my rights enough</b>		<b>59.5%</b>	<b>25</b>
Undecided, what information would help you make up your mind		21.4%	9
Please explain your choice			37
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



### Question 6: Does the Bill of Rights Act protect your rights enough? Why or why not?

	1	More information about the bill of rights.	Jul 10, 2013 8:00 AM
	2	It is not entrenched and therefore not guaranteed.	Jul 9, 2013 9:56 PM
	3	Parliament is given enough power to legislate contrary to the BORA, so the need for checks and balances between judiciary and parliamentary powers makes me wonder.	Jul 8, 2013 10:36 PM
	4	Meaningful enforcement of the Bill of Rights Act is difficult. To take any action to court requires money, which not all people have - enforcement is the most difficult for the most vulnerable, who would be in greatest need of the protections included in the Bill of Rights Act.	Jul 6, 2013 12:37 PM
	5	It covers all rights important to myself.	Jul 4, 2013 2:21 PM
	6	The BORA does not provide for any economic, social and cultural rights. When Parliament checks whether new law is consistent with the BORA it doesnt have to take any of these rights into account and that is very problematic	Jul 4, 2013 11:08 AM
	7	indigenous rights and cultural rights could be improved in BORA	Jul 4, 2013 9:13 AM
	8	Acts of Parliament which breach rights in the NZBORA are passed all the time by the Parliament	Jul 3, 2013 8:16 PM
	9	Look at Key's spy bill.	Jul 3, 2013 2:18 PM
	10	It seems to work in practice although may need to be amended in the future.	Jul 3, 2013 2:13 PM
	11	There is room to argue both sides, but I think in the circumstances it does do enough. Parliament should remain in the position to do as they wish, given they are the elected representatives. Efforts to make the BORA "more effective" may result in curbing that power and handing it to the judiciary. I think that if Parliament acted in a way that was a totally unjustified affront to the public's rights, the accountability of Parliament under MMP would mean they would experience retaliation. This seems to be an adequate safeguard at present,	Jul 2, 2013 7:23 PM
	12	The Courts should have, at the very least, the statutory power to make declarations of inconsistency (similar to the UK Human Rights Act) - while not binding, this would send a strong message to the government as opposed to the odd obiter dicta here and there.	Jul 2, 2013 3:51 PM
	13	better understanding of how the Bill of Rights has been interpreted and used in court judgements	Jul 2, 2013 3:41 PM
	14	The Bill of Rights Act is an ordinary statute and so does not override other legislation. If rights are fundamental then they should be prioritised.	Jul 2, 2013 12:00 PM
	15	Again I'm not much use here, I don't know the details of the act.	Jun 30, 2013 11:05 AM
	16	It's ordinary legislation. It needs to be made supreme to have any real affect otherwise it's just reduced to another tick box activity.	Jun 28, 2013 12:44 AM
	17	Same reasons as in Q5 and Q4	Jun 27, 2013 6:03 PM
	18	While the rights included are adequate, they can be totally ignored by Parliament, and the courts cannot enforce them. The procedural sections (4,	Jun 27, 2013 4:10 PM

**Question 6: Does the Bill of Rights Act protect your rights enough? Why or why not?**

	5, 6, 7) need to be overhauled.	
<input type="checkbox"/> NO	19 I'm uncomfortable with the amount of legislation that is found to be inconsistent with the Bill of Rights Act. Inconsistency should create much more problems in the Acts being passed (more scrutiny/review/special select committee). Supreme law BORA would stop this happening	Jun 27, 2013 11:53 AM
<input checked="" type="checkbox"/> YES	20 However, it leaves out some important rights - like the rights of future generations.	Jun 27, 2013 8:52 AM
<input type="checkbox"/> NO	21 It is too aspirational, and could be hardened.	Jun 25, 2013 9:49 PM
<input checked="" type="checkbox"/>	22 While I think it protects me at the moment - i.e. theoretically - it may not in fact protect me in practice given ss 4, 5 and 6. I would like to then emphasise the need to make certain rights supreme law so that they cannot be undermined by Parliament or the Courts.	Jun 25, 2013 1:35 PM
<input type="checkbox"/> NO	23 It does not protect all of my rights. The exclusion of economic, social and cultural rights is a major gap. The justifications raised before the passage of the Bill for excluding these are no longer convincing. Courts have shown themselves to be able to balance rights necessarily qualified by the rights of others (such as freedom of speech). The mechanisms through which the Act protects rights are also imperfect. Having the AG report (per s 7) on the consistency of a Bill with the BORA as soon as practicable after it comes before the House is too late. By that stage a great deal of policy work has been done. There is almost always political will to pass it as it is. The ship has sailed. The perverse outcome is that reports are often negative (ie, the AG concludes that the Bill cannot be justified in a free and democratic society), and the AG votes for them anyway.	Jun 25, 2013 11:55 AM
<input type="checkbox"/> NO	24 It could reflect economic, cultural and social rights more - these are growing in acceptance around the world and are insufficiently recognised as rights in New Zealand. I think stronger protection for minorities could also be valuable, and a better enforcement mechanism is necessary before it can be said to protect my rights.	Jun 25, 2013 11:52 AM
<input type="checkbox"/> NO	25 Section 7 Attorney-General reports are restricted to the introductory stage, allowing supplementary order papers and Select Committee recommendations out of consideration. The way courts approach section 5 means that sometimes they don't even consider whether a breach is unjustified; it is sufficient that the statute cannot be read consistently. In its current form it is a bit weak. It does some work as an interpretive BOR but not enough.	Jun 24, 2013 3:50 PM
<input type="checkbox"/> NO	26 BUT, it works in conjunction with other laws to enable all rights to be protected. Too many rights and it will become complex and unpredictable. Therefore rights across the board are protected.	Jun 24, 2013 12:15 PM
<input type="checkbox"/> NO	27 More powers of enforcement.	Jun 24, 2013 12:02 PM
<input checked="" type="checkbox"/> YES	28 I think the substance of NZBORA is good. But as I commented in the last question, I think that the process by which those rights are protected could be better. I do not think that courts should be able to strike down legislation they consider is inconsistent with the rights, but perhaps Bills could more consistently be subject to scrutiny for consistency.	Jun 23, 2013 9:22 PM
<input type="checkbox"/> NO	29 The Hansen sequence only looks for a meaning that is least limiting on our freedom, and whether that is justified in a free and democratic society, and if	Jun 22, 2013 1:17 PM

**Question 6: Does the Bill of Rights Act protect your rights enough? Why or why not?**

it is not, then section 4 must apply to give the legislation parliament's intended meaning. The courts do the best they can to give the Bill 'teeth', but there needs to be a strike down section to protect rights.

 30	In terms of the BoR I find myself more interested in the nuts and bolts - how the framework operates - as opposed to the aspirations of the BoR. In that sense I feel my rights are protected enough.	Jun 22, 2013 9:08 AM
 31	I believe the relationship the Bill of Rights Act has with other statutes is adequate, but could do with some tinkering. However, I am at least interested in the idea that we should have socio-economic rights included in our bill of rights (though I have not come to a final decision on this point).	Jun 21, 2013 4:33 PM
 32	The Attorney General can say when legislation contravenes BORA but he/she cannot strike it down. BORA can be abrogated by our politicians too easily.	Jun 21, 2013 4:32 PM
 33	It includes all major (and some less major) civil and political rights. New Zealand in practice and in recent times also has a pretty good human rights record (compared to many countries around the world) so a robust Bill of Rights complements/supports this well.	Jun 21, 2013 4:14 PM
 34	because it does not take into consideration all international conventions	Jun 20, 2013 2:39 PM
 35	I believe BORA has created a relatively strong convention within government. Steps towards making it supreme would be detrimental to our current arrangements and cause a reshuffle of our system of government. I believe possibly (and I am commenting this quite tentatively) however a possible widening of s3(b) might be desirable, however more thought must be taken on my part whether I would fully endorse that idea.	Jun 20, 2013 11:46 AM
 36	It is only ordinary law - it can be too easily overridden by the legislature without any consequence.	Jun 17, 2013 10:47 AM
 37	I may not be aware that my rights are being infringed (e.g. GCSB scenario - when in the "national good", but who decides?)	Jun 9, 2013 1:00 PM

## Question 7

What other things could be done to protect rights?

	Response Count
	42
answered question	42
skipped question	0

**Question 7: What other things could be done to protect rights?**

1	In my personal experience we have too many rights, and sometimes these get in the way of what is right.	Jul 10, 2013 8:00 AM
2	Note sure	Jul 9, 2013 9:56 PM
3	Pass.	Jul 8, 2013 10:36 PM
4	Cheaper, more accessible institutions to enforce the Bill of Rights Act - e.g. a general tribunal, rather than having to go through the Courts system or other offices whose recommendations may or may not be followed.	Jul 6, 2013 12:37 PM
5	Enhanced focus on the rights of the environment and other species.	Jul 4, 2013 2:21 PM
6	NZ should take its international law obligations more seriously. We need to take economic, social and cultural rights more seriously and be more educated about what the rights mean the inequalities in education, health, housing are very serious in NZ. Education about rights is also very important.	Jul 4, 2013 11:08 AM
7	Supreme court that can strike down law	Jul 4, 2013 11:00 AM
8	conventions, treaty obligations	Jul 4, 2013 9:13 AM
9	More attention being paid to the Attorney General's reports on whether legislation breaches rights and whether these breaches are "justified"	Jul 3, 2013 8:16 PM
10	Making BORA supreme? Some aspects need to be entrenched in BORA as well, if not the whole Act.	Jul 3, 2013 2:18 PM
11	Right to healthy environment	Jul 3, 2013 2:13 PM
12	Ratification of international laws	Jul 2, 2013 7:47 PM
13	Making them higher law, but as discussed above I don't think this would be a good idea	Jul 2, 2013 7:23 PM
14	unsure	Jul 2, 2013 3:51 PM
15	a broader understanding - civic education	Jul 2, 2013 3:41 PM
16	Could include NZBOR or equivalent in a written constitution of higher authority, legally recognising rights prioritisation.	Jul 2, 2013 12:00 PM
17	Including them in a constitution to highlight their importance.	Jul 1, 2013 1:20 PM
18	N/A	Jun 30, 2013 11:05 AM
19	Where the judiciary actually find there has been a breach of citizen/human rights, that there is some accountability. C.f. recent HRC action re paid disability family carers; legal aid reforms illegal; Urewera raids - there were breaches found by the state, which is unconstitutional yet this did not lead to any penalties. Our constitution protects rights, that needs to be enforceable. Better education of rights.	Jun 28, 2013 12:44 AM
20	Putting the referendum system online. Save on costs, time and effort. Would afford the NZ public with the opportunity to have their say a lot easier than in the past. This would possibly have to exclude hot issues like race and life/death Better education on peoples rights	Jun 27, 2013 6:03 PM

**Question 7: What other things could be done to protect rights?**

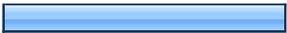
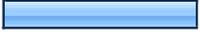
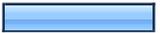
21	See above	Jun 27, 2013 4:10 PM
22	Journalists reporting on BORA inconsistencies so the government is held to account on it.	Jun 27, 2013 11:53 AM
23	Civics Education and organisations to promote public discussion on the big issues.	Jun 27, 2013 8:52 AM
24	See Q9	Jun 25, 2013 9:49 PM
25	See above. But also people need to have a better understanding of those rights - not take them for granted. Civic education is therefore important.	Jun 25, 2013 1:35 PM
26	Economic, social and cultural rights should be included. The consistency of any policy with BORA rights should be a mandatory consideration earlier in the policy-making process.	Jun 25, 2013 11:55 AM
27	Stronger enforcement put into the Act by Parliament; adding in those extra rights. The s 7 AG report should be strengthened (requiring action) and outsourced to a wider office potentially - less direct input from the Attorney-General and increased need for Parliament to act in response to inconsistencies.	Jun 25, 2013 11:52 AM
28	Formal declarations of inconsistency which require legislative response. Alternatively, maybe all statutes must be rights-consistent unless they contain a notwithstanding clause.	Jun 24, 2013 3:50 PM
29	Not sure	Jun 24, 2013 3:11 PM
30	This is a difficult question as there are many rights within the BoRA which are not explicitly catered for including security and liberty, ours is limited to the right to life. However to give this explicit mention means that arguments for the unborn child become more pertinent in cases before the courts. As mentioned previously New Zealand is a small country and therefore any pressing issues of grave injustices arising from the lack of protection of rights can be directed through parliament. There are also provisions to combat laws that are inconsistent with BoRA.	Jun 24, 2013 12:15 PM
31	An informed public is the most important step to ensuring rights are protected and upheld. Civics education at high schools would enable young people to understand what's going on in the political and constitutional space. Additionally, regular public media broadcasts (e.g. the return of a public interest channel such as TV7) about constitutional and rights-based issues would be important to keep the public informed and engaged.	Jun 24, 2013 12:02 PM
32	Probably the biggest thing that could be done to protect rights is ensuring that the legal system is accessible to all, for example through legal aid and the establishment of alternative, cheaper forums in which rights can be asserted and protected.	Jun 23, 2013 9:22 PM
33	Upper House.	Jun 22, 2013 1:17 PM
34	Remove companies as non-natural persons - this undermines the idea of humans and rights if in some cases a powerful corporate "person" can have the same protections, which is potentially an entity which humans need protection against. It just seems bizarre to afford the same protections to a company and go as far to call a company a non-natural person - to me this stretches the meaning too far.	Jun 22, 2013 9:08 AM

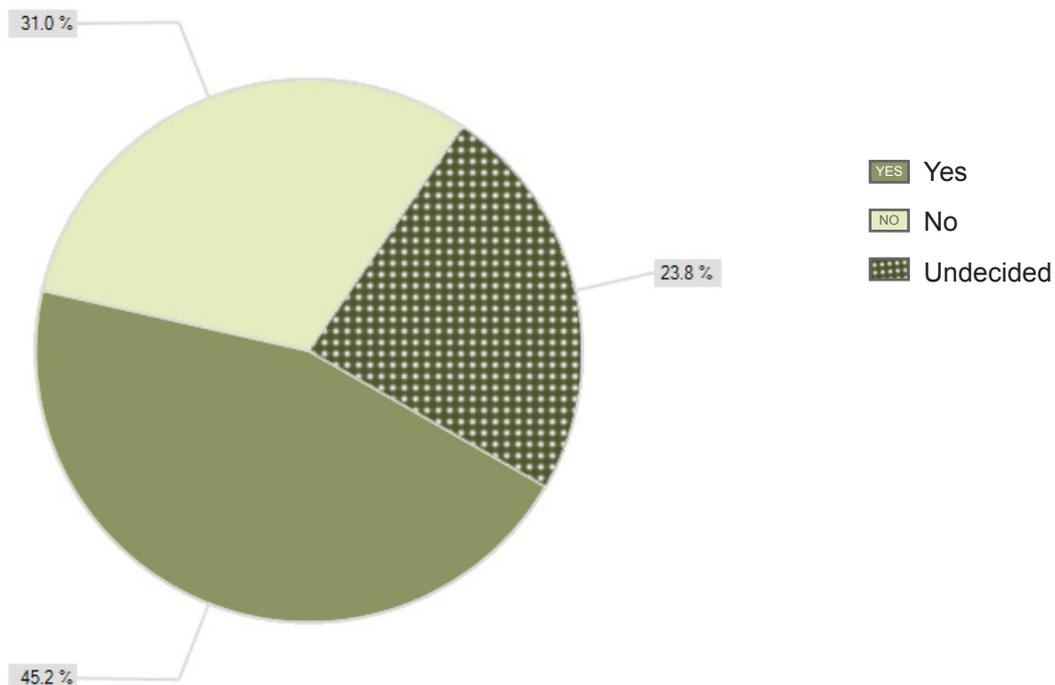
**Question 7: What other things could be done to protect rights?**

35	See answer to question 9 - perhaps amend section 4 (which governs the relationship of the Act with other statutes).	Jun 21, 2013 4:33 PM
36	Beef up the Attorney General's powers.	Jun 21, 2013 4:32 PM
37	It would be nice to see a place for social and economic rights being recognised, while not being enforceable (it is hugely difficult for the judiciary to enforce social and economic rights).	Jun 21, 2013 4:14 PM
38	further ratification of the UNDRIP	Jun 20, 2013 2:39 PM
39	As above.	Jun 20, 2013 11:46 AM
40	Allowing the Attorney-General's S7 reports to be more than merely advisory, but rather binding. Increasing awareness amongst the citizenry of rights. Taking greater steps to incorporate international rights agreements into domestic law.	Jun 17, 2013 10:47 AM
41	Better civics education	Jun 11, 2013 4:14 PM
42	...	Jun 9, 2013 1:00 PM

# Question 8

**Do you think the Bill of Rights Act should have a higher legal status than other laws (supreme law)? Why or why not?**

		Response Percent	Response Count
Yes, I think the Bill of Rights Act should have a higher legal status than other laws (supreme law)		45.2%	19
No, I think the Bill of Rights Act should 'not' have a higher legal status than other laws (supreme law) - the status quo		31.0%	13
Undecided, what information would help you make up your mind		23.8%	10
	Please explain your choice		32
		<b>answered question</b>	<b>42</b>
		<b>skipped question</b>	<b>0</b>



**Question 8: Do you think the Bill of Rights Act should have a higher legal status than other laws (supreme law)? Why or why not?**

<input type="checkbox"/> NO	1	Provided that greater attention is drawn to instances where legislation is inconsistent with the Bill of Rights Act, I think the current approach of giving preference to meanings consistent with the Bill of Rights Act is appropriate. Rights in the Act can often be interpreted or applied to achieve conflicting results, and rights within the Act can compete with one another as well.	Jul 6, 2013 12:37 PM
<input type="checkbox"/> NO	2	In my view the constitution would place rights above other laws, not the Bill itself.	Jul 4, 2013 2:21 PM
<input checked="" type="checkbox"/> YES	3	Because these are fundamental freedoms and should not change at the whim of any Government	Jul 4, 2013 11:08 AM
<input checked="" type="checkbox"/> YES	4	BORA would become part of a codified constitution, in my mind, and I don't necessarily feel anything else needs to be supreme law or entrenched. But BORA may well have to be.	Jul 3, 2013 2:18 PM
<input checked="" type="checkbox"/> YES	5	Fundamental human rights should be non-derogable	Jul 3, 2013 2:13 PM
<input type="checkbox"/> NO	6	Refer above	Jul 2, 2013 7:23 PM
<input type="checkbox"/> NO	7	This would be inconsistent with my earlier answer that NZ's constitution should not have an entrenched constitution.	Jul 2, 2013 3:51 PM
<input type="checkbox"/> NO	8	how the Bill of rights might be aligned with other higher legal status laws; or how it is not...	Jul 2, 2013 3:41 PM
<input checked="" type="checkbox"/> YES	9	The protection of individual rights is central to the validity of democratic government, Without recognising the sanctity of these rights, I believe a government's legitimacy is compromised.	Jul 2, 2013 12:00 PM
<input type="checkbox"/> NO	10	- depends on what rights are included - depends on the provision for overriding rights in certain circumstances - depends on whether the rest of the constitution is to be supreme law	Jul 1, 2013 1:20 PM
<input checked="" type="checkbox"/> YES	11	It should be held within the combination of documents referred to in the constitution (mentioned earlier). Rights are a fundamental for society.	Jun 30, 2013 11:05 AM
<input checked="" type="checkbox"/> YES	12	It holds the "fundamental" rights that are valued by our democratic country. But of course there needs to be flexibility in interpretation. E.g. right to life - could always raise concerns re abortion, euthanasia (although illegal at present).	Jun 28, 2013 12:44 AM
<input checked="" type="checkbox"/> YES	13	I am unsure whether the whole BORA as is should be afforded supreme law status. Some pieces should be questioned. I guess it depends on how far NZ wants to go for a starting point. I would be reasonably comfortable with the BORA having a higher legal status	Jun 27, 2013 6:03 PM
<input checked="" type="checkbox"/> YES	14	Rights are such that they are inherent to humans. Parliament should not be able to override them without very, very good reason, and the courts should have a very high threshold to meet before a breach of a right will be not overruled.	Jun 27, 2013 4:10 PM
<input checked="" type="checkbox"/> YES	15	Because if we have a base of untouchable civil and political rights then we can protect the rest of the things we care about through the normal democratic process	Jun 27, 2013 11:53 AM
<input type="checkbox"/> NO	16	As above.	Jun 27, 2013 8:52 AM

**Question 8: Do you think the Bill of Rights Act should have a higher legal status than other laws (supreme law)? Why or why not?**

<input checked="" type="checkbox"/> YES	17	Fundamental human rights should be elevated above laws dealing with other subject matter. They should not be subject to other laws, but should be incapable of being overridden. Cooke P dissenting.	Jun 25, 2013 9:49 PM
<input checked="" type="checkbox"/> YES	18	See above. Section 4, 5 and 6 - i.e. the way they operate - may not always ensure that our rights in fact protect us. Hence I think, in order to achieve adequate protection of those rights - we need to have rights that are supreme law.	Jun 25, 2013 1:35 PM
<input type="checkbox"/> NO	19	As with my previous answer, it should be entrenched. But there should be no "strike down" power given to the courts, for the same reasons given before.	Jun 25, 2013 11:55 AM
<input type="checkbox"/> NO	20	The status quo leaves room for parliamentary supremacy, while retaining a role for the courts which they have developed into a strong protector of minority rights. Making laws actually able to be struck down by the courts swings the balance too much in the direction of the unelected, and ignores the principles of democracy.	Jun 25, 2013 11:52 AM
<input type="checkbox"/> NO	21	I don't want judicial supremacy. Then again, if we had deferred remedies (e.g. Parliament must do something within a year) rather than judicial strike-downs maybe I might change my mind.	Jun 24, 2013 3:50 PM
<input type="checkbox"/> NO	22	I am leaning more towards the No but am unsure why exactly I have made this decision.	Jun 24, 2013 12:15 PM
<input checked="" type="checkbox"/> YES	23	As with the general constitutional arrangements, these should be protected from encroachment by ordinary channels of political power.	Jun 24, 2013 12:02 PM
<input type="checkbox"/> NO	24	For the same reasons that I do not think the constitution should be higher law. It places too much power in the hands of unelected judges, who often are not very representative of the New Zealand population (in terms of their socio-economic background, culture, ethnicity and even gender). This problem is exacerbated by the fact that the language of NZBORA is very general by necessity, which leaves it open to many different interpretations. This also creates significant uncertainty.	Jun 23, 2013 9:22 PM
<input checked="" type="checkbox"/> YES	25	Either a constitution as supreme law, or the NZBORA as supreme law. Personally I would prefer not to have a single written document constitution, and have the NZBORA as supreme.	Jun 22, 2013 1:17 PM
<input type="checkbox"/> NO	26	In terms of the BoR being aspirational and stating basic human rights, I do not think that in all situations that these rights should trump other rights, and allowing the judges to decide this. There is not really any such thing as absolute rights - depending on the situation there will be strong rights and weak rights. Not sure if making the BoR supreme would really assist in the real world.	Jun 22, 2013 9:08 AM
<input type="checkbox"/> NO	27	In my view, there are occasions (for practical reasons or otherwise) where it is acceptable for Parliament to enact legislation that is inconsistent with BORA. However, Parliament should not be able to do this easily. For example, I think legislation should not be able to impliedly repeal BORA; if a piece of legislation is to breach BORA, it should do so expressly (i.e. section 4 BORA should be amended)	Jun 21, 2013 4:33 PM
<input type="checkbox"/> NO	28	Entrenchment but not supreme law is a good idea.	Jun 21, 2013 4:32 PM
<input type="checkbox"/> NO	29	I would lean against it because judges already have a lot of power in the way	Jun 21, 2013 4:14 PM

**Question 8: Do you think the Bill of Rights Act should have a higher legal status than other laws (supreme law)? Why or why not?**

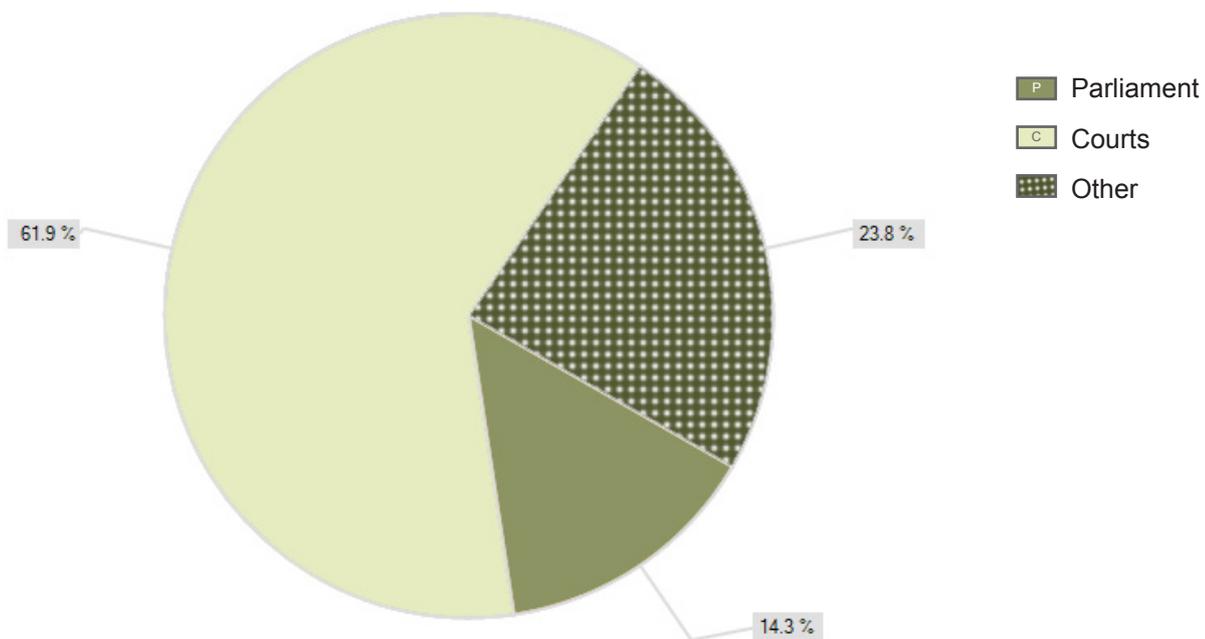
the interpret legislation to fit with the Bill of Rights. This means that the Bill of Rights Act is effectively (superior) though not supreme law. I think this is a good position in a country that has a fairly good human rights record. Going any further and making BORA supreme would not be warranted in this context and brings the downside of the risk of further politicization of the judiciary.

<input checked="" type="checkbox"/> YES	30	Entrench it	Jun 20, 2013 2:39 PM
<input type="checkbox"/> NO	31	As above.	Jun 20, 2013 11:46 AM
<input checked="" type="checkbox"/> YES	32	See question 7 above.	Jun 17, 2013 10:47 AM

# Question 9

**Who should have the power to decide whether legislation is consistent with the Act: Parliament, Courts, another entity? Why?**

		Response Percent	Response Count
Parliament		14.3%	6
<b>The Courts</b>		<b>61.9%</b>	<b>26</b>
Another entity, please describe the other entity in detail below		23.8%	10
	Please explain your choice		29
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



**Question 9: Who should have the power to decide whether legislation is consistent with the Act: Parliament, Courts, another entity? Why?**

 1	Once again, if Parliament has passed the legislation, they are unlikely to find that the legislation they have passed should not apply because of inconsistency with the Act.	Jul 6, 2013 12:37 PM
 2	Rights, as part of the constitution should be applied to legislation by the courts, but decisions should be formally made by parliament,.	Jul 4, 2013 2:21 PM
 3	Both Parliament & Courts, Attorney General	Jul 4, 2013 11:08 AM
 4	Courts - this is consistent with the separation of pwoers.	Jul 3, 2013 8:16 PM
 5	If it is supreme law, then the Courts. If it is not, then Parliament. As I said, Parliament is elected. But if it becomes a question of law parliamentarians don't know enough about how the law works to rule on it. Politics has to stay out of supreme law.	Jul 3, 2013 2:18 PM
 6	I believe the present Hansen test (Courts) and the AG's check (Parliament) is sufficient, and as discussed above, if Parliament expressly disregards any rights under the Act in an unreasonable way it will be held accountable. however if the BORA was in a NZ constitution - particularly an NZ constitution - perhaps a separate constitutional court, or tribunal with a mix of relevant professions could be established. However I have no idea if resources would allow this measure to be taken	Jul 2, 2013 7:23 PM
 7	Same answer as above - it is their constitutional role to do so	Jul 2, 2013 3:51 PM
 8	For an issue of expansive and fundamental nature it would seem appropriate that the judiciary should administrate the correlation of rights and legislation, particularly as it would be laborious for Parliament to cater for the great diversity of rights contentions.	Jul 2, 2013 12:00 PM
 9	Again, not enough knowledge to be useful here.	Jun 30, 2013 11:05 AM
 10	As said in an earlier answer that something similar to the Courts would be valuable. Have judicial independence, objectivity but we would have a chance to set up a more balanced representation.	Jun 28, 2013 12:44 AM
 11	Same as question 6!! Sepation of powers and all that jazz. I like the idea of having another body to rule on inconsistencies and provide parliament and the public with reasons why whilst the bill/legislation is going through the rounds in parliament	Jun 27, 2013 6:03 PM
 12	Separation of powers is an important principle in our constitution	Jun 27, 2013 11:53 AM
 13	As above.	Jun 27, 2013 8:52 AM
 14	See Q6	Jun 25, 2013 9:49 PM
 15	Parliament makes the legislation - so it would not be logical for them to now determine consistency. However, Judges are better placed to make those decision. They have knowledge of the law and the way it applies.	Jun 25, 2013 1:35 PM
 16	The courts must be able to slow down the passage of acts that breach rights (in the same way as suggested for other constitutional inconsistency), but Parliament must have the final say, for the same reasons given before.	Jun 25, 2013 11:55 AM
 17	Another entity would not have sufficient status to enforce rights, and would	Jun 25, 2013 11:52 AM

**Question 9: Who should have the power to decide whether legislation is consistent with the Act: Parliament, Courts, another entity? Why?**

become similar to the token positions of Rights Commissioners etc which are not taken seriously by the public. The courts have sufficient gravity and mana to do so. Granting such rights to Parliament infringes on the separation of powers, as noted earlier.

 18	Why would it be for Parliament?? That defeats the purpose.	Jun 24, 2013 3:50 PM
 19	Current process AG.	Jun 24, 2013 12:15 PM
 20	The independent Constitutional Commission again should have the power to decide on questions of consistency.	Jun 24, 2013 12:02 PM
 21	See answer to question 6.	Jun 23, 2013 9:22 PM
 22	As above	Jun 22, 2013 1:17 PM
 23	Perhaps a body within parliament holds this role, or perhaps it is made up representatively and has people from all walks of life - academics, people 'on the ground' --- maybe like a jury? Don't really know what I think here!	Jun 22, 2013 9:08 AM
 24	Same reasons as earlier for court over parliament.	Jun 21, 2013 4:32 PM
 25	The courts, as they currently do. It might be helpful to have a, more authoritative, widely respected and neutral body than currently exists to make a decision on whether bills are inconsistent with the Act.	Jun 21, 2013 4:14 PM
 26	this is also consistent with rule of law	Jun 20, 2013 2:39 PM
 27	As previously stated.	Jun 20, 2013 11:46 AM
 28	The Courts AND the Attorney-General in a S 7 report. This again ensures that those who make the law aren't the same ones interpreting it - allowing Parliament to make those decisions subjects the Act to the political process - and if rights are as fundamental as we believe then their enforcement should not turn on politics.	Jun 17, 2013 10:47 AM
 29	Both	Jun 11, 2013 4:14 PM

# Question 10

What additional rights if any could be added to the Act?

	Response Count
	42
answered question	42
skipped question	0

Question 10: What additional rights if any could be added to the Act?		
1	don't know	Jul 10, 2013 8:00 AM
2	Protection against spying	Jul 9, 2013 9:56 PM
3	Environmental (Macro & micro sustainability) and cultural rights (e.g prevent cultural misappropriation) – these need more protection.	Jul 8, 2013 10:36 PM
4	A broader discussion needs to be had on whether any economic rights should be included in the Act, as well as civil and political rights.	Jul 6, 2013 12:37 PM
5	Unsure.	Jul 4, 2013 2:21 PM
6	Right to adequate housing, health, education	Jul 4, 2013 11:08 AM
7	Right to justice	Jul 4, 2013 11:00 AM
8	indigenous and cultural rights in particular those pertaining to Maori	Jul 4, 2013 9:13 AM
9	- Rights of future generations - Environmental rights (protection of the environment, resources, for the benefit of future generations)	Jul 3, 2013 8:16 PM
10	Environmental rights, rights to participate in the community. There are some rights included in the UDHR and similar which are not included. I would suggest looking far and wide to see what is done elsewhere.	Jul 3, 2013 2:18 PM
11	Right to a healthy environment	Jul 3, 2013 2:13 PM
12	Not sure	Jul 2, 2013 7:47 PM
13	I know some have argued the right to privacy should be added. I haven't looked into this area however I understand many other jurisdictions include this right, however NZ seems to be developing this area through tort law anyway.	Jul 2, 2013 7:23 PM
14	social rights	Jul 2, 2013 3:51 PM
15	Don't know the Act well enough	Jul 2, 2013 3:41 PM
16	Rights of the environment should equate a citizen, kaitiakitanga should be a primary concern for our assumedly clean, green nation	Jul 2, 2013 12:00 PM
17	Unsure. Possibly some environmental protections, but I have trouble deciding if protection of the environment is a "right" or something that should be discussed in the context of human rights.	Jul 1, 2013 1:20 PM
18	N/A	Jun 30, 2013 11:05 AM
19	Something to be considered is the right to life being altered to the right to QUALITY of life.	Jun 28, 2013 12:44 AM
20	Not so much a right - but a section that compels parliament to provide reasons for the inconsistent legislation where the above independent body in Q10 has noted an inconsistency	Jun 27, 2013 6:03 PM
21	Social security (financial) rights, and more rights for young people in terms of participation with democracy.	Jun 27, 2013 4:10 PM
22	I would like to hear more discussion around bringing very basic social rights	Jun 27, 2013 11:53 AM

**Question 10: What additional rights if any could be added to the Act?**

	in but I don't have an informed opinion at this point. BORA should probably focus on the civil and political rights it already has otherwise it might be at risk of becoming meaningless	
23	Right to a healthy natural environment, or the rights of future generations to a decent level of resources ("resources which allow them to maintain the same or better standards of living to those we enjoy today")	Jun 27, 2013 8:52 AM
24	Environmental-related rights.	Jun 25, 2013 9:49 PM
25	Right to family Right to education	Jun 25, 2013 1:35 PM
26	ESC rights (as above). While the lack of constitutional protections for the environment is one of my biggest concerns, I am unsure that incorporation in a human rights instrument is the best way to do this.	Jun 25, 2013 11:55 AM
27	See above - economic, cultural and social rights including the types of provisos noted in South Africa meaning that such laws don't entail judges specifically allocating funding, but merely allowing decisions to be sent back to parliament if insufficiently considered. Otherwise, any additional rights would have to of sufficient breadth and importance to justify being in the BORA - none of which appear to be yet.	Jun 25, 2013 11:52 AM
28	I am strongly against socio-economic rights being added to BOR. These rights are probably the most valuable of all, but they do not accord with the spirit of BOR. I think each country's BOR reflects its history and conditions. Our BOR comes from a background of relative social and political calm. Its basis is to affirm ICCPR and prevent government tyranny. It is about stopping the government from doing something to us, not to positively provide things. I think that adding socio-economic rights is pointless. A government will either want to provide a minimum level of living standards for its people or it won't. I'm not convinced throwing it in a BOR does anything. NZ, luckily, appears to fall in the former camp. I am not convinced that allowing people to sue the government for failing to provide socio-economic rights will achieve anything, given the government must do this with limited resources. Aside from that, I would not add any other further rights (although I am amenable to change).	Jun 24, 2013 3:50 PM
29	Not sure	Jun 24, 2013 3:11 PM
30	Right to liberty and security of the person.	Jun 24, 2013 12:15 PM
31	I need to do some more research on this one.	Jun 24, 2013 12:02 PM
32	I am unsure how I feel about basic economic rights, but I think they are at least something worth discussing.	Jun 23, 2013 9:22 PM
33	Right to vote?	Jun 22, 2013 1:17 PM
34	Environmental	Jun 22, 2013 9:08 AM
35	I'm interested in including socio-economic rights in the BORA.	Jun 21, 2013 4:33 PM
36	Right to family life.	Jun 21, 2013 4:32 PM
37	None that I can think of. Possibly social and economic rights (at least for children) should be mentioned as an interpretative device.	Jun 21, 2013 4:14 PM

**Question 10: What additional rights if any could be added to the Act?**

38	unsure	Jun 20, 2013 2:39 PM
39	I have not given enough thought on possible ideas, and couldn't provide any that I believe that are essential. I believe only the most essential rights should be included.	Jun 20, 2013 11:46 AM
40	Environmental rights!!!!	Jun 17, 2013 10:47 AM
41	Not sure - possibly better gender based protections	Jun 11, 2013 4:14 PM
42	...	Jun 9, 2013 1:00 PM

# Question 11

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

	Response Count
	42
answered question	42
skipped question	0

**Question 11: Thinking of the future, what role do you think the Treaty of Waitangi could have in our constitution?**

1	to be honest if we are thinking of the future... it should be a supporting document.	Jul 10, 2013 8:02 AM
2	Fundamental, Although not perfect it lays the ground work for a nation built on cooperation.	Jul 9, 2013 9:59 PM
3	It's a thorny issue, but it should be recognized as an instrumental document that deserves attention. Solving disputes is between Crown and Maori iwi concerned – not pakeha, or others. This makes the Treaty's role in the constitution somewhat dubious and unnecessary, but it is a starting point from which we recognize our country's genesis – as a bi-cultural nation. As we grow, we become more multi-cultural, but recognize that it only was possible through the agreement between willing maori and the crown.	Jul 8, 2013 10:46 PM
4	I don't think the Treaty should have a static role - I'm unsure what this might mean in context as I don't feel I have a good enough grasp of "the future" and what different parts of society expect from the Treaty even today.	Jul 6, 2013 12:38 PM
5	The principles of the treaty should be applied to the constitution, but the Treaty itself should be retired if the constitution covers all of it's active applications.	Jul 4, 2013 2:24 PM
6	It definitely needs to be acknowledged and the principles incorporated	Jul 4, 2013 11:09 AM
7	Founding document	Jul 4, 2013 11:00 AM
8	affirm indigenous rights through ToW	Jul 4, 2013 9:19 AM
9	It should be a part of the constitution, as it is the basis of Maori-Crown relations. Not sure exactly what role it should play and how it should be interpreted.	Jul 3, 2013 8:17 PM
10	I think the best way going forward is to outline, in explicit terms, what the five principles mean, and do so in our constitution. We can add more principles now even if we like. But the principle of the Treaty in the Constitution should be taken to apply to all. And the treaty text itself must remain a part of international, not domestic, law." I am driven to think of Singapore's five principles in their pledge of allegiance.	Jul 3, 2013 2:33 PM
11	Should be expressly recognised as part of NZ's constitution	Jul 3, 2013 2:14 PM
12	Important part.	Jul 2, 2013 7:47 PM
13	If anything I think it would likely be the principles as they exist at the moment that would be part of the constitution. However if the constitution was entrenched this would lead to serious consequences and curbs on parliamentary power - e.g. foreshore & seabed, or recently asset sales. Law would develop a lot more than it has been - perhaps leaving this area to the courts would be problematic.	Jul 2, 2013 7:27 PM
14	I think it should guide as a reference point for interpretation where there are tensions between Maori and other interests	Jul 2, 2013 4:05 PM
15	I think once again the status quo surrounding the Treaty is enough - if its constitutional position changes this could potentially undermine the Treaty settlement process (both completed and continuing). There should, however, be a declaration (statutory or otherwise) that the Treaty of Waitangi IS the	Jul 2, 2013 3:53 PM

**Question 11: Thinking of the future, what role do you think the Treaty of Waitangi could have in our constitution?**

	founding constitutional document of New Zealand.	
16	I think the spirit of Te Tiriti O Waitangi should be central to our constitution. He iwi tahi tatou (we are now one people) is the fundamental purpose of the treaty, interpretation of its semiotics and wording should no longer be our concern. The best means of remedy is to affirm future equality, mutual respect, cultural community preservation. No amount of unbalanced scholarships, payouts, settlements, and heated debates will ever foster a united nation nor truly remedy the irrevocable and detestable grievances of the past.	Jul 2, 2013 12:14 PM
17	I think it would be wrong not to mention the Treaty as it has a place in New Zealand's history. However I am uncomfortable with including the text of the treaty because it is so loosely interpreted by the Courts and history shows that the interpretation given by the Courts peaks and troughs over time depending on the current political views. I am also uncomfortable with entrenching the "principles" of the Treaty for similar reasons. A better way to move forward with Maori-crown relations would be to acknowledge our past, and then include concepts that protect Maori issues in other ways.	Jul 1, 2013 1:28 PM
18	Taking the treaty literally has caused too many problems in the past but the ideals in it should be at the centre of our constitution.	Jun 30, 2013 11:06 AM
19	It definitely belongs somewhere. There are two main options: 1. Do we entrench the Treaty or 2. Do we have a Treaty based constitution. I like both in idealistic land. But I also think it's hard to have the constitution of the people, where a majority of people have polarised and ignorant understandings of what the treaty is. But I think it's time to be Bold. How that works I'm not sure though. One day I think entrenching is good, the next I think it's not that realistic. if it is entrenched we need to make sure that the decision-making judicial body has Mori on it. For too long has the lens that our laws, constructs, Te Tiriti interpreted via a mono lense. In any event, a Treaty based constitution shares values and tikanga that benefit all New Zealanders. It's just that the ignorance over the treaty being for Mori would meet a lot of resistance. But I'm ready to be bold.	Jun 28, 2013 12:51 AM
20	Could - a huge one if the right people stand up together and make sure of it. Either way it should have a big central role.	Jun 27, 2013 6:15 PM
21	It should be used as an interpretive tool when writing every clause of the new constitution. It should be totally interwoven into it.	Jun 27, 2013 4:11 PM
22	In the post settlement period I think the Treaty's role should be a blueprint for decision making and procedural matters ie how Maori and the Crown work together	Jun 27, 2013 11:53 AM
23	I'm really not sure about this one.	Jun 27, 2013 8:52 AM
24	This is the subject of my dissertation, and I have not yet reached an answer that I am comfortable with.	Jun 25, 2013 9:51 PM
25	In all honesty - the TOW debate still has not convinced me either way. I have no idea what role the TOW should play in our constitution. For that I would need to know: a. What role do Maori consider the TOW plays b. Will the TOW have any effect in the constitution It is all well to say that the TOW needs a place - and I do believe it part of the very identity of this nation. But to determine what that role should be - is a question I cannot answer.	Jun 25, 2013 1:35 PM

**Question 11: Thinking of the future, what role do you think the Treaty of Waitangi could have in our constitution?**

26	The relationship between Pakeha and Maori will be the subject of ongoing negotiation. Te Tiriti is the anchor for that negotiation.	Jun 25, 2013 12:11 PM
27	A strengthened one, as society begins to recognise and respect the role of Maori. This could be especially important given the planned completion of Settlement claims for iwi. Hopefully it could have a role in ensuring a Maori viewpoint is gained on all major issues but also that it is actually listened to and acted on.	Jun 25, 2013 12:09 PM
28	I don't know enough to say.	Jun 24, 2013 3:50 PM
29	To ensure that however we choose to move forward, it's plural focus can aid us in how we continue to shape New Zealand with other cultures in mind while also being a lesson for how we can better perfect the relations we all have with one another, in terms of our differences.	Jun 24, 2013 3:20 PM
30	It can compliment existing law so as not to strike down all inconsistent legislation. Taking into account values and principles behind the treaty.	Jun 24, 2013 12:17 PM
31	The principles of the Treaty of Waitangi should lay the foundation for our constitution and be central in decisions made about constitutional arrangements. It should act as a check and balance on law-making. The (to-be-established) Constitutional Commission should have the power to assess whether legislation is in accordance with the Treaty.	Jun 24, 2013 12:02 PM
32	Providing a backdrop to a modern formulation of principles recognising the special place of Maori in New Zealand and the partnership between the Crown and Maori.	Jun 23, 2013 9:26 PM
33	I think the Treaty is a very uncertain document, so the whole thing should not be included as the basis of our legal system. I would prefer if just the principles the courts have interpreted were included, as their application is more considered.	Jun 22, 2013 1:18 PM
34	I think it definitely needs to be acknowledged. But to get all nzers to 'own' it and buy in there needs to be heaps more education and engagement. There is a negative undercurrent in NZ regarding the treaty. Mostly due to ignorance and not knowing much about it - this needs to change and I think people would then understand the ToW place in nz's future. It may not provide extra rights to Maori as this may not fly with people, but some acknowledgements need to be there, and perhaps it is including more Maori approaches/culture in nz's framework to trickle down to real life to acknowledge the ToW ie using Maori approaches to education, justice, family networks etc etc	Jun 22, 2013 9:14 AM
35	I think it could be included in a similar manner to NZBORA - perhaps a provision that legislation can only be enacted in breach of the [TOW/principles of TOW(?)] if it does so expressly.	Jun 21, 2013 4:46 PM
36	Current legislation is sufficient - these must have varying degrees of regard for the treaty. Anything more would be over the top.	Jun 21, 2013 4:33 PM
37	I would like it to be a part of our constitution. I think arguably (and this is the beauty of an uncodified constitution), it already is.	Jun 21, 2013 4:14 PM
38	supreme law	Jun 20, 2013 2:39 PM

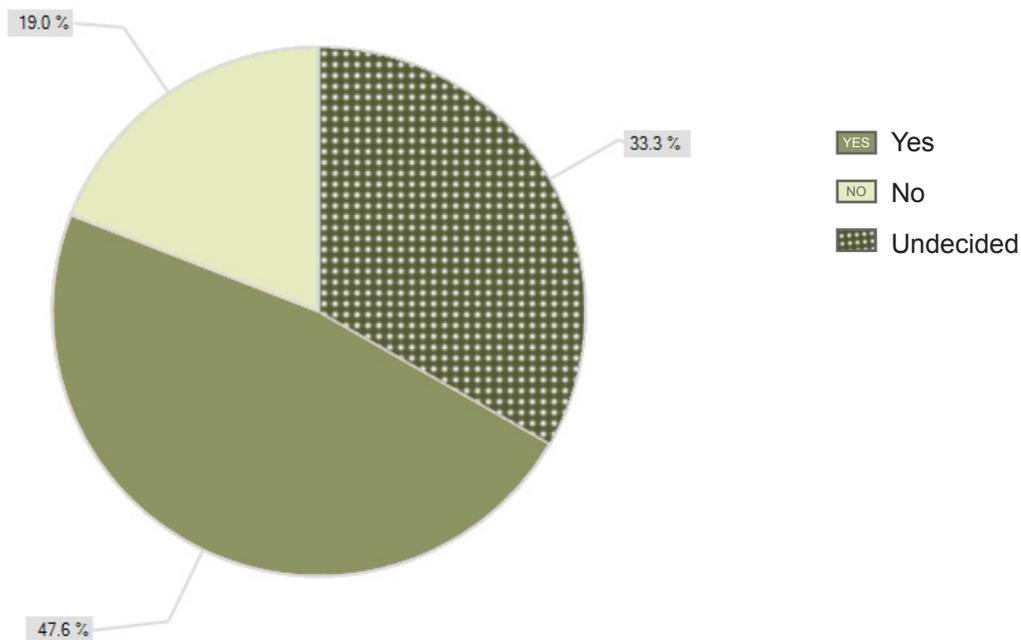
**Question 11: Thinking of the future, what role do you think the Treaty of Waitangi could have in our constitution?**

39	I have not given extensive thought on the topic, I think recognition is essential, however I am a believer in a One New Zealand, One People concept and see a reduced capacity or application of the treaty in New Zealand in the future. I am not challenging its significance in the formation of our country nor the need for restitution for wrongs done after the treaty, however as a role in our constitution, it needs to have an actionable role if it is going to be included. Restitutional actions should be made through ordinary legislation, and resultingly the Waitangi Tribunal. Inclusion of the Treaty in supreme law, I believe, would result in possible racism towards both sides. Especially due to the white composition of our judiciary, and conversely a possible over/under-compensating towards both "sides".	Jun 20, 2013 12:05 PM
40	Sorry CAP, this question presumes that the Treaty is something to be added in to our existing constitutional arrangements. Rather, the question should be how the constitution can be based on the Treaty. It is, after all, our founding document.	Jun 17, 2013 10:51 AM
41	basis of positive law.	Jun 11, 2013 4:14 PM
42	The principles (as interpreted and applied by the Courts) should be more clearly identified and included in some way, but with the ability to evolve.	Jun 9, 2013 1:02 PM

# Question 12

**Do you think the Treaty should be made a formal part of the constitution? Give reasons for your answer**

		Response Percent	Response Count
Yes		47.6%	20
No		19.0%	8
Undecided, what information would help you make up your mind		33.3%	14
Please explain your choice			36
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



**Question 12: Do you think the Treaty should be made a formal part of the constitution? Give reasons for your answer**

 1	your meaning of "formal". Yes I tink it needs to be there, but should it rule our actions? No, it was created over 100 years ago in a completely different context to today.	Jul 10, 2013 8:02 AM
 2	It is historically significant to the way our nation is run. Preserves rights for Maori which I think helps other miniority cultures.	Jul 9, 2013 9:59 PM
 3	It should formally be recognized in the constitution, with one caveat. Since the general public are not really given access to the kind of knowledge and viewpoints that inform government action to do with the Treaty, they can become receptive to the idea that Maori are being considerably and unfairly advantaged (despite statistical and anecdotal evidence of obvious inequalities). Therefore, public engagement and public education and government & iwi transparency are vital.	Jul 8, 2013 10:46 PM
 4	I don't feel like I have enough knowledge on what the Treaty means to different groups today, what they expect from the Treaty and how effective Treaty settlements are in addressing grievances.	Jul 6, 2013 12:38 PM
 5	The controversial nature of the document means it should be moved on from, providing it's important status is upheld by making it an important part of a new constitution's development.	Jul 4, 2013 2:24 PM
 6	It definitely needs to be acknowledged and the principles incorporated	Jul 4, 2013 11:09 AM
 7	founding document of NZ	Jul 4, 2013 9:19 AM
 8	It is the founding document of Aotearoa, so it should definitely be a part of the constitution.	Jul 3, 2013 8:17 PM
 9	There is not enough agreement amongst the remainder of NZ even if the Maori text is the valid version; it is divisive to give such power to the Maori text over the rest of us - as the Maori version is so broad and easy to analogise. For example, the radiowaves debate should never have been had! It was an untenable claim. To me, the Treaty is about the relationship between the Crown and Maori, and it correspondingly deals with how the two interact. It also permits non-Maori settlement. I think it is simply the case that Maori must therefore be given the redress (generous redress too) where the explicit and agreeable terms of the Treaty were breached. That may be simply on the basis of principles, or acknowledgement of wrong. Or merely where the principles are acknowledged in our law. If you include it in any form, other than the principles, it has to be entrenched or it can be amended. You can't amend the Treaty because that changes the very moral basis of this society. It's like renegotiating a deal. We can argue about what was and wasn't included, but it's not the same thing as an outright amendment. It also cannot be supreme law. That would put the interests of Maori ahead of the interests of the rest of New Zealand. It would give them huge legal strength in any debate, that is unwarranted by size or any moral imperative to the "first people". I think the best way going forward is to outline, in explicit terms, what the five principles mean, and do so in our constitution. We can add more principles now even if we like. But the principle of the Treaty in the Constitution should be taken to apply to all. And the treaty text itself must remain a part of international, not domestic, law.	Jul 3, 2013 2:33 PM
 10	Again I think it would depend on the status of the constitution. If entrenched I think including the Treaty would be extremely unpredictable and risky, leaving judicial discretion to decide a Crown-Maori issue that is highly	Jul 2, 2013 7:27 PM

**Question 12: Do you think the Treaty should be made a formal part of the constitution? Give reasons for your answer**

	controversial. If unentrenched, perhaps Parliament could make the Treaty a lower standard of law (e.g. Bill of Rights Act, which is subject even to delegated legislation). In that circumstance maybe the Treaty would be in the constitution more for symbolic value, and to ensure accountability should Parliament act in a way that some may view contrary to the Treaty.	
<input checked="" type="checkbox"/> 11	it's a pivotal part of the allegiances early New Zealanders and Maori made with one another and a historical account of how two peoples entered into an agreement to live together. This should be an enduring agreement that lives through a spirit of reconciliation well into the future.	Jul 2, 2013 4:05 PM
<input type="checkbox"/> 12	Which language would you choose?! This is more of an aspirational question - if you think about the practical difficulties that would ensue, it's probably best left as it is.	Jul 2, 2013 3:53 PM
<input checked="" type="checkbox"/> 13	Only in spirit. As the differences between the Treaty and Te Tiriti are irreconcilable we must push to honour the values and soul of the Treaty rather than import the fragility and ambiguity of its tangible form.	Jul 2, 2013 12:14 PM
<input type="checkbox"/> 14	As above.	Jul 1, 2013 1:28 PM
<input checked="" type="checkbox"/> 15	This is a very important part of the forming of our country as we know it and it needs to be up held.	Jun 30, 2013 11:06 AM
<input type="checkbox"/> 16	What is a "part"? To borrow from my Te Papa speech: "Te Tiriti belongs in any Constitution that governs this country. Not as a chapter, or as a consideration. To borrow from Mathew Palmer's korero, well actually from John Key, "Mori culture is enshrined in who we are as New Zealanders...". We cannot partition our Treaty into a single part of our Constitution. It is a part of our identities as New Zealanders and to reduce it to a section or a is to undermine our own identity. Where the Treaty can be formally recognised as a "separate chapter" in our constitution it is the Crown-Maori ongoing relationship that underpins the Treaty that should underpin a NZ constitution." - a part of me will always want a treaty based Constitution.	Jun 28, 2013 12:51 AM
<input checked="" type="checkbox"/> 17	Possibly not so much the Treaty as a document in itself but more the principles should be. There are so many reasons why. It is the most important document in NZ history and is a major part of the foundations on which NZ has been built. It is key to our current constitutional arrangements and should remain so going forward. You can't just come in and colonize a whole country, take the natives land and leave them so worse for wear they spend the next 100 years playing catch up on every level imaginable (economically, socially, health, education etcetc) and then turn around and rip out one of the last remaining opportunities to legitimately right the wrong that has been done. It is a massive waste of human potential and is wrong. NZ should not be allowing this to continue any further. The underlying issues need to be addressed and the status of Maori in this country should be given some love	Jun 27, 2013 6:15 PM
<input checked="" type="checkbox"/> 18	Yes, it is a founding document and has great opportunity to change NZ should it be included in more powerful way than it currently is.	Jun 27, 2013 4:11 PM
<input type="checkbox"/> 19	I think the way the Treaty is slowly growing in acceptance among the public as our underlying constitutional document and blueprint for the relationship between Maori and the Crown is really positive. I am personally very skeptical about making revolutionary changes. Our national history tells us that even with the best intentions this can be disastrous.	Jun 27, 2013 11:53 AM

**Question 12: Do you think the Treaty should be made a formal part of the constitution? Give reasons for your answer**

20	I'd be interested in seeing examples of other countries where this has been done. I'd also be interested in hearing from legal experts about what effect this would have. I'd also be keen to hear about what role this would play additional to the work done by the Waitangi Tribunal.	Jun 27, 2013 8:52 AM
YES 21	Although I remain uncertain about HOW it should be incorporated, and to what extent its articles/principles should be enforceable.	Jun 25, 2013 9:51 PM
22	Please see above.	Jun 25, 2013 1:35 PM
YES 23	I assume that the question is whether the Treaty should be a formal part of a codified constitution, as it is already as formal a part of our constitution as any other. The Constitution cannot ignore the fact that the Treaty is the legal basis for government in New Zealand. Any constitutional reform that is incompatible with the Treaty would be a revolution. The question then is whether the Treaty (which in practice means the principles of the Treaty) should be incorporated, or whether some new settlement can be negotiated. Because I doubt that latter is realistic, the Treaty should be incorporated. Because Maori will justifiably fear majoritarian tinkering, any change must be conditional on the consent of both Maori and the rest of New Zealand.	Jun 25, 2013 12:11 PM
YES 24	There are mixed views on this from Maori, and as a Pakeha I can't presume to speak for what they think should be best. I personally think integration is the best way of achieving respect and response from Government to the Treaty of Waitangi - but this really requires Maori to take the lead in determining what they want.	Jun 25, 2013 12:09 PM
25	I don't know enough to say. If we put the Treaty principles decided by the courts in, that seems to freeze its development (also it's decided by a court rather than Maori people). If we put the actual Treaty in, it seems a bit vague.	Jun 24, 2013 3:50 PM
26	I don't think we can include the actual treaty in the constitution as there are already a vast array of legislation inconsistent with the wording. However the treaty is a living, breathing document, therefore amenable to interpretation and how it is to apply. Unsure exactly how this will take place but I am a proponent of this.	Jun 24, 2013 12:17 PM
YES 27	As the founding constitutional document of New Zealand, the principles of the Treaty should underpin the spirit of all constitutional arrangements.	Jun 24, 2013 12:02 PM
28	I am undecided as to whether the Treaty per se should be made a formal part of our constitution, mostly because of its age. But I think that the principles that the courts have derived from the Treaty should be a formal part of our constitution.	Jun 23, 2013 9:26 PM
YES 29	As above	Jun 22, 2013 1:18 PM
30	If formal means in one document - yes it should be in there. I'm against having one document though, so in terms of status quo, perhaps it is just raising the knowledge of the ToW in our current framework?	Jun 22, 2013 9:14 AM
31	My view is yes, but I am unsure how (i.e., what status should the TOW be given - my view is that the TOW like all law/other rights should not be supreme, and whether the TOW text should be incorporated, or the principles, or something different altogether). In my view, this is the most important question that needs to be addressed with constitutional discussions - to adopt a constitution without addressing the TOW would be	Jun 21, 2013 4:46 PM

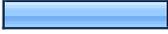
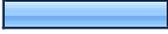
**Question 12: Do you think the Treaty should be made a formal part of the constitution? Give reasons for your answer**

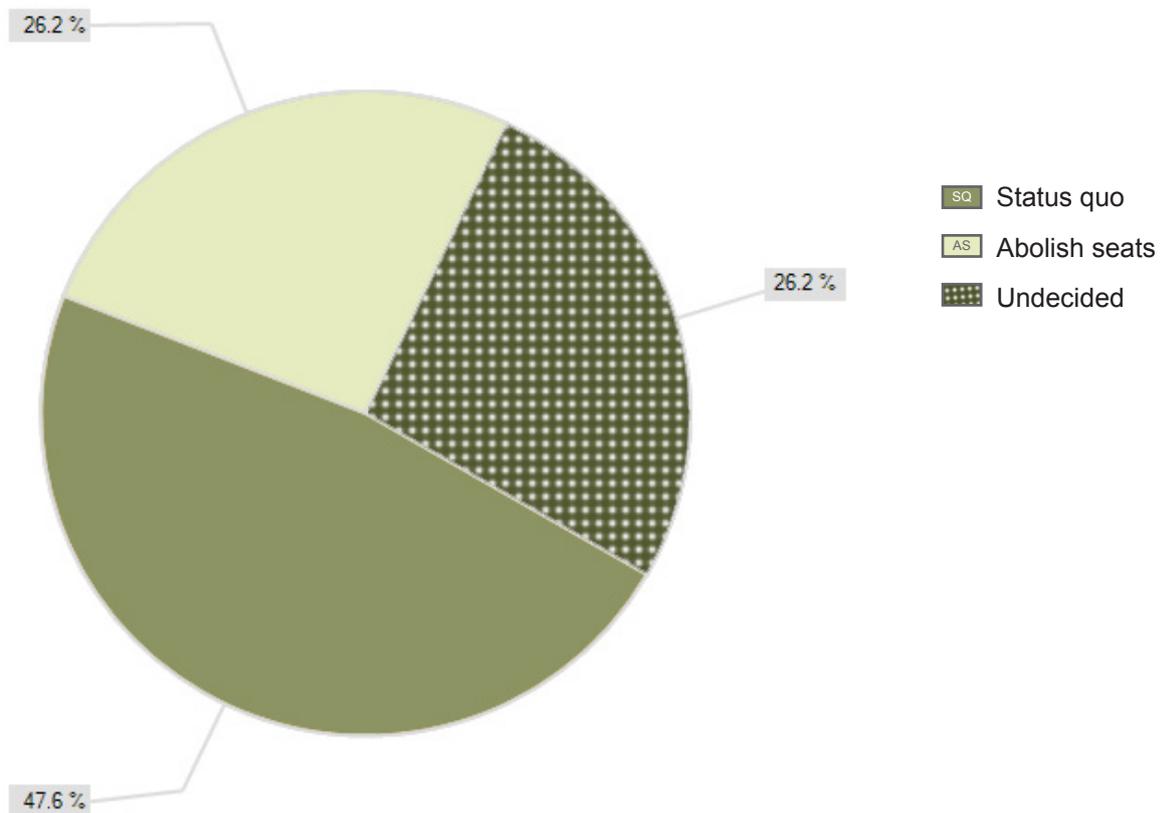
pointless. The flipside being that it is such a "hot-potato" that if any constitution addresses the TOW I cannot see the country getting anywhere near the requisite consensus required to properly enact a constitution.

<b>YES</b> 32	Just writing the Treaty up and saying it is now a legally enforceable could be risky, not least because latter governments could change the Treaty. Perhaps it is better to use precedent as well as consultation with a wide number of New Zealanders to work out Treaty principles and turn them into a document that is superior law and an interpretative device in a similar way to how BORA currently is.	Jun 21, 2013 4:14 PM
<b>NO</b> 33	dont want to hand it over to the courts unless more maori courts	Jun 20, 2013 2:39 PM
<b>YES</b> 34	YESSS!! Because the Treaty, whether considered in light of the English text or the Maori text, envisaged a sharing of power between two peoples. It was the agreement to share that gave the Crown the political legitimacy to exercise its sovereignty over its settlor population. A constitution at the end of the day is about the rules the govern the distribution of public power. The Treaty is a fundamental document that tells us how the distribution of power in the new New Zealand was to be made.	Jun 17, 2013 10:51 AM
<b>NO</b> 35	I think a general provision to respect certain, named, documents should be included - Magna Carta, BORA 1688, Te Tiriti etc.	Jun 11, 2013 4:14 PM
 36	Depends on the stage of the settlement process.	Jun 9, 2013 1:02 PM

# Question 13

How should Maori views be represented in Parliament? The Maori seats are a unique feature of New Zealand's democratic system. There are currently seven Maori seats.

		Response Percent	Response Count
The Maori seats should stay (the status quo)		47.6%	20
The Maori seats should go sometime in the next twenty years		26.2%	11
Undecided, what information would help you make up your mind		26.2%	11
	Please explain your choice		34
<b>answered question</b>			<b>42</b>
<b>skipped question</b>			<b>0</b>



**Question 13: How should Maori views be represented in Parliament? The Maori seats are a unique feature of New Zealand's democratic system. There are currently seven Maori seats.**

1	Like any other, they should be representative of the elected (maybe finally we would be able to get rid of Act).	Jul 10, 2013 8:11 AM
2	I do not know enough about what the Maori seats do or do not achieve, beyond guaranteeing at least some Maori representation in Parliament.	Jul 6, 2013 12:45 PM
3	Forecasting of what the effect of removing the seats would be.	Jul 4, 2013 2:27 PM
4	maori representaion is important, treaty principles	Jul 4, 2013 9:21 AM
5	Positive discrimination is needed when there is social inequality due to past wrongs - Maori need a guaranteed voice in Parliament	Jul 3, 2013 8:21 PM
6	That is for Maori to decide. I think the Treaty and its principles provides for proportional representation in Crown processes, including Parliament. AN di am happy with the status quo. A time may come when Maori are not.	Jul 3, 2013 2:40 PM
7	Fundamental protection for minority groups.	Jul 3, 2013 2:15 PM
8	This is the only way there is guaranteed Maori representation into the foreseeable future. The existence of Maori in Parliament is critical as their input is required in decision making; this ensures consistency with the principles of the Treaty of Waitangi, particularly that of partnership. This may happen under the other two options, and indeed under MMP, but it cannot be guaranteed. If we are to underpin our belief in the Treaty then it must happen at the legislative level.	Jul 2, 2013 8:04 PM
9	Maori seats are an important part of how Maori choose to live as Maori i.e. Political representation	Jul 2, 2013 4:10 PM
10	Although the population of Maori is growing, we cannot rely on this to say that Maori will gain seats in Parliament regardless of whether the seats stay. Maori are tangata whenua and should be guaranteed the right to be represented in Parliament.	Jul 2, 2013 3:55 PM
11	Though it is important that Maori representation is maintained in Parliament, the concerns of the Maori population should be respected and reflected in the concerns of all Parliamentarians. The seats themselves symbolise a more nominal purpose and seek to highlight the significance of NZ's Maori-Settler foundation. However, today NZ is home to a multitude of ethnicities, each with their own cultural concerns.	Jul 2, 2013 12:30 PM
12	The Maori seats were included to increase Maori electoral participation, and this was successful. However I think Maori seats should go sometime in the future as the Maori party is well established and should be voted into power like any other party would be. MMP also makes this more likely as it encourages coalitions.	Jul 1, 2013 1:31 PM
13	Still not much knowledge about law but I feel as though these seats create a superficial equality. Sometimes these are necessary to achieve true equality and we should aim for that in the near future, so the seats should find their way out as we tend towards true representation.	Jun 30, 2013 11:11 AM
14	The place of Mori seats should not be left to the majority to decide. The place of Mori seats should only be determined by Mori for Mori. It's hard enough to get New Zealanders engaged or even to vote in our general election. Attach the word Maori to a seat cues rants of apartheid and	Jun 28, 2013 1:05 AM

**Question 13: How should Maori views be represented in Parliament? The Maori seats are a unique feature of New Zealand's democratic system. There are currently seven Maori seats.**

racism. This should be for Mori to decide only. When the MRA was introduced in 1867, guaranteeing Mori 4 seats in parliament, it didn't grant Maori a voice, it systematically oppressed Mori representation in parliament when proportionately speaking there was a "danger" of Mori having up to 17 seats in parliament. Now that MMP has seen proportionate representation in parliament the question of seats arises. But, the Mori electorate seats ensure that the issues affecting Mori are heard in a pakeha built political system. When MMP sees Mori in list seats (tick) it doesn't mean that issues affecting Mori are heard. We are overrepresented in so many negative statistics and that doesn't seem to be changing. In any event, this right for the minority shouldn't be considered by the majority.

15	I'm undecided. I think I would like to have more information on how Maori feel and why on this topic before going ahead and making up my own mind. Its an issue where the interests and wants of Maori and non-Maori need to be taken into account	Jun 27, 2013 6:21 PM
16	Maori seats are a good way of protecting indigineity	Jun 27, 2013 11:53 AM
17	I'd be interested to hear Maori perspectives on the role of the seats. I tend to think they should stay but am conscious that people might see them as harmful so am keen to hear other thoughts.	Jun 27, 2013 8:52 AM
18	He iwi tahi tatou.	Jun 25, 2013 9:54 PM
19	I don't think I can answer this question before knowing what is meant by the term "Maori views" - because for me if the Maori have certain views, they should be views of the nation as well. I do however think a Maori Select Committee is probably a much better way to present the so called "Maori views"	Jun 25, 2013 1:35 PM
20	I have no special attachment to the Maori seats. But Maori are entitled under the Treaty to participation as Maori; that is, as a collective. The MMP system does allow that through a party vote for a specifically Maori party (who would presumably receive a higher party vote should the Maori electorates be abolished). But MMP remains a relatively recent development, and while it seems secure for now, Maori representation should not depend on the whim of the majority. The seats should obviously not be abolished without the consent of a majority of Maori.	Jun 25, 2013 12:23 PM
21	While a historical anachronism, the Maori seats have gained in significance and become an important way for the voice of Maori to be heard. Arguments that the list process is comparable is clearly insufficient, given that these people are not primarily there to represent the voice of Maori in the same way. The Maori seats should be retained.	Jun 25, 2013 12:20 PM
22	Not forever - until Maori aren't disproportionately represented in prisons, have poorer health, etc. However long that takes.	Jun 24, 2013 3:50 PM
23	The maori seats are only justifiable while limited representation of Maori exists in parliament and issues concerning a great deal of Maori continue to be pertinent. I am a proponent of them as long as the need is there.	Jun 24, 2013 12:21 PM
24	I would lean towards the status quo, however, I need more understanding about whether other mechanisms may better ensure proportionate and effective Maori representation (and representation of Maori interests) in Parliament. I shall research this area	Jun 24, 2013 12:02 PM

**Question 13: How should Maori views be represented in Parliament? The Maori seats are a unique feature of New Zealand's democratic system. There are currently seven Maori seats.**

25	I do not feel that I have enough knowledge on this topic to make meaningful comments on it!	Jun 23, 2013 9:31 PM
AS 26	I think the best people for the job should be voted in. It is desirable to have many wide views represented, but I think it is more important to change the seemingly prerequisite middle aged demographic. I think there are many talented and educated Maori people, and if they wish to be in parliament, they should campaign and be elected democratically just like every other MP.	Jun 22, 2013 1:25 PM
SQ 27	I think this needs to move with the times and not be fixed. As time moves on it may be that separating out groups becomes less acceptable generally, or perhaps it starts being questioned more why to Maori have seats especially and no other group does. at the moment I like the idea of making sure Maori are represented and see a need for it and historic responsibility to have this protection. I also think in a real representation 60 of the MPs would be women. Obviously this isn't there yet, but as time goes on it may.	Jun 22, 2013 9:21 AM
SQ 28	I tend to think the Maori seats are an effective way of ensuring Maori participation in Parliament (though not without their problems), provided that Maori consider them to be effective.	Jun 21, 2013 4:46 PM
AS 29	It is patronising and insulting to Maori that the seats remain. MMP already means we have a greater Maori representation in parliament than the % of Maoris in New Zealand. The seats were introduced at a time when ensuring Maori representation was necessary. Now that it is not, it is somewhat racist that they remain. We have a large Asian population and we don't have Asian seats. As indigenous people to our country Maori representation is fundamental and thanks to MMP reflecting the will of the people more accurately, we get plenty of Maori representation.	Jun 21, 2013 4:39 PM
AS 30	Hopefully we will get to the point where better representation by Maori means that they are not necessary and a small number of seats in Parliament is viewed as far less relevant than the rest of representation that exists. While the majority of Maori feel Maori seats are important and necessary, though, I think they should stay.	Jun 21, 2013 4:15 PM
SQ 31	This is in conjunction with the UNDRIP	Jun 20, 2013 2:39 PM
AS 32	Despite my views on the One New Zealand concept, representation is a key aspect of our system of government. Therefore something to achieve a more representative government would be desirable. Research should be done to see if the seats were to be removed, what the numbers of Maori would be in government compared to the proportion of Maori in the population. Therefore I believe they should be removed when the number of Maori (not gaining seats through designated Maori seats) equals the proportion of the population. Conversely representation is created by voters therefore if Maori want more Maori in parliament, then it is their obligation to vote them in. However, I do realise it is extremely hard to do this, unless an electorate Maori candidate has a good chance of getting in, and to try affect the party lists to try get more Maori in parliament would be a major challenge, therefore those barriers may hinder possible attempts, however that is the same for all races and peoples of this country, there is no procedural disadvantage compared to any other New Zealander.	Jun 20, 2013 12:21 PM
SQ 33	John Locke - the Tyranny of the Majority. If the minority Maori voice is not protected in our Westminster political system then it will always be subject to	Jun 17, 2013 11:03 AM

**Question 13: How should Maori views be represented in Parliament? The Maori seats are a unique feature of New Zealand's democratic system. There are currently seven Maori seats.**

the majority voice, which cannot be guaranteed to protect Maori interests. Again, the Treaty provided a guarantee to Maori that their interests (full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession) be protected. Without some political voice that guarantee cannot be given effect to. The Westminster political system has replaced the pre-existing political system that Maori enjoyed prior to colonisation. But this does not mean that Maori have consented to

AS 34

Made superflous by MMP

Jun 11, 2013 4:14 PM

# Question 14

How could Maori electoral participation be improved?

	Response Count
	42
answered question	42
skipped question	0

**Question 14: How could Maori electoral participation be improved?**

1	How could participation among the young be improved? It is about education and a feeling of being involved	Jul 10, 2013 8:11 AM
2	Not sure	Jul 9, 2013 10:02 PM
3	Leadership development.	Jul 8, 2013 10:47 PM
4	I'm not sure - I don't know enough about the factors that discourage Maori from voting, whether they are broader than factors affecting electoral participation in general, and if they are not, why they affect Maori disproportionately.	Jul 6, 2013 12:45 PM
5	As with improving electoral participation in general, easy tools for deciding who to vote for and demonstration of the effects of participation should be provided.	Jul 4, 2013 2:27 PM
6	Unsure	Jul 4, 2013 11:11 AM
7	Unsure	Jul 4, 2013 11:00 AM
8	more information, increased awareness better approach to maori	Jul 4, 2013 9:21 AM
9	- Improved education about the importance of voting, how political issues directly effect people - empower Maori voters. This could be done through civic education, tv, radio, media, community outreach	Jul 3, 2013 8:21 PM
10	Better education and lowering the voting age to 16, when most people are still in school. Get them first time and you have them for life.	Jul 3, 2013 2:40 PM
11	Education and civic engagement	Jul 3, 2013 2:15 PM
12	An action plan of several strategies would be required. Examples could include the development of policies more relevant to the lives of ordinary Maori. Another could be resourcing politically aware and active Maori to work within their hapu and iwi to raise awareness of the importance of participating in the election process.	Jul 2, 2013 8:04 PM
13	More education and encouragement to participate in local decision making from a very young age. More exposure to decision making processes and input into them.	Jul 2, 2013 7:49 PM
14	Civic education, Marae based education on the importance of political participation, youth based campaigns that target social media and other well trafficked sites	Jul 2, 2013 4:10 PM
15	No idea - if the extensive efforts dedicated to the Maori electoral option this year haven't succeeded then I don't know what will!	Jul 2, 2013 3:55 PM
16	No specific feedback of use sorry	Jul 2, 2013 12:30 PM
17	Civic education in schools, so young Maori understand the importance of voting.	Jul 1, 2013 1:31 PM
18	No idea	Jun 30, 2013 11:11 AM
19	Education, engagement, creating a system that speaks "Mori" - not necessarily korero te reo Mori, but actually listens to issues that affect Mori, values that are valued by Mori. For many of our rangatahi the	Jun 28, 2013 1:05 AM

**Question 14: How could Maori electoral participation be improved?**

	system is something to suspicious or apathetic about. Even in recent years with the Tuhoe raids, why would kauapapa Mori want to engage with anything the State is involved in? Better education is needed out in Mori communities. The Mori seats contribute and spark that korero with rangatahi. Taking that away would be very regressive indeed.	
20	Education. Through any means where historical grievances are addressed likely as the issues all tend to tie into each other. So if Maori life expectancy has remained comparatively low with that of pakeha, mental illness comparatively high, health issues comparatively high etcetc the electoral participation is no doubt going to remain pretty stagnant as is. Underlying issues here need to be addressed - need to be an inclusive society	Jun 27, 2013 6:21 PM
21	civics education	Jun 27, 2013 4:12 PM
22	Education, inclusion and breaking the poverty cycle. Probably no quick fix	Jun 27, 2013 11:53 AM
23	Civics education!	Jun 27, 2013 8:52 AM
24	The same answers, as ever: more funding, more awareness campaigns, more impressive candidates.	Jun 25, 2013 9:54 PM
25	The question should really be about improving electoral participation all around. This comes with civic education and therefore empowering the people. Make them realise that they in fact have the power in their hands to make decisions and choices.	Jun 25, 2013 1:35 PM
26	I have no idea.	Jun 25, 2013 12:23 PM
27	Greater outreach, civics education, voting over multiple days and postal ballots or online voting.	Jun 25, 2013 12:20 PM
28	I'm not sure I'm afraid.	Jun 24, 2013 3:50 PM
29	Not sure	Jun 24, 2013 3:23 PM
30	It is difficult to say exactly what form this should take. I will say only that each area is unique with its own unique issues, challenges and barriers. As long as there is a 'mandatory' mechanism in place for not only taking into consideration, Maori views, but also allowing Maori to be apart of the decision making process will the current difficulties be rectified.	Jun 24, 2013 12:21 PM
31	Online voting would be one mechanism, particularly for improving participation of rangatahi (young) Maori voters. Also education campaigns, particularly through social media channels.	Jun 24, 2013 12:02 PM
32	Through better education at a 'grass-roots' level as opposed to more superficial methods such as advert campaigns. The importance of participation in elections is something that should be discussed in schools (although, obviously, children cannot vote, the fundamental nature of the civic duty to inform oneself on important issues and vote accordingly should be embedded early on).	Jun 23, 2013 9:31 PM
33	Politics and the basics of the legal system should be taught in school.	Jun 22, 2013 1:25 PM
34	Engagement - new approaches. People need to see the point, need to know the benefit to them of them being involved.	Jun 22, 2013 9:21 AM

**Question 14: How could Maori electoral participation be improved?**

35	No revolutionary ideas, other than possibly if the TOW's role in our legal system was formalised, this could reinvigorate Maori interest/faith in Parliament/politics.	Jun 21, 2013 4:46 PM
36	More electoral booths in the Maori seats. Reaching out to Maori and saying that their views are important.	Jun 21, 2013 4:39 PM
37	It would be nice to see more 'Maori' based parties, perhaps that also include representation of other demographics but are predominantly Maori. Although, I'm not sure that this is something that can be pushed or forced. Perhaps a mandatory requirement to consult with a council that represents all iwi could be useful when passing law that affects the Constitution. And of course making sure that Maori kids (particularly boys, whose failure rates are currently high) are educated and get a decent start in life will naturally increase the amount and quality of electoral participation. Perhaps this means the first step when thinking long term is to adapting the education system to better serve the needs of Maori.	Jun 21, 2013 4:15 PM
38	by Iwi and whanau	Jun 20, 2013 2:39 PM
39	Bringing politics to them, by attempting to remove the idea that government is something unchangeable and something which can be influenced by them.	Jun 20, 2013 12:21 PM
40	By giving Maori the confidence that their voice will actually be heard by participating in the electoral and political system. Historically, it has not.	Jun 17, 2013 11:03 AM
41	I'm not informed enough, is there an issue at the moment? better civics education.	Jun 11, 2013 4:14 PM
42	Education.	Jun 9, 2013 1:03 PM

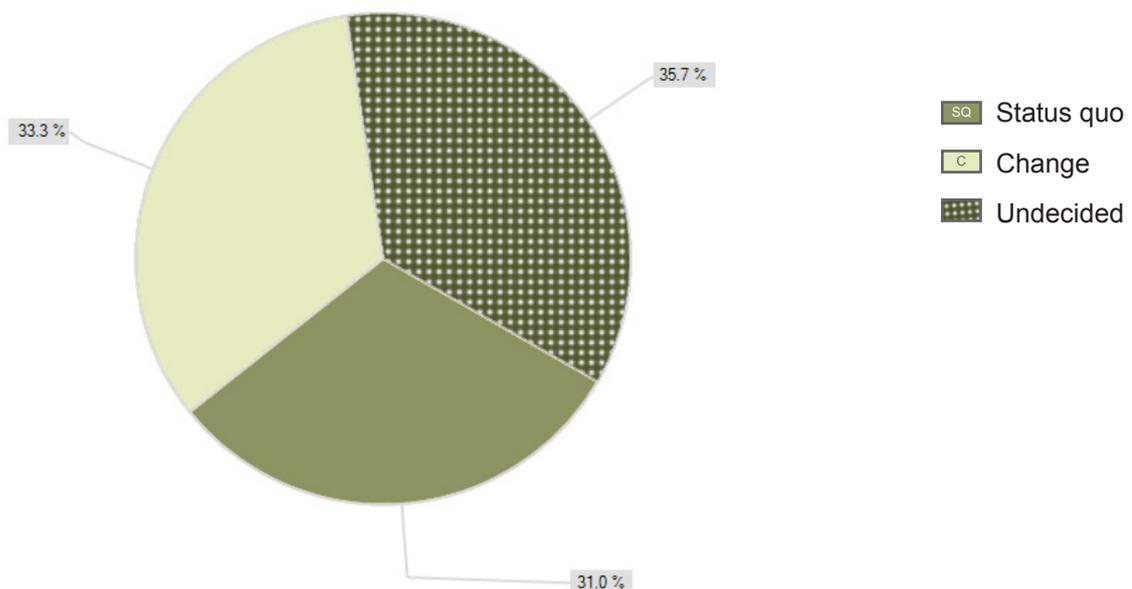
# Question 15

How should Maori views and perspectives be represented in local government? The nature and extent of Maori representation in local government decision-making varies across the country. Most councils consult to some degree with tangata whenua. The Local Government Act 2002 and the Resource Management Act 1991 encourages consultation. The Local Electoral Act 2001 provides councils with an opportunity to create Maori wards; these wards can only be created with the support of the majority of voters in the region.

		Response Percent	Response Count
The current framework should 'continue' (the status quo)		31.0%	13
The current framework should 'change' sometime in the next twenty years		33.3%	14
Undecided, what information would help you make up your mind		35.7%	15

Please explain your choice 34

answered question	42
skipped question	0



**Question 15: How should Maori views and perspectives be represented in local government? The nature and extent of Maori representation in local government decision-making varies across the country. Most councils consult to some degree with tangata whenua. The Local Government Act 2002 and the Resource Managem...**

 1	I think it should change, because I think it is important to have more involvement. However, I have a friend who works with maori in different regions across the country in this capacity, some regions are amazing and the work they do is fantastic and is motivated by improving the environment and the lives of the people in the region. Some regions are the complete opposite, so an overarching social interest is needed.	Jul 10, 2013 8:11 AM
 2	Key word: "Encourages" consultation. I think this should be made mandatory. Maori have systems in place which require them to look at the long term future of projects. I think this is important as it is something Local governments and the RMA struggle to do.	Jul 9, 2013 10:02 PM
 3	I think this depends on the role of the Treaty both now and in the future, and how effectively these measures can help achieve New Zealand's goals in relation to the Treaty.	Jul 6, 2013 12:45 PM
 4	Maori consultation is important, and is currently well respected.	Jul 4, 2013 2:27 PM
 5	The current framework seems good at the moment, as long as tangata whenua are always consulted when they are affected by a local government decision (not sure if this is done in practice or not)	Jul 3, 2013 8:21 PM
 6	Undue electoral influence by minorities, no matter how special, should be avoided. They must remain a part of the decision making process but there need not necessarily be Maori wards or the like unless the majority approves.	Jul 3, 2013 2:40 PM
 7	Appears to be working. Express recognition for maori already in place	Jul 3, 2013 2:15 PM
 8	1. Maori seats should exist on local councils, for the same reason that they should in parliament. While the aspiration for partnership as recognised by the Treaty may be hoped for, this is the only way it can be guaranteed. 2. It is general practice all local councils consult with Maori anyway. But this places huge demands on resources of local Maori organisations. To ensure consultation is meaningful, more resources should be provided from Councils to local Maori.	Jul 2, 2013 8:04 PM
 9	Some Maori wards should be imposed on Councils as the Councils have historically voted against them when the vote has come up.	Jul 2, 2013 7:49 PM
 10	how Maori wards and consultation has fared in terms of ensuring the interests and viewpoints of Maori are heard	Jul 2, 2013 4:10 PM
 11	Consultation should be mandatory - it is a principle of the Treaty.	Jul 2, 2013 3:55 PM
 12	Encouraging consultation is important but making it obligatory is unnecessary. Representation should continue to be proportional to the population's needs.	Jul 2, 2013 12:30 PM
 13	I'm starting to sound like a broken record, but I know next to nothing on this subject. What I do know is that we should aim towards a future where this need not be a problem, where the methods that we have in place for everyone can apply for Maori as well. Obviously this is not possible presently.	Jun 30, 2013 11:11 AM
 14	Māori need to be more than "consulted". And speaking to some Māori is not	Jun 28, 2013 1:05 AM

**Question 15: How should Maori views and perspectives be represented in local government? The nature and extent of Maori representation in local government decision-making varies across the country. Most councils consult to some degree with tangata whenua. The Local Government Act 2002 and the Resource Managem...**

	<p>consulting Māori. It's consulting a group of Māori people. It does need to be local/regional from iwi to hapu. So I tautoko the local councils consulting local iwi. But that varies from local council to local council. This is a tricky one! Treaty house like approach could be universally applied. But again that depends on the strength and presence of local iwi. As much as I hate to say it, more CONSULTATION needed with different Māori. READ AOTEAROA MATIKE MAI - for real. If there's a genuine interest to hear what Mori are thinking, this is a Māori independent constitutional working group going region to region, rohe to rohe and engaging many Maori on what they would like in a Constitution.</p>	
15	I think this works pretty well as is? I really have not much of an idea on this one - would need more information generally	Jun 27, 2013 6:21 PM
16	This should be for local governments to decide on their own. Iwi have more of a stake in some areas than others. Compare Southland to Northland for example. Having the same processes in those councils wouldn't make sense	Jun 27, 2013 11:53 AM
17	I'd like to see greater use of Iwi Management Plans and co-management where appropriate. I think the use of Taiapure is great and would like to see more of this.	Jun 27, 2013 8:52 AM
18	The Maori Councils Act 1900, and other similar early 20th century legislation, merits some revision. There are lessons to be learned from colonial attempts to "involve" Maori in local government and decision-making.	Jun 25, 2013 9:54 PM
19	Please see about regarding a Maori Select Committee - that screens all bills in Parliament. This process should stream down to the local government too.	Jun 25, 2013 1:35 PM
20	Consultation is difficult. It depends on good will to be meaningful, and good will cannot be assumed or imposed. So while I support consultation, it is not an adequate substituted for rangatiratanga. This will only be achieved through devolution from both central and local government to iwi and hapu authorities.	Jun 25, 2013 12:23 PM
21	I don't know enough about the lack of representational issues at a Local Government issue. I would suggest that Maori input is almost always a necessity, but this is often incorporated by the RMA anyway.	Jun 25, 2013 12:20 PM
22	I don't know. There's always room for improvement though.	Jun 24, 2013 3:50 PM
23	Same as above, as long as they continue to be under-represented and stuck in the margins of all socio-economic indicators.	Jun 24, 2013 12:21 PM
24	Mechanisms for ensuring Maori views are heard on local government matters should be strengthened. The question of whether consultation is required should not just be a matter for local government to decide. This would ensure greater consistency with the Treaty of Waitangi and the spirit of partnership.	Jun 24, 2013 12:02 PM
25	Again, I'm afraid that I do not know enough about the status quo to meaningfully comment here.	Jun 23, 2013 9:31 PM
26	I think the duty to consult is sufficient. The councils are elected by the region, so we have given them the power to make decisions, which often	Jun 22, 2013 1:25 PM

**Question 15: How should Maori views and perspectives be represented in local government? The nature and extent of Maori representation in local government decision-making varies across the country. Most councils consult to some degree with tangata whenua. The Local Government Act 2002 and the Resource Managem...**

need to happen without long delays.

27	I don't know enough here about how this plays out 'in real life' to make a comment sorry! Being in the Deep South I feel ignorant to this issue - in my life I haven't had a great deal of experience with Maori representation to know if its good at the moment or not.	Jun 22, 2013 9:21 AM
28	I am not an expert in this area. To what extent are Maori comfortable with current arrangements?	Jun 21, 2013 4:46 PM
29	Maori wards should only be created if a majority of voters agree, this is good. There should be a requirement to consult with all people with an interest, no need to pick out tangata whenua specifically.	Jun 21, 2013 4:39 PM
30	I'm woefully uninformed in this area. Would be interested to understand how councils consult and what advice or consultation is binding on them. Also, how this differs in different areas depending on demographics.	Jun 21, 2013 4:15 PM
31	this is fluid	Jun 20, 2013 2:39 PM
32	Believe current arrangements provide insight and encourages consultation.	Jun 20, 2013 12:21 PM
33	Consultation is not enough. Why do the Crown's statutory delegates merely have to consult tangata whenua when it is the tangata whenua who have traditionally held kaitiaki over many of NZ's natural resources, and who whakapapa back to these resources long before the Crown asserted sovereignty over NZ? Essentially, the Crown has a monopoly over resource management and this was not envisaged in either Te Tiriti or the Treaty. Therefore it is not enough that the RMA merely "encourage" consultation, or, even if consultation is mandated, that local government be free to ignore Maori views. I do not advocate a Maori veto, but there MUST be a better sharing of resource management decision-making power. Read Chapter 3 of Ko Aotearoa Tenei!	Jun 17, 2013 11:03 AM
34	Maori need to be better represented in local government. "Consultation" is not partnership.	Jun 9, 2013 1:03 PM

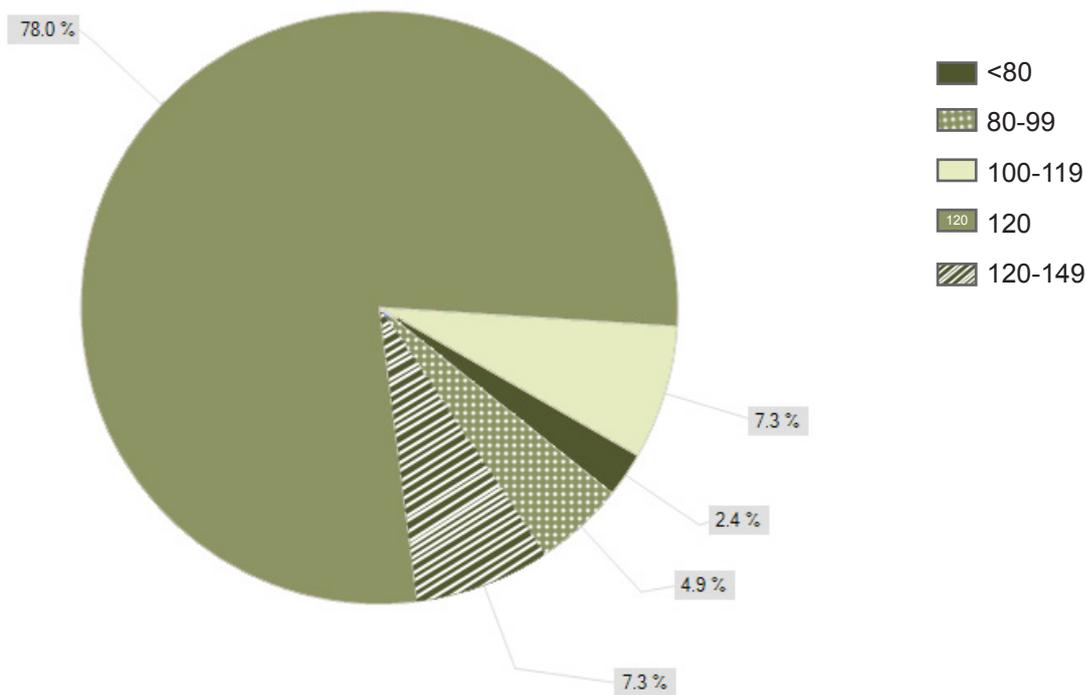
# Question 16

**How many members of Parliament should we have? Give reasons.**

		Response Percent	Response Count
Less than 80 Members of Parliament		2.4%	1
80 - 99		4.9%	2
100 - 119		7.3%	3
<b>120 (status quo)</b>		<b>78.0%</b>	<b>32</b>
120 -149 (more than the status quo)		7.3%	3
150 and above (significantly more than the status quo)		0.0%	0

Please explain your choice 35

<b>answered question</b>	<b>41</b>
<b>skipped question</b>	<b>1</b>



**Question 16: How many members of Parliament should we have? Give reasons.**

120	1	Seem like they have a good time in there	Jul 10, 2013 8:17 AM
	2	I don't see any particular reason why we need a Parliament as large as our current Parliament for a country of our size. 100 MPs would still be large enough for Parliament to be sufficiently diverse to represent different sectors of New Zealand society	Jul 6, 2013 1:05 PM
120	3	I know of no issues with the current number.	Jul 4, 2013 2:35 PM
120	4	I think more than 120ish will be too many	Jul 4, 2013 11:27 AM
120	5	unsure	Jul 4, 2013 11:02 AM
120	6	New Zealand is a small country, so 120 politicians is a manageable number and should provide enough diversity of voices.	Jul 3, 2013 8:33 PM
120	7	The number of seats in Parliament should be linked to population growth, with a fixed list-electorate ratio as recommended by the Commission (it was 60-40?) The threshold should be lowered to 2.5% or so. And the population per electorate MP ratio should be lower. I express no preference for a particular number, but realistically Parliament will grow under my plans.	Jul 3, 2013 2:58 PM
120	8	As a small country, 120 MPs is sufficient.	Jul 3, 2013 2:19 PM
120	9	It is well balanced mix of electorate and list MPs.	Jul 2, 2013 8:36 PM
	10	It should continue to increase as the population increases to ensure proportionate democracy.	Jul 2, 2013 7:54 PM
120	11	seems about right	Jul 2, 2013 4:22 PM
120	12	Unsure for my reasoning - but given the public's inherent distrust in politicians we probably shouldn't be increasing it any time soon!	Jul 2, 2013 4:02 PM
120	13	Appears to function adequately with current arrangement.	Jul 2, 2013 12:53 PM
120	14	Undecided - don't understand the implications.	Jul 1, 2013 1:35 PM
120	15	Again, I'm not useful here.	Jun 30, 2013 11:21 AM
120	16	Need more information. I'm not sure of the impact. But instinctively I would not want less than present. The more spaces available allow for more diversity.	Jun 28, 2013 1:22 AM
120	17	I definitely do not think it should be any less than the status quo. I wouldn't be fussed if there were a few more. I don't think a few extra members is going to significantly slow down or complicate parliamentary process nor do I think the current amount has issues with this	Jun 27, 2013 6:51 PM
	18	More electorate MPs and less list MPs	Jun 27, 2013 12:03 PM
120	19	I'd like more information about this. Our current number seems excessive and there are plenty of backbenchers who seem to do less work, but I'm conscious that in general we have a pretty healthy public sector and government and don't want to rock the vote.	Jun 27, 2013 8:53 AM
	20	Representation is important, but the amount of money expended on these individuals is ludicrous. This money could be more effectively spent on	Jun 25, 2013 10:05 PM

**Question 16: How many members of Parliament should we have? Give reasons.**

	increasing public access to MPs, and holding "surgeries" etc.	
120 21	I picked the status quo because I have no ideas about the benefits and disadvantages of having a group smaller or bigger.	Jun 25, 2013 1:36 PM
120 22	The current figure seems adequate to represent the diversity of the nation, and to get the work done, without being excessive. I see no need for change.	Jun 25, 2013 1:28 PM
120 23	This is minimal in proportion to our population on an international scale. Fewer will not decrease the cost significantly, but will decrease the range of representation in Parliament. It should not be changed.	Jun 25, 2013 1:08 PM
24	I have no idea.	Jun 24, 2013 3:50 PM
25	This is enough to cater to the demographic of New Zealand, but not so much that they eat away resources. Too many 'chiefs' makes decisions difficult and so any more than 100 becomes difficult to make decisions effectively. Access to them, however needs to be a paramount consideration.	Jun 24, 2013 12:29 PM
120 26	New Zealand is close to the OECD average of 2.8 MPs per 1000 people (we have 2.7). Though (most) MPs in New Zealand work extraordinary hours, I don't know that adding more would decrease that as there is always political work to be done. I would need to know more about whether currently under-represented groups could benefit in the form of increased representation through additional numbers of MPs.	Jun 24, 2013 12:02 PM
120 27	I'm not aware of any reason why this is unsatisfactory at the moment.	Jun 23, 2013 10:05 PM
120 28	I don't really know a whole lot about numbers in parliament. Seems ok to me at the moment. Not sure comparatively with other countries if our size	Jun 22, 2013 9:35 AM
120 29	Current system seems fine	Jun 21, 2013 4:58 PM
120 30	We already have too many MPs who are there to make up the numbers but to reduce below 120 would affect proportionality too much. Going higher than 120 is ridiculous. We already have a high percentage of MPs compared with our population in comparison to many other countries.	Jun 21, 2013 4:51 PM
120 31	Considering our currently small population size, it seems a reasonably high (i.e. representative) ratio. Any more would just add an unneeded cost (MP salaries, etc.) on the state.	Jun 21, 2013 4:17 PM
32	it should be split into 100 with Maori representation	Jun 20, 2013 2:40 PM
33	I dont think that the efficiency of parliament would be reduced significantly, however I believe that if the term was extended in conjunction with my view, the legitimacy in our government would increase.	Jun 20, 2013 1:24 PM
120 34	Unsure.	Jun 17, 2013 11:08 AM
120 35	As is for now, but increase in future to reflect increased population (e.g. at 5 million mark).	Jun 9, 2013 1:06 PM

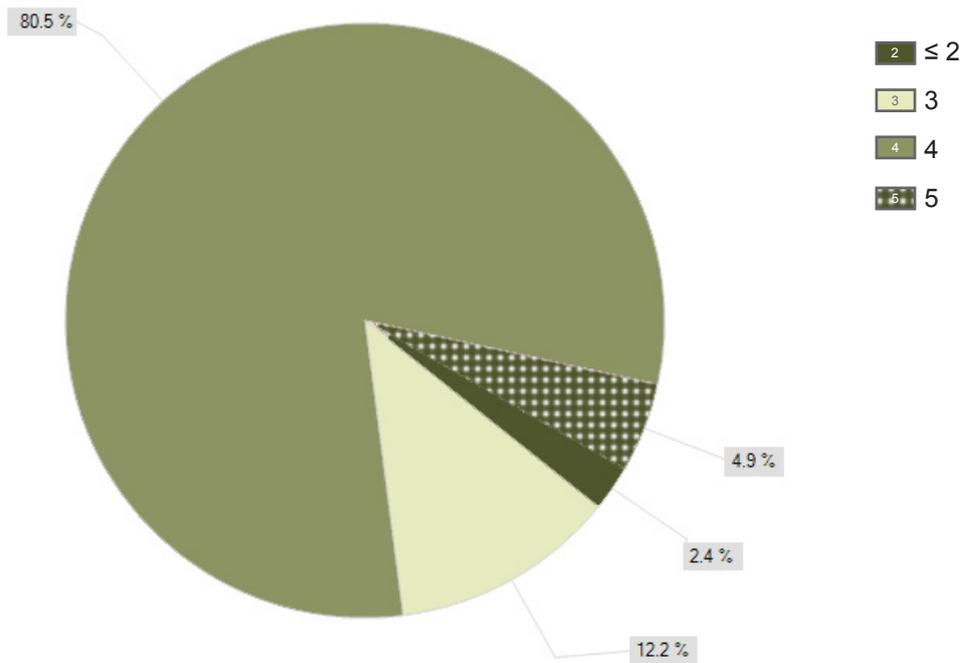
# Question 17

**How long should the term of Parliament be? Give reasons**

		Response Percent	Response Count
2 year-term or less	<input type="checkbox"/>	2.4%	1
3 year-term (the status quo)	<input type="checkbox"/>	12.2%	5
<b>4 year-term</b>	<input checked="" type="checkbox"/>	<b>80.5%</b>	<b>33</b>
5 year-term	<input type="checkbox"/>	4.9%	2
6 year term		0.0%	0
More than 6 years		0.0%	0

Please explain your choice 37

<b>answered question</b>	<b>41</b>
<b>skipped question</b>	<b>1</b>



**Question 17: How long should the term of Parliament be? Give reasons**

5	1	Time to actually achieve things rather than just gear up for the next election	Jul 10, 2013 8:17 AM
3	2	I see no problem with keeping a government accountable once every 3 years – it is neither too short or too long. If they are doing a good job, there should be no reason to not re-elect.	Jul 8, 2013 11:03 PM
4	3	The current three-year term often leads to short-sighted policy making, designed at increasing a party's popularity for an election. A slightly longer term could help escape this perpetual 'election-mode' and encourage longer-term thinking.	Jul 6, 2013 1:05 PM
4	4	Four years would allow more change to be made with less time focus on pre and post election activity. If this is successful a five year term should be considered,	Jul 4, 2013 2:35 PM
4	5	3-4 year, 3 years is too short for a good Government and too long for a bad one. Perhaps 3 years is too short to bring about much positive change.	Jul 4, 2013 11:27 AM
4	6	4-5 years	Jul 4, 2013 9:24 AM
4	7	A longer term provides more opportunity for governments to implement long-term policies, so 4 years is good. Any longer than 4 years would be too long if a bad government were in power though!	Jul 3, 2013 8:33 PM
4	8	Too much time is spent fixing, and not enough time is spent doing. But the time spent fixing can be too long if the term is too long. I cautiously support 4 years.	Jul 3, 2013 2:58 PM
4	9	Prevents rushed legislation	Jul 3, 2013 2:19 PM
4	10	Current 3 years is too brief for a govt to be encouraged to think beyond the short term. Often seems like it takes the first year for a government to fully settle and work well together, in the following year they put policies in, but by the final year they are back in election mode. 4 years isn't too long - keeps them accountable - but long enough to do longer-term policy implementation.	Jul 2, 2013 8:36 PM
4	11	Gives more time to implement legislation without the distraction of looming elections. More long term thinking is required as opposed to short term vote buying.	Jul 2, 2013 7:54 PM
4	12	a longer term might lead to more time to enforce policies requiring longer times for implementation	Jul 2, 2013 4:22 PM
3	13	For those who say that 3 years is not enough to implement policies, they should learn to work a bit quicker. Empirically, there is rarely a government that lasts only one 3-year term anyway. I have written a substitution to the CAP about this already!	Jul 2, 2013 4:02 PM
4	14	More opportunity to progress initiatives, particularly those central to the acting government's election.	Jul 2, 2013 12:53 PM
4	15	Increasing the term will give government more time to put policy into action, while still acting as a check (don't like the current govt - can vote out in 4 years).	Jul 1, 2013 1:35 PM
5	16	Three years simply isn't long enough and the lack of progress of New Zealand on a national scale has shown this. I have no idea what number it should be specifically, just more than 3	Jun 30, 2013 11:21 AM

## Question 17: How long should the term of Parliament be? Give reasons

4	17	3 years are too short: effectively 2 thirds of the term are used for campaigning. 4 years allows for solid policy to be formed, without the fear of making what sounds "popular" due to the next vote. Also gives time to see the impact of policy changes.	Jun 28, 2013 1:22 AM
4	18	I think ideally it should be 4 years but that we should stick with 3 until other parliamentary issues are sorted out - mainly passing legislation under urgency. Once it isn't so easy for a government to essentially do whatever they like whenever they like NZ would be better suited for 4 years	Jun 27, 2013 6:51 PM
4	19	More time for long term planning - 3 years encourages us to be short sighted and think about elections.	Jun 27, 2013 12:03 PM
3	20	I used to favour a 4 year-term but the more I see of the current Government's disregard for democracy the more I realise how dangerous a runaway Government can be. The last Labour Government was probably just as guilty of this (for people concerned about the anti-smacking legislation, for example, the Labour Govt was highly undemocratic). Hence, because our Parliament has quite a lot of freedom and no upper house, I think three years is actually important to hold the Government to account.	Jun 27, 2013 8:53 AM
4	21	Long enough to implement substantial change, short enough not to become totalitarian.	Jun 25, 2013 10:05 PM
4	22	I think Parliament cannot be expected to take measures in 3 years - that is just too short. I don't even know if 4 years is enough - but it allows one more year in which Parliament can make changes and not leave it unfinished.	Jun 25, 2013 1:36 PM
3	23	There is a significant problem with short term thinking in New Zealand. But I do not support extending the term of Parliament because we have extraordinarily few controls on cabinet (who to a significant degree control Parliament). We are the "fastest legislature in the west". Power is not bridled by a second house, by a strong judiciary, or by an executive distinct from Parliament. Our governments are less and less elected on the basis of policy. So policies may be a surprise (and are occasionally contrary to election pledges). The extent to which we elect "managers", rather than policies could only increase with a longer term. The only check in our system is the election. To diminish that check without a real substitute would be reckless in the extreme. I fear that even to advocate an extended term as part of a wider reform package would be dangerous, as the government has shown no real interest in constitutional reform, and would likely cherry-pick the one reform that it felt was in its own interest.	Jun 25, 2013 1:28 PM
4	24	3 years - as is classically noted - means 1 year of blaming the previous government, 1 year of work and 1 year of campaign. 4 years is not an insufficient time, and might encourage less laissez faire approach to allowing incumbents to remain in Parliament, and more criticism of decisions without blame being sheeted home to previous governments.	Jun 25, 2013 1:08 PM
4	25	More time to make actual policy rather than campaigning and settling in.	Jun 24, 2013 3:50 PM
4	26	In order for any government to really impliment their policies they need to be around for a bit longer than they currently are. We cannot simply give up on them, but allow them the time to improve our economy.	Jun 24, 2013 12:29 PM
4	27	Currently the three year electoral cycle does not guarantee questions of a long term significance can make their way onto business agenda of the government, resulting in short-sighted and quick fix political decisions.	Jun 24, 2013 12:02 PM

### Question 17: How long should the term of Parliament be? Give reasons

4 28	Three years is not long enough to properly implement policies. The next election is always looming and so the government's attention is too focussed on looking good for that as opposed to rolling its sleeves up and making meaningful change in the now.	Jun 23, 2013 10:05 PM
4 29	I think the term should be longer, so 4 or even 5 years so there is more time doing things and less time campaigning.	Jun 22, 2013 1:38 PM
4 30	It changes so often - one extra year might be good for some more certainty and to allow govt to implement changes etc	Jun 22, 2013 9:35 AM
4 31	Minimum - a key issue for me is the short term focus of politics - the endless attempts to win votes, rather than focusing on long term policy. Lengthening the electoral term would help to address this issue.	Jun 21, 2013 4:58 PM
4 32	3 years is too short - change of government results in a year of bedding in and the year up to the election is more about electioneering than policy. Governments need time to implement their policies.	Jun 21, 2013 4:51 PM
4 33	Three years is currently feeling like a bit of a whirlwind. Slightly longer might encourage more long term thinking.	Jun 21, 2013 4:17 PM
4 34	3 years is still cleaning up the mess left each time we have a labour government	Jun 20, 2013 2:40 PM
4 35	4 or possibly 5 year term would be desirable. Especially if parliament was enlarged slightly.	Jun 20, 2013 1:24 PM
4 36	<p>New Zealand faces a new generation of significant challenges. We are confronting economic policy challenges and constitutional challenges such as the place of Te Tiriti in our constitutional framework. The responsibility to navigate these falls on today's young New Zealanders. Our ability to address these issues through the arms of government is determined by our constitution. On one hand our constitution recognises that voters have the power to choose the Government of the day. On the other hand it also recognises that the Government must have enough opportunity to implement its policies. This balance between accountability to the electorate and effective government is fixed by the electoral term of Parliament. Voters have generally been against extending the term of Parliament. However, in light of the challenges ahead perhaps the time has come to revisit this question in order to undertake longer term planning for longer term problems. Getting the balance right There is an understandable reluctance to move to a longer term. As one NZ Herald reader recently commented: There's a lot to be said for a four year term, however at the moment we only have democracy one day every three years -do we really want democracy one day every four? In a country with few constitutional restraints on the power of the Executive, a short term affords the electorate one strong buffer against excess government. In other words effectiveness shouldn't come at the expense of accountability. It won't. Arguably, MMP has now gained broad acceptance as an effective safeguard against government power. Questions remain over the Government's propensity to pass legislation under urgency. However, provided that limits can be placed around the use of urgency, the balance between effective government within a four year term and accountability to the voter can be evenly struck. The issues One thing is clear. There is broad support in Parliament for pushing out the term. Politicians from both sides of the House agree that 3 years isn't long enough. Such consensus has come in the wake of stiff questioning by the business community. Don Baird, CEO of Mainfreight, has publicly challenged</p>	Jun 17, 2013 11:08 AM

**Question 17: How long should the term of Parliament be? Give reasons**

politicians over how they intend to address what he calls New Zealand's trend of "short-term, populist government with a track record of twisted, poor economic performance". Interestingly, Baird has drawn on his successful experience expanding Mainfreight into China to suggest that a 5-year, Chinese-style government plan may provide just the foundation to induce more longer-term thinking. It's not just the business community questioning the effectiveness of government decision-making. Young New Zealanders are too. For example, the on-going discussion around the Government's partial sell-off of state assets and its effect on Mori water rights raises broader issues that concern us. If we are serious about long-term decision making, then we have to figure out where the Treaty fits in. Why? Because the term of Parliament is not just about the length of the electoral cycle, it's also more fundamentally about who is making the decisions within that cycle. If we truly believe that Mori are to have a central role in the life of New Zealand (and I hope we do), then their input in the "long-termism" that this country needs is crucial. We need to ask ourselves whether our current constitutional arrangements not only give policy-makers enough room for long-term planning, but also whether there are enough voices being heard and listened to at the decision-making table. If we don't get this change in perspective right, if we continue muddying along in the status quo with short-term fixes, then we risk stifling the world-class potential that this country has. Our generation believes that we can do better than that. Conclusion To conclude our current constitutional settings are failing to address the long-term questions that matter. Changing the term of Parliament may be one way to stimulate more future-focused policy development and decision-making.

4 37

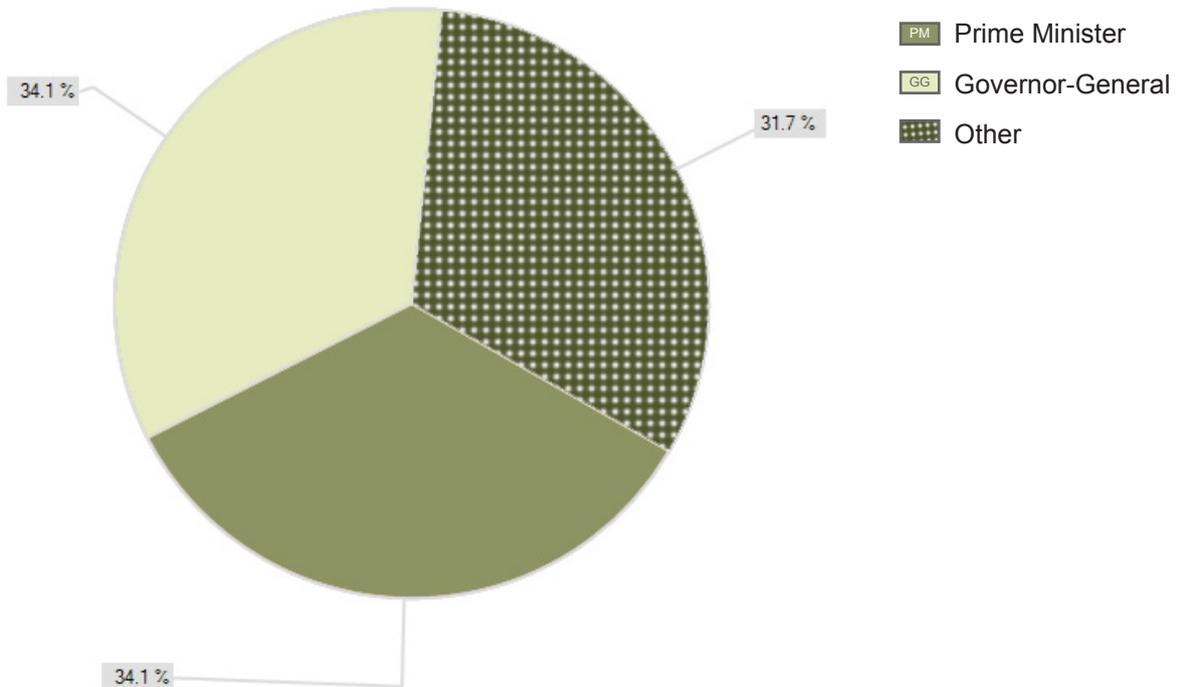
The parliamentary process is too driven by electioneering at present. Needs more longer term thinking to occur.

Jun 9, 2013 1:06 PM

# Question 18

**How should the election date be decided? Why? The Prime Minister currently decides when the term of Parliament ends and the date of the next General Election.**

		Response Percent	Response Count
The Prime Minister (status quo)		34.1%	14
The Governor-General		34.1%	14
Another person or organisation, please describe who and why		31.7%	13
Please explain your choice			34
<b>answered question</b>			<b>41</b>
<b>skipped question</b>			<b>1</b>



**Question 18: How should the election date be decided? Why? The Prime Minister currently decides when the term of Parliament ends and the date of the next General Election.**

 1	Lottery.	Jul 8, 2013 11:03 PM
 2	So long as the Prime Minister must choose an election date within a specified time frame, I don't see a problem with the PM having some influence on the election date. If this role is given to the Governor General, this will be a significant change in the level of discretion enjoyed by the Governor General in practice and a broader discussion would be needed as to what the Governor General's role in our constitutional arrangements should be.	Jul 6, 2013 1:05 PM
 3	Less vested interest would be valuable.	Jul 4, 2013 2:35 PM
 4	The Prime Minister should have to consult on this, it should not be purely on their whim	Jul 4, 2013 11:27 AM
 5	as he has to protect rights	Jul 4, 2013 11:02 AM
 6	If the governor general were to choose, the election date would be set without a biased political agenda. This would be favorable to the status quo.	Jul 3, 2013 8:33 PM
 7	It should be fixed in the Electoral Act (e.g. first Saturday of November in election year). Prevents gerrymandering.	Jul 3, 2013 2:58 PM
 8	It should be a date fixed four years from the previous election, such as in USA. this option depoliticizes the process and removes the risk of the govt of the day abusing its power by choosing a date based on political advantage.	Jul 2, 2013 8:36 PM
 9	There has been no problem with this.	Jul 2, 2013 7:54 PM
 10	Should be a fixed term like in the UK so the PM can't take advantage of favourable conditions	Jul 2, 2013 4:02 PM
 11	Allows for balanced preparation for all campaigns.	Jul 2, 2013 12:53 PM
 12	There seems to be no problem with this right now	Jun 30, 2013 11:21 AM
 13	I need more informaiton. Don't know enough about the consequences to respond. But an independent body would be preferable. A P-M can choose one according to the polls that favours their party and instinctively I don't agree with that.	Jun 28, 2013 1:22 AM
 14	Someone/thing independent. Have a set date with room for flexibility in the case of disaster. I don't think it is fair at the moment how the underdog parties can be left in the dark for a while about the date	Jun 27, 2013 6:51 PM
 15	There should be set terms as there are in the UK (as of last year). Giving the PM the ability to set the date gives him or her an advantage before the race even starts.	Jun 27, 2013 4:15 PM
 16	I'm don't know much about this but haven't heard about any problems with the status quo.	Jun 27, 2013 12:03 PM
 17	The PM shouldn't be allowed to intefere politically with a decision like this. But if the G-G does it, then the PM will have an incentive to put political pressure on the Governor-General. Given the G-G's important role, I'd be worried about this. This concern might be able to be allayed though. Possibly if the G-G recommended a date and then a committee with representatives	Jun 27, 2013 8:53 AM

**Question 18: How should the election date be decided? Why? The Prime Minister currently decides when the term of Parliament ends and the date of the next General Election.**

	from each political party decided upon it, then this might work. You'd need a 2/3 majority to decide a date.	
GG 18	Remove as much political bias as possible.	Jun 25, 2013 10:05 PM
GG 19	An election body set up to deal with such issues.	Jun 25, 2013 1:36 PM
PM 20	I have no issue with the current system, although I might support a fixed term.	Jun 25, 2013 1:28 PM
GG 21	Though there were some issues in previous years (when it clashed with the RWC), this has not been a large issue in New Zealand. I think the status quo is sufficient, but moving to the Governor-General would absolve any obvious problems.	Jun 25, 2013 1:08 PM
GG 22	Preferably an independent person.	Jun 24, 2013 3:50 PM
PM 23	Not really an issue.	Jun 24, 2013 12:29 PM
GG 24	The Electoral Commission (or Constitutional Commission) should set the electoral date. This would decrease power at the hands of political strategists, and give the electorate some certainty.	Jun 24, 2013 12:02 PM
PM 25	I just chose the status quo because I don't know of any real problems with it.	Jun 23, 2013 10:05 PM
GG 26	I think it would be really cool if the election day was the same day every election, so everyone always knew when it was. E.g. the first Saturday of August.	Jun 22, 2013 1:38 PM
GG 27	This shouldn't be a political decision	Jun 22, 2013 9:35 AM
PM 28	I do think there are occasions when it is necessary to call snap elections and I don't see this power as commonly abused. It is undesirable for the GG to be in charge of calling elections as there would be the potential to for the GG to be polarised if that is were the case.	Jun 21, 2013 4:58 PM
GG 29	The current system gives the incumbent prime minister too much of an advantage in being able to set the election date. It should be set in stone at the start of each term ensuring that everything is equal.	Jun 21, 2013 4:51 PM
PM 30	I can't see any particular problem with how it is working now, but I would not be adverse to the decision being put into the hands of the Governor-General or some other party.	Jun 21, 2013 4:17 PM
GG 31	3rd party group. The prime minister should be separate	Jun 20, 2013 2:40 PM
GG 32	Should be a set date (which can be chosen by referendum or some other method), on which the prime minister can make an application to a particular board/council/court that it should differ for a particular year and should only be approved if the reasons given are for a significant purpose, eg extraordinary event, natural disaster occurs, financial trouble etc.	Jun 20, 2013 1:24 PM
PM 33	Not sure	Jun 17, 2013 11:08 AM
GG 34	More independent than the PM.	Jun 9, 2013 1:06 PM

# Question 19

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

	Response Count
	41
answered question	41
skipped question	1

**Question 19: What factors should be taken into account when the size and number of electorates are decided?**

1	regional spread and location of major cities	Jul 10, 2013 8:17 AM
2	Population size	Jul 9, 2013 10:09 PM
3	Pass.	Jul 8, 2013 11:03 PM
4	Electorates should represent about the same number of people, so that everybody in New Zealand is represented equally. I think the provision of list MPs through MMP is also appropriate (as it ensures more proportional representation and diversity, and avoids some of the discrepancies between parties' total votes won and actual seats that often result from FPP-type systems). The number of electorates should allow for list MPs as well, to ensure representation in Parliament of different demographics and political parties isn't distorted.	Jul 6, 2013 1:05 PM
5	Unsure	Jul 4, 2013 2:35 PM
6	Population make up, it should be purely representative.	Jul 4, 2013 11:27 AM
7	unsure	Jul 4, 2013 11:02 AM
8	undecided	Jul 4, 2013 9:24 AM
9	Not sure!	Jul 3, 2013 8:33 PM
10	Ratio of people to the MP. Geographic boundaries, e.g. mountain ranges etc.	Jul 3, 2013 2:58 PM
11	Demographics, local iwi	Jul 3, 2013 2:19 PM
12	The prime consideration must be the ability of the representative to be able to identify and respond to the needs of his or her electorate. Therefore we must always err on the side of smaller rather than larger electorates.	Jul 2, 2013 8:36 PM
13	Population density and geography. More electorates overall as some are too spread out for MPs to be able to represent them properly, others in urban areas should be made smaller.	Jul 2, 2013 7:54 PM
14	population- keep it simple	Jul 2, 2013 4:22 PM
15	unsure - don't know anything about this sorry!	Jul 2, 2013 4:02 PM
16	Population density	Jul 2, 2013 12:53 PM
17	Unsure	Jul 1, 2013 1:35 PM
18	Factors that I am not aware of	Jun 30, 2013 11:21 AM
19	Need more information	Jun 28, 2013 1:22 AM
20	Population, population distribution. Uncertain what else	Jun 27, 2013 6:51 PM
21	Population.	Jun 27, 2013 4:15 PM
22	Population, industries, geographic isolation	Jun 27, 2013 12:03 PM
23	The populations of each of those electorates. Presumably each electorate should be the same size.	Jun 27, 2013 8:53 AM

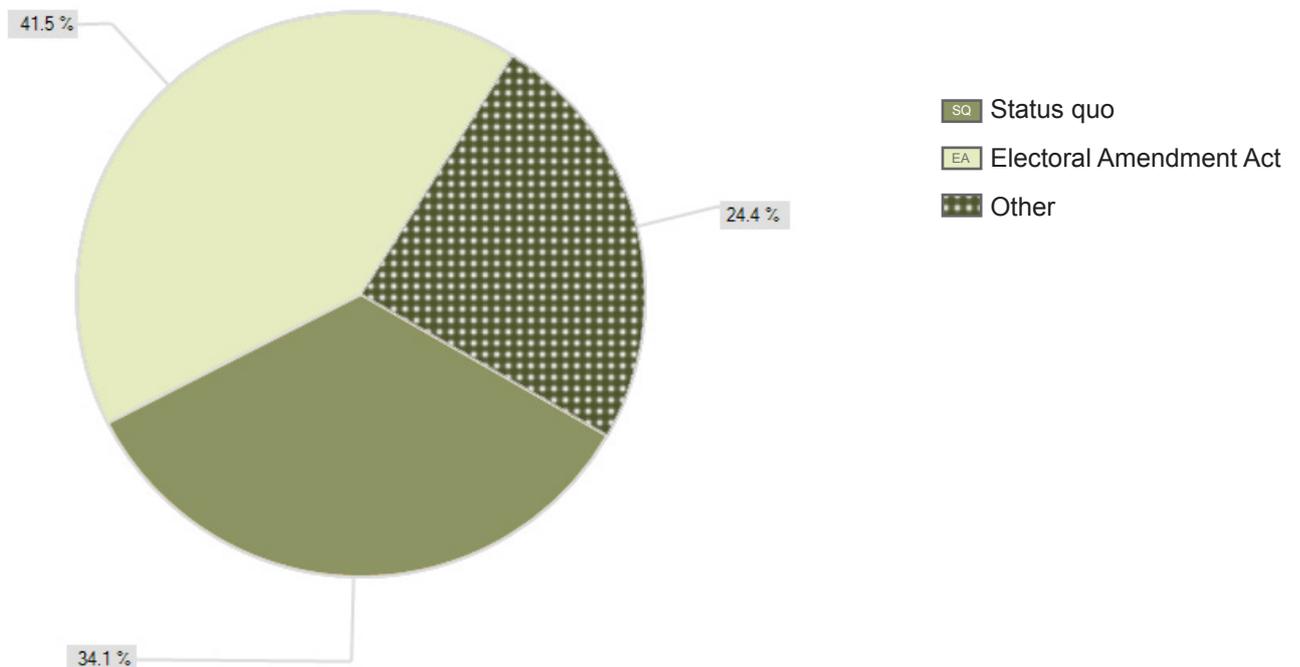
**Question 19: What factors should be taken into account when the size and number of electorates are decided?**

24	Uncertain about this question.	Jun 25, 2013 10:05 PM
25	The spread of the population, the number of people living in the electorate, the demographics of the electorate.	Jun 25, 2013 1:36 PM
26	The guiding principle must be proportionality. The question of how that will best be achieved is, I imagine, a very technical one, and I am no good at math.	Jun 25, 2013 1:28 PM
27	The number of people in the area. Balancing the South Island and North Island should be less of a priority as it skews the balance of the electorates overall.	Jun 25, 2013 1:08 PM
28	unsure	Jun 24, 2013 4:00 PM
29	Not sure.	Jun 24, 2013 3:50 PM
30	the land area of the district. Especially since Te Tai Tokerau makes up a large land mass, it is difficult for politicians (such as Hone Harawira) to get around to all of the towns and cities.	Jun 24, 2013 12:29 PM
31	Proportionality, representativeness of diverse groups and interests, geographical proximity between constituents and their representatives.	Jun 24, 2013 12:02 PM
32	Not sure sorry.	Jun 23, 2013 10:05 PM
33	Population, size, economic wealth	Jun 22, 2013 1:38 PM
34	Practicalities. I suppose it's important that people in their electorate feel they belong to it geographically. I don't think we should have electorates like the US - it is contrived and allows manipulation.	Jun 22, 2013 9:35 AM
35	By proportion of the population.	Jun 21, 2013 4:58 PM
36	Proportionality, how the sitting MP can cover the area, population etc	Jun 21, 2013 4:51 PM
37	Population size, but also demographics (e.g. areas that are small but very diverse may struggle to be properly represented if only one person can represent the whole area).	Jun 21, 2013 4:17 PM
38	MMP	Jun 20, 2013 2:40 PM
39	Obvious factors such as size of population, racial make-up, land area, economic production, environmental need etc.	Jun 20, 2013 1:24 PM
40	Not sure	Jun 17, 2013 11:08 AM
41	Population (of course) but also consideration of geographical size so that the South Island doesn't miss out on representation just because the population is too small.	Jun 9, 2013 1:06 PM

# Question 20

What should happen if a member of Parliament parts ways with the party from which he or she was elected? Note: The Electoral (Integrity) Amendment Act 2001 enabled the Speaker to declare a seat vacant if an MP parted ways with their party or their party leader reasonably considered the member had distorted the proportionality of representation in Parliament. The Act expired in 2005.

		Response Percent	Response Count
No action is necessary (the status quo)		34.1%	14
<b>The Electoral (Integrity) Amendment Act 2001 (or similar) is reinstated</b>		41.5%	17
What else would you recommend happening, please explain in detail		24.4%	10
	Please explain your choice		28
	<b>answered question</b>		<b>41</b>
	<b>skipped question</b>		<b>1</b>



**Question 20: What should happen if a member of Parliament parts ways with the party from which he or she was elected? Note: The Electoral (Integrity) Amendment Act 2001 enabled the Speaker to declare a seat vacant if an MP parted ways with their party or their party leader reasonably considered the member had...**

1	I think it's dangerous to allow party leaders to decide that one of their MPs has distorted the proportionality of representation in Parliament - this would enable party leaders to kick MPs out for personal reasons. If an electorate MP leaves their party, I don't have a problem with them staying on in Parliament - they have been elected to represent the people of their electorate. However, list MPs who leave their parties should not be permitted to remain in Parliament - they are in Parliament to represent a political party, which they are no longer a part of.	Jul 6, 2013 1:05 PM
EA 2	An Act similar to the 2001 one is important for ensuring maintenance of Parliament's proportionality throughout each term.	Jul 4, 2013 2:35 PM
EA 3	If an MP is elected as part of a party, or as a list MP, they no longer have the same mandate to be in Parliament.	Jul 3, 2013 8:33 PM
4	Electorate MPs are personally elected, even if on a party's ticket. They should remain. List MPs are there on the party's grace. I don't like parties forcing their votes to be cast in blocs. Many laws should be a conscience vote. Certainly, supply and confidence motions should be. I don't want to see List MPs kicked out because they don't toe the party line, but they are there to represent the party, and through the Party New Zealand. If they leave that Party they have no right to be there. But party leaders should not be able to just kick them out. It should be subject to some sort of right of recall motion, where Parliament has a conscience vote on the issue? Electorate MPs should all be subject to a right of recall motion by their electorates.	Jul 3, 2013 2:58 PM
5	If electorate member, should be allowed to stay on because they are directly accountable to people who voted them in. If they are a list member, they should resign from Parliament because they gained their position through the party vote.	Jul 2, 2013 8:36 PM
6	If purely a list MP then parting ways with their party will clearly distort proportionality of representation. However, if elected as constituent candidate perhaps satisfactory for them to stay (bi-election?)	Jul 2, 2013 12:53 PM
EA 7	Representation is important, though this analysis is very shallow.	Jun 30, 2013 11:21 AM
SO 8	Need more info.	Jun 28, 2013 1:22 AM
9	If a list MP should have to re-stand for the seat. This is the fairest and most democratic option - if someone is voted in under x pretenses and those pretenses change then likely peoples votes may change again also. As a NZ representative, they should be held accountable for their choices to the NZ public	Jun 27, 2013 6:51 PM
EA 10	The Amendment should be reinstated permanently, but only for MPs elected from the list.	Jun 27, 2013 4:15 PM
11	If they are a list MP they should go but an electorate MP should stay	Jun 27, 2013 12:03 PM
SO 12	I find this one difficult. If someone is elected as an electorate MP, they should definitely stay. If someone is elected as a list MP, then I think they should still stay. It's a party's responsibility to guard against this and I think they should bear the consequences of someone leaving. If leaders could declare a seat vacant, then this would give more power to the leader of the party at a time when our politics are becoming dangerously focused on the	Jun 27, 2013 8:53 AM

**Question 20: What should happen if a member of Parliament parts ways with the party from which he or she was elected? Note: The Electoral (Integrity) Amendment Act 2001 enabled the Speaker to declare a seat vacant if an MP parted ways with their party or their party leader reasonably considered the member had...**

	leaders. Alternately, the speaker isn't much protection as they can become politicised as well. Having someone leave a party can also play a valuable role of allowing dissent and that person may represent the legitimate perspectives of the population.	
EA 13	They have effectively lost their platform, and severed ties with one of the main reasons for their election. The individual can no longer be assumed to be a representative of their electorate.	Jun 25, 2013 10:05 PM
EA 14	It seems like a logical approach taken to the situation.	Jun 25, 2013 1:36 PM
SQ 15	MPs must be free to part ways with their parties, and even to join others, whether they are elected on the list or in an electorate. An MP's legitimacy does not depend on the extent to which they retain the approval of their colleagues. The extent to which they can claim a mandate is undiminished - the electorate can be taken to have voted for a list and all those who were on it on election day. If such an MP were to lose their seat, party executives would effectively be given the power to remove an MP from the House. The ability of MPs to express their views — which must be one of their primary duties — would be diminished. I can see no real justification for such a move.	Jun 25, 2013 1:28 PM
EA 16	Waka jumping laws, as they are informally known, are probably beneficial for list MPs given they are elected on the basis of representing a party and are therefore less 'legitimate' once they have lost the representation of the party. However, the law would have to be careful not to give too much power to party leaders to sack MPs without merit as it would give the party machinery significant power. The party is also often voted for on the basis of the list MPs, so (as I don't know the details of how the reasonableness assessment worked) these would have to be accounted for.	Jun 25, 2013 1:08 PM
EA 17	A list MP shouldn't stay on if they leave their party. Nobody voted for them; they voted for the party.	Jun 24, 2013 3:50 PM
SQ 18	Depends how they were elected as a list MP or for their electorate. It a list MP than they should go.	Jun 24, 2013 12:29 PM
SQ 19	List MPs remaining in Parliament even after they've been removed from their party are reasonably rare and minor events. Those MPs are then relatively insignificant in terms of what they can achieve (or the damage they can do). The worst part, seemingly, is that they allow for the public to become inflamed over (misinformation) about MMP, and for politicians to win cheap shots rubbishing the system. To remove List MPs from Parliament if they lose favour within their party would grant too much power to the party leaders. Although commonly an MP will be removed because of an indiscretion or embarrassment to the party, the risk is that they may be removed for not following the party hierarchy, possibly at the expense of that member's duty to the 'nationwide electorate' or interest groups within it. Lower ranked MPs deference to the party first and foremost is undesirable, and this could result in our (democratic) institutions being eroded by undemocratic parties.	Jun 24, 2013 12:02 PM
EA 20	It seems sensible that this should be reinstated. MPs should, in general, act and vote in accordance with the policies and principles for which they were elected.	Jun 23, 2013 10:05 PM

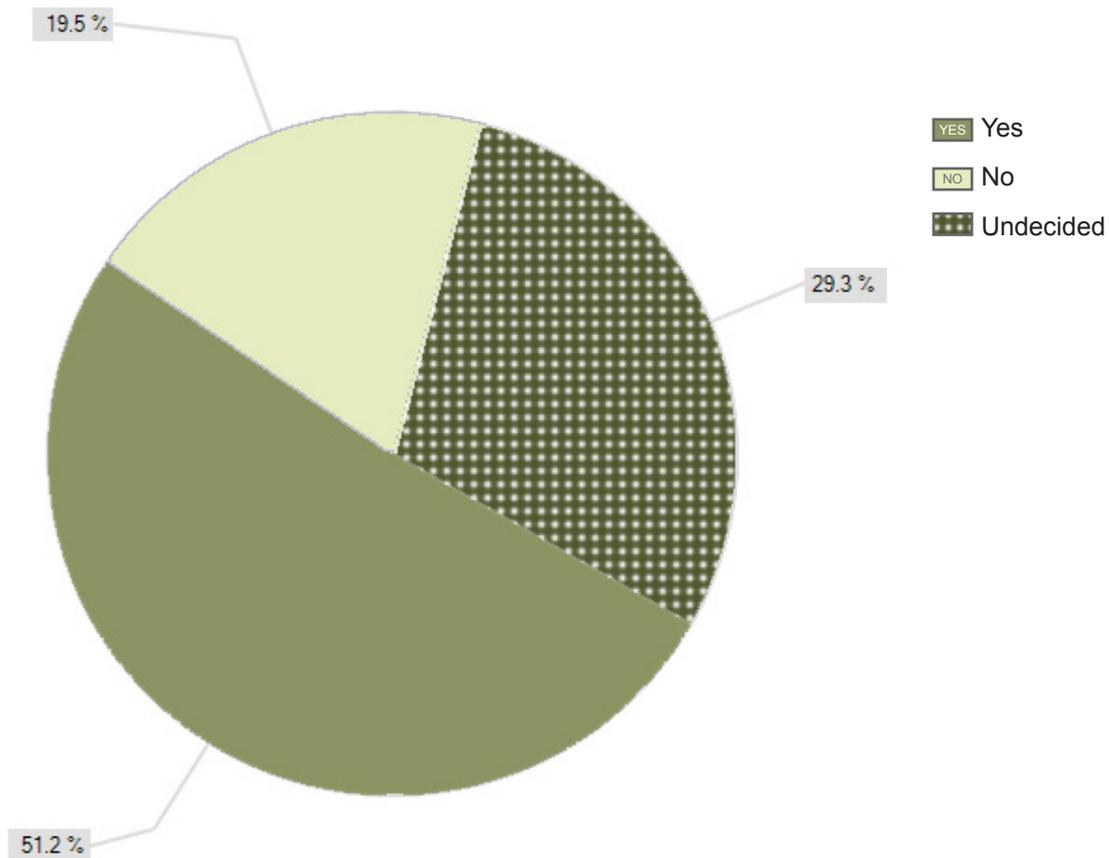
**Question 20: What should happen if a member of Parliament parts ways with the party from which he or she was elected? Note: The Electoral (Integrity) Amendment Act 2001 enabled the Speaker to declare a seat vacant if an MP parted ways with their party or their party leader reasonably considered the member had...**

 21	Someone should be able to stand up to their party, without the fear of being kicked out of Parliament.	Jun 22, 2013 1:38 PM
 22	It would make sense for in particular cases the move of an MP to be questioned. If it made the difference in a government this should be looked at. Sorry, I don't have any ideas for mechanisms!	Jun 22, 2013 9:35 AM
 23	If the MP is a constituency MP then they should be free to jump ship. If the MP is a list MP then the situation is more complicated. Certainly the PM should not have an absolute discretion to kick disagreeing MPs out of their Parliament as in some cases the ability of an MP to defect is an important way of holding a PM to account. On the other side of the coin - if an MP is voted as a list MP (i.e., on the basis of their party's position) then they ought to be true to that position. I have not considered it enough to come to a final view.	Jun 21, 2013 4:58 PM
 24	When a party is elected it is based on their party vote how many seats their party gets. As soon as an MP defects and becomes an independent, the desire of the voters is no longer reflected by the MPs in parliament. The voters did not vote for that list MP but for that party. If the MP is an electorate MP however, things become more complex.	Jun 21, 2013 4:51 PM
 25	If they are a list MP, then the Speaker should be able to declare the seat vacant as they are no longer in Parliament under the same pretense that they got in on.	Jun 21, 2013 4:17 PM
 26	Keep the law the same	Jun 20, 2013 2:40 PM
 27	-	Jun 20, 2013 1:24 PM
 28	Not sure	Jun 17, 2013 11:08 AM

# Question 21

## Should Aotearoa New Zealand become a republic?

		Response Percent	Response Count
Yes		51.2%	21
No		19.5%	8
Undecided, what information would help make up your mind		29.3%	12
	Please explain your choice		33
<b>answered question</b>			<b>41</b>
<b>skipped question</b>			<b>1</b>



## Question 21: Should Aotearoa New Zealand become a republic?

YES 1	New Zealand dictates its own identity now. Though Maori were formally recognised as co-subjects and co-citizens within the British realm, citizenship in New Zealand means participating in the process of making judgements and initiating our own actions, a part from the 'power' of the crown.	Jul 8, 2013 11:03 PM
2	New Zealand is largely independent of Great Britain today. I don't think tradition is a good enough reason not to become a republic - historical ties can still be maintained, while still enjoying the symbolic importance of showing we have grown as a nation and are our own nation. I don't know enough about how becoming a republic might affect the role of the Treaty - further information on this (as well as further information on the Treaty in general, as outlined in my previous answers) would help me make up my mind.	Jul 6, 2013 1:05 PM
YES 3	There is no good reason not to become a more independent nation. It would improve identity and make New Zealand more democratic.	Jul 4, 2013 2:35 PM
4	I don't think it's an important issue for New Zealand at the moment - there are far more important policy issues to be focusing on.	Jul 3, 2013 8:33 PM
5	Cut the strings. We're an Asia-Pacific nation now. Our head of state is not really Elizabeth II, as much as she has sass. Our constitution should reflect that.	Jul 3, 2013 2:58 PM
YES 6	Fundamental for New Zealand's integrity and legitimacy.	Jul 3, 2013 2:19 PM
YES 7	I believe NZ will eventually become a republic. I think this is a good idea for several reasons. A replacement head of state should be apolitical, to avoid partisan appointments - e.g. Muldoon's appointment of Keith Holyoake. The head should also reflect NZ's national identity. The Queen does not do this. Our society contrasts to that of Britain - it seems there should be a system in place to ensure a head of state can be democratically and independently selected as the representative of our strongly bicultural society.	Jul 2, 2013 8:36 PM
NO 8	Huge waste of money, no reason to be a republic.	Jul 2, 2013 7:54 PM
9	implications for the treaty of Waitangi	Jul 2, 2013 4:22 PM
NO 10	It probably will eventually, but such a move at the moment would be entirely unprovoked and unnecessary.	Jul 2, 2013 4:02 PM
YES 11	The monarch is vestigial and NZ's relationship with the Crown merely symbolic.	Jul 2, 2013 12:53 PM
12	I don't understand what practical difference it makes.	Jul 1, 2013 1:35 PM
YES 13	Independence seems like a good idea. That's a superficial answer if I ever saw one.	Jun 30, 2013 11:21 AM
YES 14	Absolutely. We are founded on democracy. The monarch is the antithesis of democracy. It's a bloodline elitism that nurtures privilege. It's like the voldermort pureblooded world. It's just inherently incompatible with our country. We are so disconnected, as a country from our so called sovereign. The popularity of the monarch is based on weddings and babies. There is no true patriotic allegiance. It's pompous and outdated and we should stop waiting for the "inevitable" republic to happen and make it happen.	Jun 28, 2013 1:22 AM
YES 15	YES!! <a href="http://www.republic.org.nz/case">http://www.republic.org.nz/case</a> Independence, nationhood and	Jun 27, 2013 6:51 PM

## Question 21: Should Aotearoa New Zealand become a republic?

	democracy. The existence of the monarchy is completely unfair and I don't think it is something NZ should be according pompous respect to	
16	Yes but not until a large majority of the public supports the change. 75% at least.	Jun 27, 2013 12:03 PM
17	I'm ambivalent about this and I don't think information will change this.	Jun 27, 2013 8:53 AM
18	Unnecessary shift.	Jun 25, 2013 10:05 PM
19	We need to define out identity - and that starts as an independent nation.	Jun 25, 2013 1:36 PM
20	The monarchy is inadequate (to put it mildly) from the point of view of democratic principle. A relic may serve a symbolic purpose, which is a large part of the role of a head of state. But the monarchy is inadequate even as a symbol of our nation. The monarchy is also the primary reason that our constitutional reality bears so little relation to our constitution on paper. Any attempt to create a constitution that actually reflected our aspirations would surely need to find an alternative.	Jun 25, 2013 1:28 PM
21	No - we must maintain historical ties and links to the Queen, which are of symbolic and real importance to many New Zealanders. The transition would be messy, and runs the risk of creating a political head of state role which would be detrimental to our entire presidential system. It would require the creation of a formalised constitution, which I also do not support.	Jun 25, 2013 1:08 PM
22	I am extremely tired of people telling me it's our history. It's not my history! More immigrants are coming to NZ and making it a more diverse and multicultural country, which I think is great. I wish we would stop calling NZ a bicultural country, because we're so much more than that. I feel that this alienates ethnic minorities. The Crown is there as a hangover from the old days. I'm not convinced it will affect the Treaty since nobody appeals to England anyway. We don't have the Privy Council anymore. The 'Crown' is of limited practical use; symbolism is the main thing, but it's a relic that is becoming more and more irrelevant to New Zealanders.	Jun 24, 2013 3:50 PM
23	Not sure.	Jun 24, 2013 12:29 PM
24	A republic New Zealand would solidify our independence on the world stage, would enable the Head of State to adequately represent the culture and identity of the country, and would enhance democratic accountability. The monarchy is an outdated institution, a throwback to a bygone era. Unelected, lineage-based power does not sit well with democracy. Additionally, the process of changing to a republic could have an enabling effect of increasing constitutional understanding among New Zealanders.	Jun 24, 2013 12:02 PM
25	I do not think that there is anything wrong with the status quo (but I'm from England originally so maybe I'm biased!)	Jun 23, 2013 10:05 PM
26	We are independent from England.	Jun 22, 2013 1:38 PM
27	For me the change is so great that a real need should be demonstrated. Is the change to fix problems with how NZ operates OR is the change to do with identity? In my view NZ's main reason to become a republic is identity, however (Canada example) NZ can gain its own identity globally and move away from a historic monarchical identity without the significant nuts and bolts change to a republic ie a new flag, money, anthem etc - we are moving towards this anyway. Plus, it removes a party to the ToW - this	Jun 22, 2013 9:35 AM

### Question 21: Should Aotearoa New Zealand become a republic?

should not be done lightly and needs to be explored.

<input checked="" type="checkbox"/> YES	28	Yes, but not a big/urgent one for me. I am comfortable with our current arrangements.	Jun 21, 2013 4:58 PM
<input type="checkbox"/> NO	29	I'm not too bothered either way. Inevitably it will happen one day. It will be a sign of maturity for NZ but a connection with the Monarchy has a nice symbolism.	Jun 21, 2013 4:51 PM
<input type="checkbox"/> NO	30	It would be good to know how much it would cost and exactly how we would replace 'the Crown'. I don't think it would be too much of an issue to make the change, but I also see no problem with the status quo in the interim. It seems inevitable that NZ will one day become a republic so the question is when. When the Queen dies, I'm assuming a natural national conversation will start to take place. It might be good to capitalize on that and explore different options at that time (perhaps something we should be starting to prepare for now).	Jun 21, 2013 4:17 PM
<input type="checkbox"/> NO	31	it already is with out the title	Jun 20, 2013 2:40 PM
<input type="checkbox"/> NO	32	We already have an effective stable democracy. Monarchy has helped, rather than hindered, that. The monarchy is a power symbol of stability and unity. That is important in itself, but it also helps practically to support our democratic institutions. The notion of "cutting the apron strings" isn't really enough to put that all at risk, especially when we share this form of government with other similar nations.	Jun 20, 2013 1:24 PM
<input checked="" type="checkbox"/> YES	33	I loathe the expression "Crown subject". We are a unique group of islands in the Pacific with a unique culture. Though our history is intimately bound with the Crown, our future is not.	Jun 17, 2013 11:08 AM

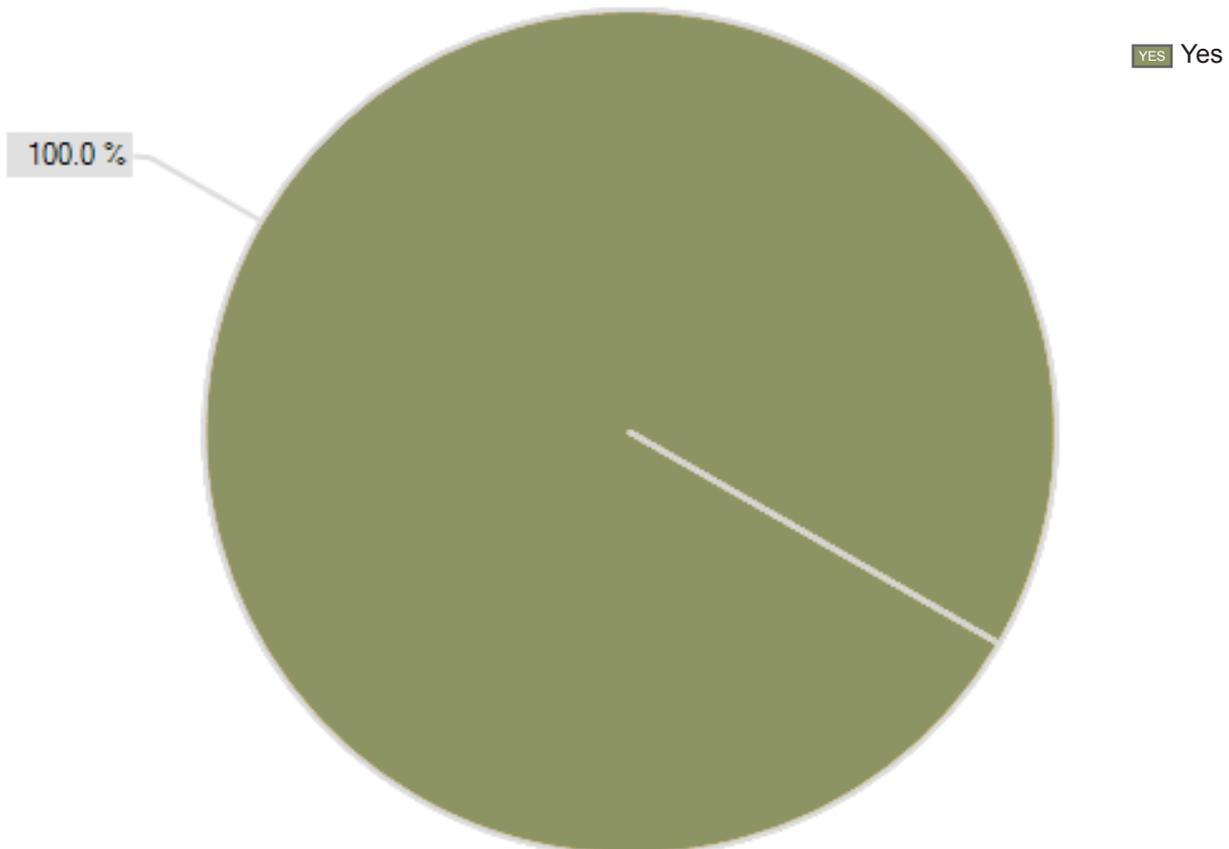
# Question 22

**Does New Zealand need to improve civics education in our school curriculum?**

		Response Percent	Response Count
Yes		100.0%	41
No		0.0%	0
Undecided, what information would help you make up your mind		0.0%	0

Please explain your choice 35

answered question	41
skipped question	1



## Question 22: Does New Zealand need to improve civics education in our school curriculum?

YES 1	Very little knowledge of our how our court system works. I think it is important for young New Zealanders (possibly most criminalized group in NZ) should understand how this system actually works.	Jul 9, 2013 10:09 PM
YES 2	Currently, young people have no confidence in, or no belief in the relevance of politics in their lives. We need to put 'trainer wheels' on the future for young people – especially those who are new to voting, so that they realize the choices they make can affect others, as well as make a difference day-to-day.	Jul 8, 2013 11:03 PM
YES 3	Participation in our democracy and greater awareness of New Zealanders' rights and how they are affected by various factors/changes cannot occur without basic knowledge of how our country works. Basic knowledge is necessary for any meaningful engagement with our democracy.	Jul 6, 2013 1:05 PM
YES 4	Civics education is vital to improve engagement in elections and Parliament activity.	Jul 4, 2013 2:35 PM
YES 5	I think there needs to be vast improvement so that when these children are adults they can make informed decisions	Jul 4, 2013 11:27 AM
YES 6	There needs to be a vast improvement in civics education in New Zealand. At the moment, students leave high school and enter tertiary education or the workforce with limited political awareness and knowledge of the political system. This needs to change in order for New Zealanders to be more politically active, and more aware of social issues.	Jul 3, 2013 8:33 PM
YES 7	How many kids at age 19 can intelligently fill this out? Not enough is the only right answer.	Jul 3, 2013 2:58 PM
YES 8	Education prevents ignorance of the law	Jul 3, 2013 2:19 PM
YES 9	Absolutely. Many people who leave high school do not pursue an understanding of how government operates. Speaking for myself, I had no idea about the concepts of "separation of power", "rule of law", or even the ways in which Parliament operated, until I got to university. It is fundamental that members of society be able to participate in the government of that society.	Jul 2, 2013 8:36 PM
YES 10	There virtually isn't any civics education in schools.	Jul 2, 2013 7:54 PM
YES 11	having a basic understanding of our legislature and the law making process is not sufficient for greater civil participation which has to be the aim of civics education. Understanding civic education and its relevance to daily life across a broad spectrum of subjects and activities is furthermore required.	Jul 2, 2013 4:22 PM
YES 12	ABSOLUTELY! I didn't know what the constitution was until second year of law school - there is vast room for improvement in this area and would probably solve a lot of problems the CAP is experiencing with people's lack of knowledge of constitutional issues.	Jul 2, 2013 4:02 PM
YES 13	New Zealanders need to understand and engage with government. If democracy is to excel then we must be informed and empowered in order to contribute to the progress of our nation.	Jul 2, 2013 12:53 PM
YES 14	Definitely.	Jul 1, 2013 1:35 PM
YES 15	My answers to this survey at evident of this. At the age of 16 I should at least	Jun 30, 2013 11:21 AM

## Question 22: Does New Zealand need to improve civics education in our school curriculum?

	have some idea but education at school for me has literally provided me with nothing. I would be happy to see this change.	
YES 16	Absolutely!!! For all the reasons aforementioned.	Jun 28, 2013 1:22 AM
YES 17	Absolutely. I don't think this is currently covered in any depth at all. Covering it more substantially will mean empowered citizens who understand their society and how it functions, it will mean citizens who feel more involved in their government and more willing to participate, citizens who vote and have a say and feel they had a hand in creating the direction of NZ	Jun 27, 2013 6:51 PM
YES 18	Yes this is really important for improving our democracy	Jun 27, 2013 12:03 PM
YES 19	Everyone's talking about it, it's got to happen.	Jun 27, 2013 8:53 AM
YES 20	Most of the population is under-educated in this regard, and this should be immediately rectified.	Jun 25, 2013 10:05 PM
YES 21	For reasons stated throughout survey.	Jun 25, 2013 1:36 PM
YES 22	We could hardly do less. Any benefit in improved understanding, or sense of ownership can only be a good thing.	Jun 25, 2013 1:28 PM
YES 23	This is fairly self evident given the lack of voter turnout and understanding of constitutional issues. This is definitely necessary and should be a far greater, more emphasised role in our schools.	Jun 25, 2013 1:08 PM
YES 24	Incorporate it into the teaching of more NZ history and less/no Tudor-Stewart England.	Jun 24, 2013 4:00 PM
YES 25	I found it very boring back at high school when we did a topic on it. Most people I knew didn't care about politics, law or economics and find it tedious. But it's all in the background of our lives.	Jun 24, 2013 3:50 PM
YES 26	There is not enough information given in schools and this is arguably one of the most important decisions they will make as an adult.	Jun 24, 2013 12:29 PM
YES 27	Absolutely! Education is critical to understanding and engaging with our democratic institutions and constitutional arrangements.	Jun 24, 2013 12:02 PM
YES 28	I think the current civics education is very poor. I went to a private school from the age of 12 - 17 and I can barely remember learning anything about civics. Civics education is absolutely crucial to the proper functioning of a democratic society. And it is key that civics is taught early on, in schools, because once children reach adulthood the ignorance turns into apathy and a lack of confidence, so that people are either unwilling or feel inadequate when it comes to engaging with issues of politics and government that are of such importance to our society.	Jun 23, 2013 10:05 PM
YES 29	I never learnt anything about civics at school, and have only learnt what I know because I find it interesting. Everyone should be taught the basics, because it effects our daily lives, and an active citizen population will help the running of parliament, and therefore the country.	Jun 22, 2013 1:38 PM
YES 30	I can hardly remember learning anything about NZ framework. I never learnt about the ToW in any depth/detail until Uni - this is a real shame. In any case it needs to be engaging and not presented in boring ways!!	Jun 22, 2013 9:35 AM

## Question 22: Does New Zealand need to improve civics education in our school curriculum?

YES 31	Part of the way to make our constitution effective is awarness - the more aware people are of Politicians avoiding constitutional principles, the less readily politicians will depart from them. Better civics is essential.	Jun 21, 2013 4:58 PM
YES 32	There is very little comprehensive civics education. It would be good to have a set of lessons taught to all New Zealand children, perhaps around the age of 10, that give them a good grounding in how the local/national political system and legal systems work.	Jun 21, 2013 4:17 PM
YES 33	This would create patriotism	Jun 20, 2013 2:40 PM
YES 34	Political bias is created from a young age, therefore there are arguments for increased and decreased education of children from a young age, including giving them a platform to create their own opinions from a young age, however teachers may also bias them greatly. Overall, at least an understanding of our system of government, constitutional arrangements, court system etc should be known by all New Zealanders as early as possible.	Jun 20, 2013 1:24 PM
YES 35	Hell yes!	Jun 17, 2013 11:08 AM

# Question 23

How could youth participation in our democracy be improved?

	Response Count
	41
answered question	41
skipped question	1

**Question 23: How could youth participation in our democracy be improved?**

1	By making it mean something to them.	Jul 10, 2013 8:17 AM
2	Education. Learn more about how decisions are made etc. Get actively involved at an early age ie how would you like NZ to run?	Jul 9, 2013 10:09 PM
3	By learning the 'nuts & bolts' of NZ parliamentary and democratic systems, as well as learning to debate (and respect differences) young people will gain the confidence needed to engage the system of governance, as well as innovate new approaches to problems that may have been too difficult to overcome in the past. It's important to find areas of compromise, build common interests in the community and build systems and create rules that accomodate differences peacefully. New media and internet outlets provide a way of engagement that could be harnessed for greater insight, greater depth of community knowledge and greater involvement in governance.	Jul 8, 2013 11:03 PM
4	Greater civics education, as well as a change in attitude of our leaders - constant scapegoating of young people for greater societal problems does encourage some young people to speak up, but for many it frustrates them and switches them off.	Jul 6, 2013 1:05 PM
5	Educating youth on what the effects of their participation could be, compared to what results of non-participation.	Jul 4, 2013 2:35 PM
6	Education and awareness - especially about the process, democratic rights etc	Jul 4, 2013 11:27 AM
7	Making it more appealing to young people	Jul 4, 2013 11:02 AM
8	more appealing	Jul 4, 2013 9:24 AM
9	- Online voting - Engagement with high school students through civics education - MPs visiting schools and universities for consultation rather than waiting for youth to go to them	Jul 3, 2013 8:33 PM
10	Lower the voting age to 16, when people are still in school. With adequate civics education they can make informed choices. But lowering the voting age ensures hig participation in the first election. this is good.	Jul 3, 2013 2:58 PM
11	Education, youth select committee	Jul 3, 2013 2:19 PM
12	Many lack interest. I think more civics education would go a long way to stimulating this interest.	Jul 2, 2013 8:36 PM
13	Proper education which gets them involved in decision making at a local level on issues that actually affect them on a day to day basis e.g. through local government.	Jul 2, 2013 7:54 PM
14	see previous answers	Jul 2, 2013 4:22 PM
15	lower the voting age? why else would you want to be involved if you don't have a stake in the outcome?	Jul 2, 2013 4:02 PM
16	Civics education central in secondary school education. Mock elections within schooling to heighten awareness of both the complexities of politics and operations of government.	Jul 2, 2013 12:53 PM
17	Civics education in schools.	Jul 1, 2013 1:35 PM

**Question 23: How could youth participation in our democracy be improved?**

18	Civics education is a great start. There needs to be better means for youth to be able to explore the possibilities of this. Youth councils, for example may be able to enhance this. If we already have them, make them bigger and more prominent.	Jun 30, 2013 11:21 AM
19	Via civics education. Boom!	Jun 28, 2013 1:22 AM
20	Addressing the above question (Q23) is one way. Actually creating avenues through which youth can participate and/or giving them the resources to create those avenues themselves - again for similar reasons given in Q23. When people are actually genuinely involved in a process they take ownership of it and are far more likely to stay involved in it from there on out. There are so many ways you can let youth have a say on topics without having to lower the voting age - what McGuinness Institute is doing is AWESOME!!	Jun 27, 2013 6:51 PM
21	A lower voting age at 16, or perhaps no voting age.	Jun 27, 2013 4:15 PM
22	Civics education is one way but bringing citizenship into the 21st century a bit more would be helpful too. Why can't we do digital voting for example	Jun 27, 2013 12:03 PM
23	Put more money into engaging and giving young people confidence. Young people simply don't understand the issues. Others feel like they can't make a difference. If we engaged them more then I think they'd feel more inspired to participate.	Jun 27, 2013 8:53 AM
24	Civics education! Legal and political information sessions in high schools, youth forums like EmpowerNZ, a more vigorous tradition of enlisting youth volunteers for electoral campaigns. Politicians need to take the lead here, by engaging interested youths and taking them under their wing.	Jun 25, 2013 10:05 PM
25	Civic education which will help them understand the role they play in the democracy. If people don't understand their value to the democracy - how can we expect them to participate.	Jun 25, 2013 1:36 PM
26	The voting age should be reduced to 16. There should be civics education.	Jun 25, 2013 1:28 PM
27	A combination of better civics education and better election periods - having them during exam periods is incredibly limiting, as people not only are too busy to consider voting, but also don't have time to thoroughly investigate the issues which is a usual excuse.	Jun 25, 2013 1:08 PM
28	Civics education and an awareness of how politics relates to them and how they relate to it. Basically, a better idea of where they fit in, why they fit in where they do and how to best action change from their position and why that's important to be able to do so. Parliament goes beyond the Beehive, the courts etc. The issue I have with youth engagement in general, is that the people who choose to engage with whatever it is are always going to be the people who choose to engage with it. Make the ways in which you engage with youth diverse. The effectiveness and meaningfulness of change is dependent on the amount of time you spend developing meaningful relationships with people, which is why it's good to begin developing these relationships even before they're in the 'youth' category. Key is to teach basics and distill the information as you need to create specialists when information is esoteric which isn't the point of general education. As someone who has taught six year olds theoretical physics, if you outline the principles and provide them with opportunities to see how it operates in their own lives, for themselves, the questions requiring more and more detail to	Jun 24, 2013 4:00 PM

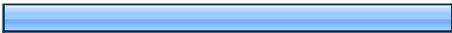
**Question 23: How could youth participation in our democracy be improved?**

answer, come thick and fast. Provide the means, in a meaningful way, and they will lead themselves to the water and drink.

29	Civics education. Not boring. Not trying too hard to be hip.	Jun 24, 2013 3:50 PM
30	With education comes involvement.	Jun 24, 2013 12:29 PM
31	Online voting - it would engage young people via the channels they already understand.	Jun 24, 2013 12:02 PM
32	Better civics education is a great start. It is a shame that there are not more extra-curricular clubs at schools based around politics (debating is the only one I can think of in which children engage with those sorts of issues). Whenever people talk about engaging the youth these days, the response seems to involve something about using technology to communicate with young people in ways they can relate to and in forums that they are used to participating in. While that sounds like a cliché it could be worth bearing in mind. Things like Facebook are more and more becoming a place where discussion on important issues takes place, or where young people are at least exposed/become aware of the existence of particular ideas.	Jun 23, 2013 10:05 PM
33	Civics education at school.	Jun 22, 2013 1:38 PM
34	Education first and foremost.	Jun 22, 2013 9:35 AM
35	No bright ideas - other than better civics.	Jun 21, 2013 4:58 PM
36	Education, in a fun way.	Jun 21, 2013 4:51 PM
37	It doesn't seem too bad among the educated/middle classes (although better civics education would improve this). Perhaps more outreach programs/initiatives targeted at those outside those groups would be good. How exactly you do that, I'm not sure, but we definitely need to work on overcoming the assumption that politics is only for the educated and activist.	Jun 21, 2013 4:17 PM
38	more groups and think tanks for young people	Jun 20, 2013 2:40 PM
39	Through civic education and through further outreach of "young political party groups" such as young nats/labour/greens etc.	Jun 20, 2013 1:24 PM
40	We need young people to have big ideas on where they would like their country to be in the future, how they would like it to get there, where they want their leaders to take them!	Jun 17, 2013 11:08 AM
41	Civics education, and potential to lower the voting age to 16/17. If you can drive and pay taxes, you should be able to vote.	Jun 9, 2013 1:06 PM

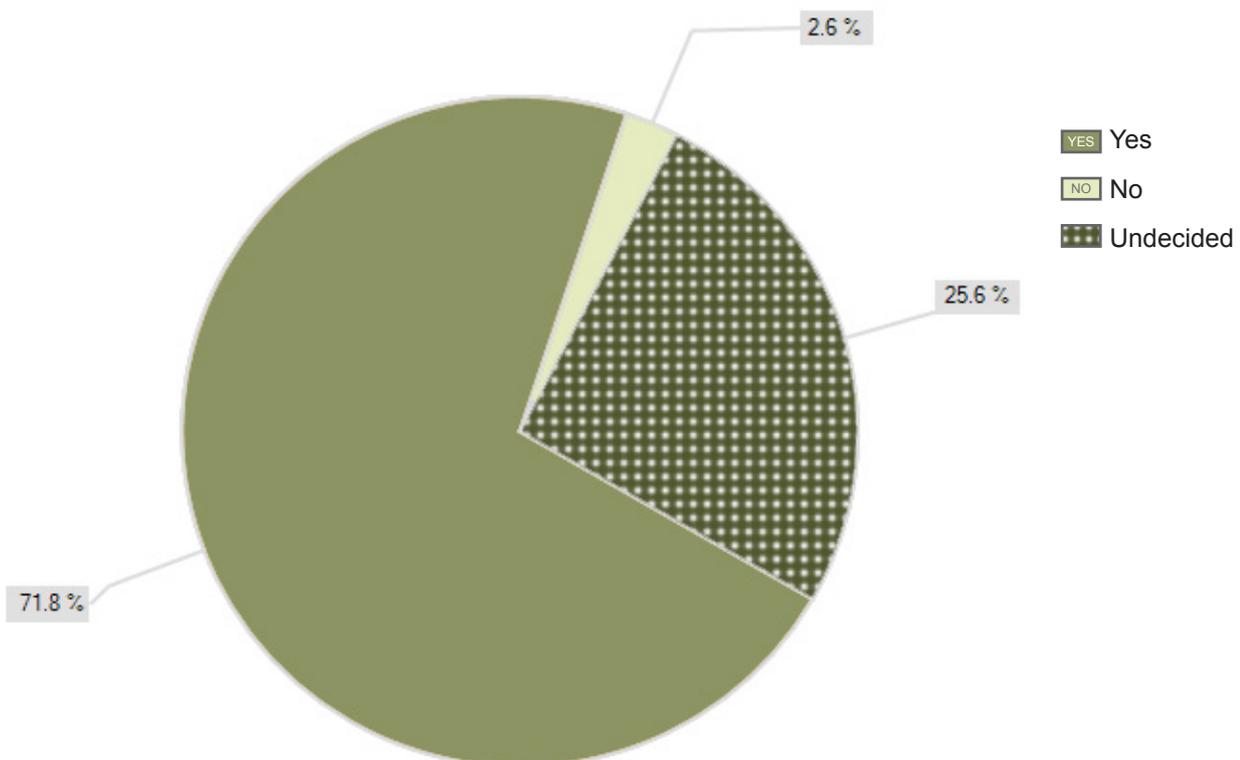
# Question 24

**Do you think New Zealand’s constitutional arrangements should include a commitment to the environment/and or sustainable development/and or future generations?**

		Response Percent	Response Count
Yes – please draft a brief statement of what you would like included below and/or how this might be incorporated		71.8%	28
No – please elaborate why such a statement should not be included		2.6%	1
Undecided – what information would help you make up your mind?		25.6%	10

Please explain you choice 35

<b>answered question</b>	<b>39</b>
<b>skipped question</b>	<b>3</b>



**Question 24: Do you think New Zealand's constitutional arrangements should include a commitment to the environment/and or sustainable development/and or future generations?**

 1	We should aim to pass on an environment and country which is better than what we were given.	Jul 10, 2013 8:17 AM
 2	- Sustainable for next 100 years and next 1000 - Needs to be specific so not to be confused with economic sustainability (ie RMA)	Jul 9, 2013 10:09 PM
 3	New Zealand should be a world-leader when it comes to environmental and sustainable development – otherwise, we really do perpetuate the '100% pure' myth.	Jul 8, 2013 11:03 PM
 4	Within the context of the Resource Management Act, the concepts of "sustainable management" and "future generations" have been extremely difficult apply in a meaningful way. While a commitment to the environment/sustainable development/future generations would help encourage long-term thinking and recognise the importance of the environment, I would need more information about anything actually being proposed and how it could be applied to decide.	Jul 6, 2013 1:05 PM
 5	An ongoing commitment to improving biodiversity, sustainability and environmental health globally. All decisions should be made with strong environmental considerations.	Jul 4, 2013 2:35 PM
 6	definetly, this is very important	Jul 4, 2013 9:24 AM
 7	- The impacts and potential effects of developments on future generations/the future environment should be a mandatory consideration when new developments are being considered (part of the RMA considerations) - Impacts on future generations should be considered as part of policy development - i.e the budget. - Long-term thinking should be a key factor in decision making i.e an express commitment to considering long-term effects as well as short-term, and weighing up short-term benefits over long-term disbenefits.	Jul 3, 2013 8:33 PM
 8	New Zealand is committed to preserving the bio-sphere in which it resides. This commitment reflects the understanding that our planet provides us with all we need for life, and that this must be sustainably managed so that all may benefit equally from its bounty. Each person has the right to such an environment, globally free of waste and pollution, that preserves their health, prosperity, and human dignity, and that our their children and families.	Jul 3, 2013 2:58 PM
 9	Consistent with our obligations under the Rio Declaration. Protects the environment for our descendants.	Jul 3, 2013 2:19 PM
 10	I don't know enough about what this might involve, or what the consequences might be. However I would tentatively suggest that they should be include, due to the fact NZ's identity as "clean and green", and the huge significance many areas have for Maori. Further, as the issue of global warming becomes more and more prominent in people's minds, they may want to see something concrete done about it - such as incorporation in the constitution.	Jul 2, 2013 8:36 PM
 11	There needs to be proper definitions of these which everyone agrees to. People have different interpretations of the phrases.	Jul 2, 2013 7:54 PM
 12	As a nation we are committed to the sustainability of Aotearoas unique ecology; the enjoyment and gaurdianship of these taonga for future generations to come	Jul 2, 2013 4:22 PM

**Question 24: Do you think New Zealand's constitutional arrangements should include a commitment to the environment/and or sustainable development/and or future generations?**

<input type="checkbox"/> NO	13	This may sound crass - but in New Zealand people should come first. I know the environment has an effect on future generations, but let's eradicate child poverty before saving the trees!	Jul 2, 2013 4:02 PM
<input checked="" type="checkbox"/> YES	14	The environment is central to New Zealand's global image and more importantly to how we see ourselves. Currently, information on climate and ecological deterioration and volatility fails to spur the average NZ into activity or valuable reflection. If our government was to promote and legislate appropriately then awareness and action can be both instigated and incubated.	Jul 2, 2013 12:53 PM
<input checked="" type="checkbox"/> YES	15	As we step into the future with step more and more into the unknown. Methods to protect ourselves and the world from potential environmental disaster should be constitutional.	Jun 30, 2013 11:21 AM
<input checked="" type="checkbox"/> YES	16	We are kaitiaki of the now for our generations to follow, The environment is a big part of that. And we are seeing the impact humans are having on our environment via global warming etc. We owe a duty and we have a responsibility.	Jun 28, 2013 1:22 AM
<input checked="" type="checkbox"/> YES	17	For the sake of man kind and the world. The environment is just as important as the people in it	Jun 27, 2013 6:51 PM
<input type="checkbox"/> NO	18	If New Zealand adopted a written constitution then I would support adding some principled commitments to preserving the environment for future generations. Possibly a commitment to our nuclear free policy. Possibly a commitment to the 'precautionary principle' and the 'polluter pays principle' like France has done. Focus more on guiding educative principles than strict rules. I wouldn't support a prescriptive set of rules or regulations about how New Zealand should protect the environment being adopted into a constitution because our legislative framework needs to be fluid and changing with science, levels of environmental degradation, new technology etc	Jun 27, 2013 12:03 PM
<input checked="" type="checkbox"/> YES	19	Yes I do believe we should recognise some kind of right. I don't believe that sustainable development is useful - what that means is complex and too varied. A right to a healthy environment is tangible and measurable. Something like: Every person has a right to have New Zealand's environment preserved and maintained in a healthy state. More importantly, I think the constitution should also include something about the basis for Government: elected officials hold power on trust for the public. Hence, they have a fiduciary obligation to act in the interests of each member of the public and to safeguard common assets (including the environment).	Jun 27, 2013 8:53 AM
<input checked="" type="checkbox"/> YES	20	This should be drafted as an aspirational segment of the NZBORA. Perhaps in the Preamble. Unless we're going to take it seriously, in which case it should be an enforceable section/right within the Act, supreme law upheld and protected by the Supreme Court.	Jun 25, 2013 10:05 PM
<input type="checkbox"/> NO	21	My answer to that question would be "I don't know". I say this because we are still trying to decide on the bigger answers right now in terms of constitutional arrangement and I am not sure whether the more specific problems can be addressed at the same time. My worry is we may get distracted and not address either of the issues completely.	Jun 25, 2013 1:36 PM
<input checked="" type="checkbox"/> YES	22	We must recognise and affirm a responsibility to protect the environment, based on recognition of the value inherent in: non-human life forms,	Jun 25, 2013 1:28 PM

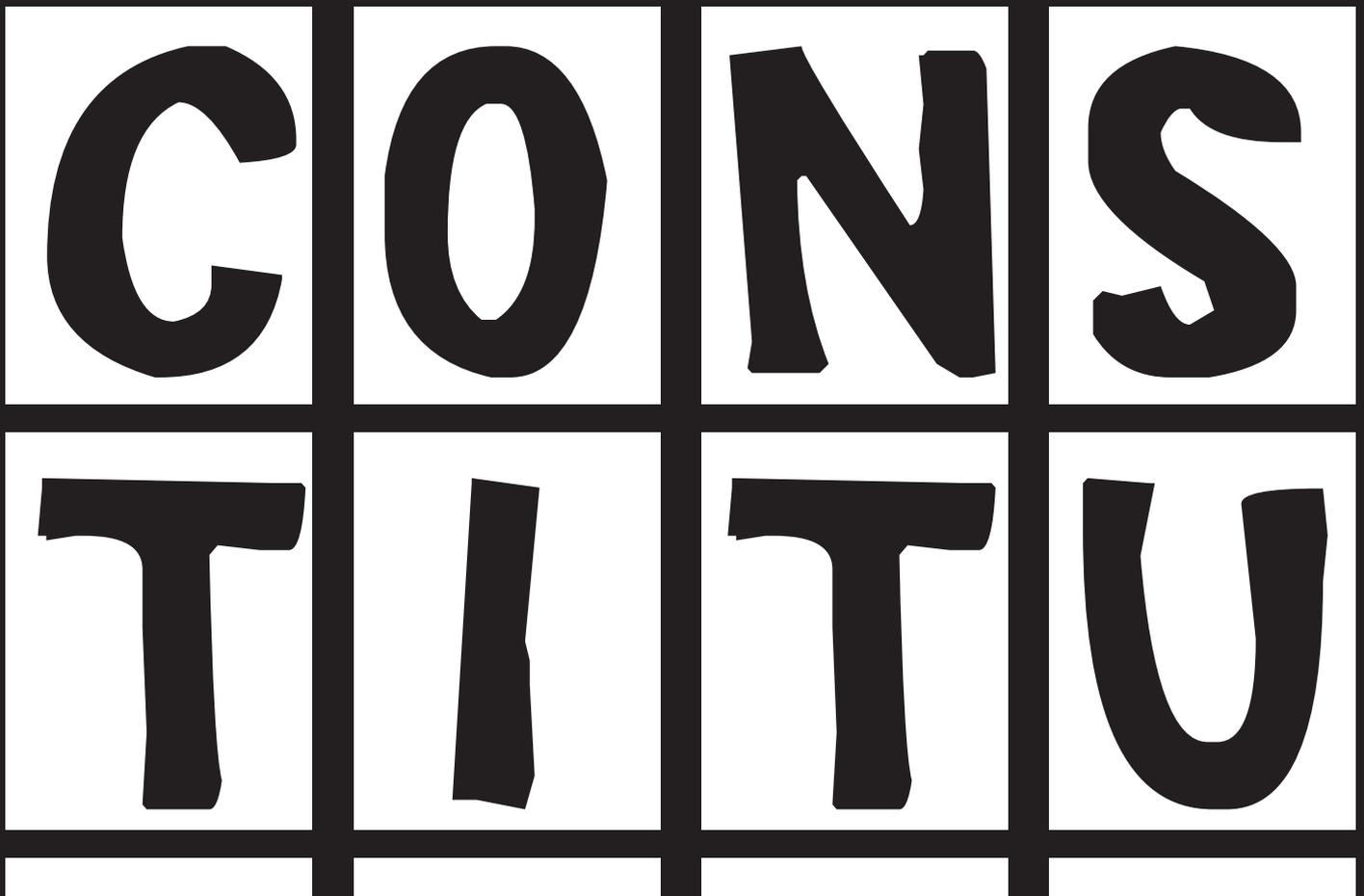
**Question 24: Do you think New Zealand's constitutional arrangements should include a commitment to the environment/and or sustainable development/and or future generations?**

ecosystems and biodiversity, in the life-supporting capacity of the environment, and in recognition of the right of future generations to a healthy environment. I do not believe that New Zealanders will have the stomach for a codification of the rights of any personification of nature (as in Bolivia). I do not think that the incorporation of environmental rights in a Bill of Rights is sufficient, as this does not recognise the inherent value of the environment, those rights being by definition anthropocentric. This is more than a philosophical inadequacy, as any protection will require in individual interest which will not always be present. Incorporation of an "environmental charter" would ideally be within a comprehensive constitution. But as this is unlikely, a stand alone charter might do. This should not be merely an amendment to the RMA because, as seen in the current reforms, the weight that is given to the environment relative to economic interests (incorrectly considered as separable from the environment) will vary according to government policy.

YES 23	This is a great way for New Zealand to differentiate itself amongst other countries, and encourage long term thinking in a system which often favours the short term. This could be incorporated as a 'duty to consider the future' in the Bill of Rights Act, meaning it would have to be taken under consideration but would not be rights based, as this would probably be too speculative and proscriptive for the courts to be involved.	Jun 25, 2013 1:08 PM
YES 24	see answer to how I'd like country to be run in the future	Jun 24, 2013 4:00 PM
25	I am undecided. On the one hand I do question whether NZ has been as committed to its clean, green image as it has been in the past, but I am not involved in environmental groups so I don't know very much about the subject. I think I would welcome having it somewhere in the constitution (not in the Bill of Rights as some people have raised). I'm not sure what additional information I would need. I just don't know a lot.	Jun 24, 2013 3:50 PM
YES 26	I would like this included as a paramount section like that of Bolivia, since everything living needs the sustenance of mother earth to survive. It is our responsibility to protect the environment just as generations before us have appreciated its importance.	Jun 24, 2013 12:29 PM
YES 27	Yes, the constitution needs to safeguard and protect our environment for the people and the future, and in doing so, stand in recognition of our nation's place in a global environment system. At a minimum, the right to live in a healthy and sustainable environment should be enshrined in the Bill of Rights Act. This ought to impose a positive duty on the part of the state to ensure that legislation enacted complies with the responsibility to protect New Zealand's environment, and further, to actively implement policy which prioritises environmental protection. The development of such a provision ought to have significant input from the scientific community as to the specific content.	Jun 24, 2013 12:02 PM
28	I like this idea in principle but it is hard to think of a way that such a commitment could be formulated so that it wouldn't just be vague and fluffy. I am not sure where in the constitution such a commitment would fit in, and how it would have effect.	Jun 23, 2013 10:05 PM
YES 29	We need more focus on the environment now, and it needs to be a lasting commitment.	Jun 22, 2013 1:38 PM
YES 30	I think exactly what is in the question needs to be incorporated somehow. I	Jun 22, 2013 9:35 AM

**Question 24: Do you think New Zealand's constitutional arrangements should include a commitment to the environment/and or sustainable development/and or future generations?**

	think this is of paramount importance	
YES 31	Need to think more about how to do this, but I think such a commitment would be very valuable to making our constitution modern and relevant, and would provide good direction for future lawmaking/interpreting.	Jun 21, 2013 4:58 PM
YES 32	As an aspirational statement within one of our constitutional elements: "New Zealand will remain committed to sustainable development of the environment to safeguard it for future generations"	Jun 21, 2013 4:51 PM
YES 33	Given that New Zealand's natural environment underpins a lot of our cultural identity and our economy and that climate change poses a really big challenge for the future, I think it's time we included consideration for the environment in our constitutional arrangement. It's unclear as to exactly how this should be incorporated. We could have an Act similar to the Charter for the Environment in France. That's not binding, but my understanding is it's had quite an impact there. Like Bill of Rights Act, it could be a powerful interpretative guide. Another option is to include "a right to live in a healthy/sustainable environment" in BORA. The only issue with that is it's a positive right, which can be difficult to enforce and would only protect the environment via its impact on humans, not the environment itself. Either way, I think a clear indicator of the importance of environmental protection would be really positive. But in reality to have the most practical effect, we're going to have to strengthen the Resource Management Act and Emissions Trading Scheme, neither of which are really constitutional.	Jun 21, 2013 4:17 PM
YES 34	I believe that in order for New Zealand to deal with both treaty and climate issues there needs to be some type of statement and commitment in a written document. This would need to take into consideration Kaitiakitanga. There are also a number of international conventions which could be taken further into account which may be ratified by making a number of amendments to the resource management Act. Another option would be to take pressure off the government and to shift the responsibility onto individuals and groups. This would have to be done by some type of ombudsman for the environment. I understand that we have a parliamentary commissioner for this but not a separate entity. This may help but further research would need to be done into this.	Jun 20, 2013 2:40 PM
35	An overview of our current environmental restrictions, major extractions, waste disposal systems etc	Jun 20, 2013 1:24 PM

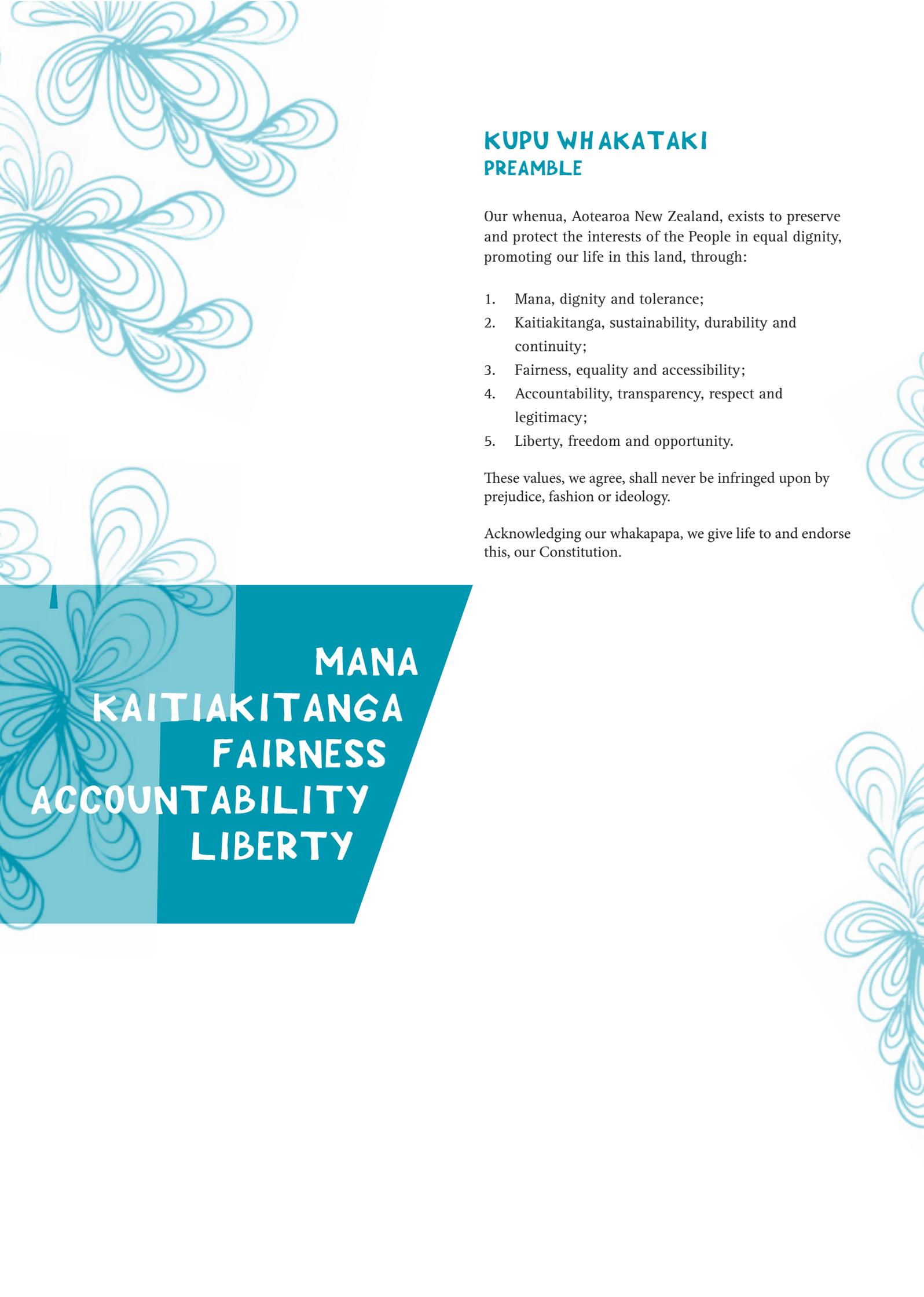


## **DRAFT CONSTITUTION**

Presented at Parliament on 29 August 2012

**Ti Hei Mauri Ora**  
**He aha te mea nui o te nei ao?**  
**He tangata, he tangata, he tangata.**  
**People, people above all.**





## KUPU WHAKATAKI PREAMBLE

Our whenua, Aotearoa New Zealand, exists to preserve and protect the interests of the People in equal dignity, promoting our life in this land, through:

1. Mana, dignity and tolerance;
2. Kaitiakitanga, sustainability, durability and continuity;
3. Fairness, equality and accessibility;
4. Accountability, transparency, respect and legitimacy;
5. Liberty, freedom and opportunity.

These values, we agree, shall never be infringed upon by prejudice, fashion or ideology.

Acknowledging our whakapapa, we give life to and endorse this, our Constitution.



**MANA  
KAITIAKITANGA  
FAIRNESS  
ACCOUNTABILITY  
LIBERTY**



IN AFFIRMING, PROTECTING,  
AND PROMOTING  
**HUMAN RIGHTS AND  
FUNDAMENTAL  
FREEDOMS**  
IN NEW ZEALAND, OUR  
CONSTITUTION ACKNOWLEDGES  
AND FORTIFIES OUR VALUES OF  
**MANA,  
KAITIAKITANGA,  
FAIRNESS,  
ACCOUNTABILITY  
AND LIBERTY.**

HUMAN RIGHTS

## 1. NGĀ TIKANGA TANGATA RIGHTS AND RESPONSIBILITIES

- 1.1 This Constitution adopts the rights encompassed in Part 2 of the New Zealand Bill of Rights Act 1990.
- 1.2 We further adopt the following rights and responsibilities:
  - a. Every person has the right to access, without exception or discrimination:
    - i. adequate housing and sanitation;
    - ii. a reasonable standard of healthcare;
    - iii. basic education; and
    - iv. adequate food and clean water.The Government must take reasonable legislative and other measures within its available resources to achieve progressive realisation of the rights contained in this provision;
  - b. The right to open and transparent government;
  - c. The right to freedom from discrimination on the basis of gender identity;
  - d. The Government is responsible for ensuring the protection of children and the vulnerable, including the aged and people with disabilities;
  - e. The Government will respect and promote, through law, the principles of kaitiakitanga in relation to the environment. The principles of kaitiakitanga are defined in the Resource Management Act 1991; and
  - f. The right to academic freedom.

### CONSTITUTIONAL COMMISSION

- 1.3 An independent Constitutional Commission made up of experts is established, whose function is to assess whether legislation and policy is consistent with the rights enshrined in this Constitution. The commission must report any inconsistencies to the House of Representatives as they arise.
- 1.4 The commission must report any inconsistencies at the first and third readings of every Bill. Parliament must consider these inconsistencies.

### JUDICIAL RESPONSIBILITIES

- 1.5 All enactments must be interpreted and applied consistently with the rights enshrined in this Constitution. If consistency is impossible, the Judiciary can declare the relevant provision(s) unconstitutional (provided that such a declaration does not affect the validity or operation of any enactment or law). The Legislature is obliged to respond to any declaration of unconstitutionality.
- 1.6 The rights and freedoms contained in this Constitution may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

# Te Tiriti o Waitangi



TE TIRITI O WAITANGI IS A  
**FUNDAMENTAL**  
DOCUMENT OF AOTEAROA,  
AND IS **ALWAYS**  
**SPEAKING:**  
HE IWI KOTAHITATOU.



## 2. MĀORI ME TE KARAUNA MĀORI-CROWN RELATIONSHIP

- 2.1 This Constitution operates to give effect to the principles of Te Tiriti o Waitangi.
- 2.2 The People of Aotearoa recognise that there was a system of governance, customs and traditions in place that preceded the present Westminster system.
- 2.3 The Declaration of Independence 1835 is the first official document of New Zealand that affirmed Māori sovereignty.

### TE TIRITI

- 2.4 The purpose of this part is to give effect to the spirit and intent of Te Tiriti o Waitangi.
- 2.5 In order to fulfil this purpose the indigenous rights within Te Tiriti are hereby affirmed.
- 2.6 The Waitangi Tribunal shall be responsible for periodically undertaking an inquiry into indigenous rights flowing from Te Tiriti. By this process, the Tribunal shall investigate and promulgate these respective rights and responsibilities.
- 2.7 The right to bring a claim under section 6 of the Treaty of Waitangi Act 1975 is affirmed.
- 2.8 The Tribunal may provide a remedy to a claimant if a breach of a right arises from a breach of the principles of Te Tiriti.



IN ESTABLISHING THE  
**ORGANS OF  
GOVERNMENT**  
IN NEW ZEALAND, OUR  
CONSTITUTION  
RECOGNISES THAT  
**PUBLIC POWER**  
IS DERIVED FROM  
**THE PEOPLE**  
AND IS EXERCISED FOR THE  
**BETTERMENT**  
OF NEW ZEALANDERS, AND TO  
ADVANCE THE **VALUES**  
OF OUR CONSTITUTION.



### 3. NGĀ RINGA O TE KĀWANATANGA ORGANS OF GOVERNMENT

#### REPUBLIC OF AOTEAROA NEW ZEALAND

- 3.1 Recognising that:
- We are an independent nation;
  - We were founded on Te Tiriti o Waitangi;
  - We have historical connections to the United Kingdom;
  - We have an important role to play in the Asia Pacific region;
  - We support the considered and progressive evolution of our constitutional arrangements; and
  - We wish to move boldly forward into the future:
- We create a Republic of Aotearoa New Zealand.
- 3.2 All obligations owed to Māori by the Crown under Te Tiriti o Waitangi are now transferred to the state of the Republic of Aotearoa New Zealand.

#### HEAD OF STATE

- 3.3 The Head of State is the Kaitiaki.
- 3.4 The Kaitiaki shall:
- Be elected by 75% majority of the House of Representatives; and
  - Exercise the existing powers of the Governor-General not otherwise expressly revoked by this Constitution on behalf of New Zealand.

#### ORGANS OF GOVERNMENT

- 3.5 The organs of government exist and operate to serve the People.
- 3.6 The three organs of government are:
- The Legislature;
  - The Executive; and
  - The Judiciary.

#### LEGISLATURE

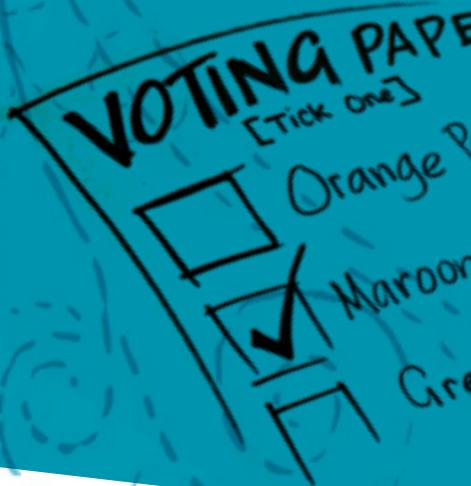
- 3.7 The Legislature consists of a unicameral house made up of representatives elected in accordance with the provisions of the Electoral Act 1993.
- 3.8 The House of Representatives has a fixed term of four years.
- 3.9 Within the Legislature, we value:
- Proportional representation;
  - Transparent and accountable process;
  - Equal access;
  - Voice of the People;
  - Diversity; and
  - Democracy.

#### EXECUTIVE

- 3.10 The Executive is made up of the Executive bodies set out in Part 2 of the Constitution Act 1986, except as otherwise provided by this Constitution.



IN KEEPING WITH THE  
SOVEREIGNTY OF NEW ZEALAND'S  
TANGATA, OUR CONSTITUTION  
**PROMOTES**  
**AND PROTECTS**  
THE INTEGRITY OF OUR  
**DEMOCRATIC PROCESS**  
BY ENSURING  
**REPRESENTATIVE,**  
**TRANSPARENT,**  
AND **ACCOUNTABLE**  
**GOVERNMENT.**



- 3.11 The Executive will be accountable and transparent. It will operate in a fair and transparent manner, and be responsible for its decisions.
- 3.12 The Prime Minister shall be appointed by Parliament, and will be known as Tumuaki.
- 3.13 The Tumuaki will be a member of the Government.
- 3.14 The Tumuaki is head of the Executive branch of government.
- 3.15 The Government must have the confidence of the House of Representatives.
- 3.16 Ministers must fulfil their responsibilities to their electorate, their party and their portfolios.

#### **JUDICIARY**

- 3.17 The Judiciary must be independent and free of interference.
- 3.18 The Attorney-General will appoint judges based on the recommendations of an independent Judicial Commission.
- 3.19 The Judicial Commission shall be comprised of judges, lawyers and other experts, appointed in an open and transparent manner.

## **4. MĀNGAI O TE MOTU THE VOICE OF THE PEOPLE**

### **PROVISIONS PERTAINING TO LEGISLATIVE POWER**

- 4.1 The Legislature shall continue to operate in accordance with the provisions in Part 3 of the Constitution Act 1986 subject to any contrary provisions contained in this Constitution.
- 4.2 The Legislature shall operate in accordance with an open and transparent process for the betterment of the People.
- 4.3 The Legislature shall act in a democratic manner, as the voice of the People.

### **PROVISIONS PERTAINING TO ELECTORAL PROCESS**

- 4.4 The parliamentary term shall be four years and the electoral term shall be fixed. This clause may be amended only by 75% majority in the House of Representatives or on acceptance by a majority in a national referendum (see clause 5.3).
- 4.5 Section 45 of the Electoral Act 1993, providing for Māori seats in the House of Representatives, and the entrenched provisions of section 268 of the Electoral Act 1993, shall continue to have effect.
- 4.6 This Constitution shall ensure that the electoral system is based on the principles of democracy and proportional representation.
- 4.7 The People of New Zealand shall have equal access to the democratic process.

THE COLLECTION OF  
**CONSTITUTIONAL  
PRINCIPLES**  
IN A SINGLE DOCUMENT  
IS A POWERFUL  
MESSAGE TO THE PEOPLE OF  
NEW ZEALAND ABOUT THE  
**SANCTITY** OF  
THEIR **RIGHTS** AND  
**RESPONSIBILITIES.**



## 5. NGĀ WHAKARITENGA OPERATIONAL ELEMENTS

### ADOPTION

- 5.1 This Constitution has been adopted through:
- A Citizens' Assembly confirming the text of the Constitution; and
  - A referendum that secured 60% of approval of registered electors.

### REVIEW

- 5.2 This Constitution shall be reviewed at 20-year intervals from the date of adoption by:
- A meeting of a representative constitutional assembly whose purpose is to review the entire Constitution and determine whether changes may be necessary; and
  - If there are recommended changes to Part 1, 2 and 5 (other than clause 5.3), that those changes will come into effect on acceptance by a 60% majority in a national referendum; all other changes must be in accordance with clause 5.3 of this constitution.

### ENTRENCHMENT

- 5.3 The Part establishing the Organs of Government (Part 3), the Voice of the People (Part 4) and this clause (clause 5.3) shall not be repealed or amended unless that repeal or amendment:
- Is passed by a majority of 75% of all members of the House of Representatives; or
  - Has been carried by a majority of the valid votes cast at a poll of all electors eligible to vote in New Zealand.

### PRIVATIVE CLAUSE

- 5.4 Nothing in this Constitution gives the Judiciary the power to declare any enactment to be invalid. For the avoidance of doubt, this means that breach of this Constitution is not a justification for declaring any legislation to be invalid.

# CONSTITUTION

## Participants

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Charlotte Greenfield  
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Zachary Kedgley-Foot  
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Dipti Manchanda  
Ruth Markham-Short  
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Kieran Meredith  
Tiana Morgan  
Duran Moy  
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Professor Philip Joseph  
Hon Jim McLay  
Sir Tipene O'Regan  
Metiria Turei MP  
Hon Justice Joseph Williams  
Dame Dr Claudia Orange, and  
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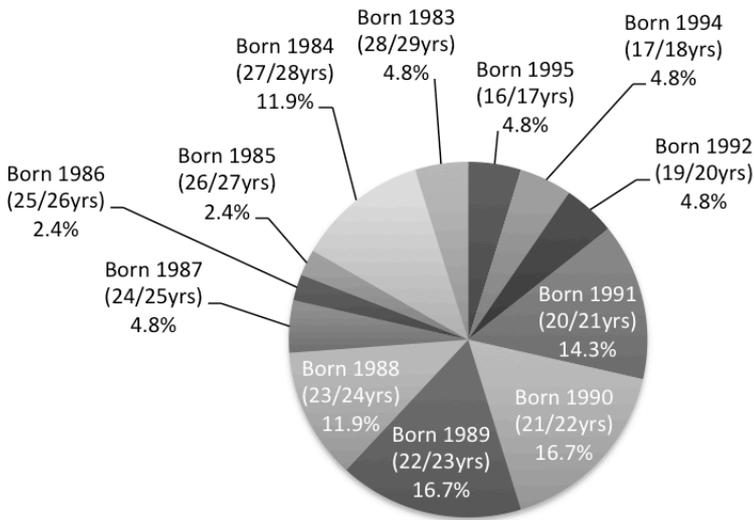
Fifty participants between the ages of 16 and 28 came to Parliament from throughout New Zealand to draft this Constitution at the EmpowerNZ Workshop on 28 and 29 August 2012.

Learn more about this initiative at [www.empowernz.org](http://www.empowernz.org)  
Read the interactive constitution at [www.empowernzconstitution.org](http://www.empowernzconstitution.org)  
EmpowerNZ is an initiative of the McGuinness Institute

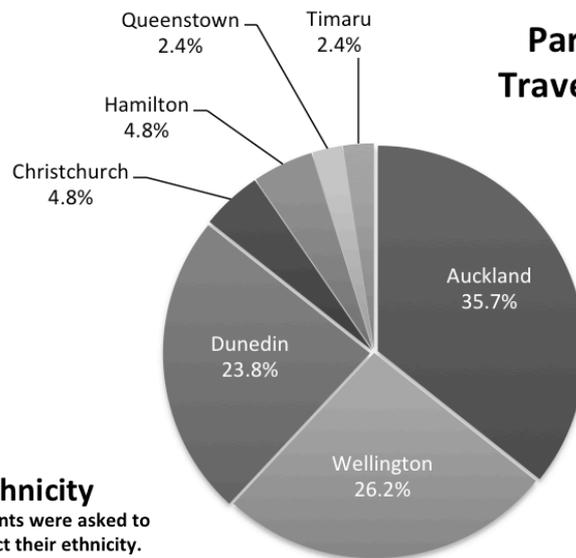
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## Statistics on the 42 participants who completed the survey

### Age

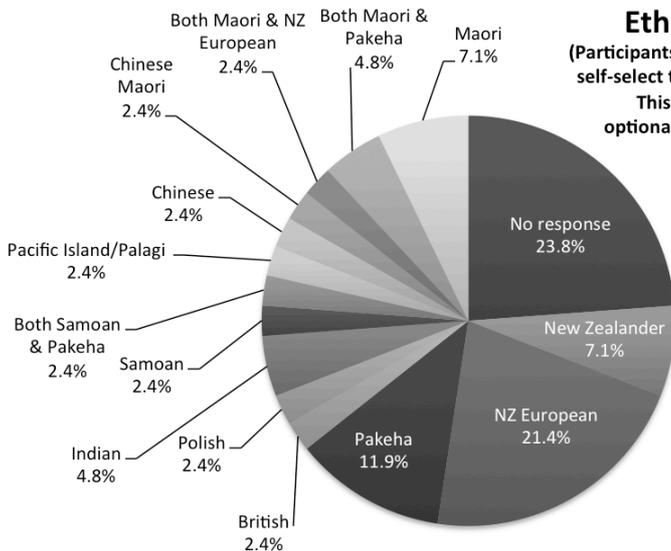


### Participants Travelling From



### Ethnicity

(Participants were asked to self-select their ethnicity. This was an optional question.)



### Gender

