Te Kawa Mataaho
Public Service Commission

Public Participation in Government in the Future

Te Kawa Mataaho Public Service Commission's Long-Term Insights Briefing

Draft for consultation – Not Government Policy

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Executive Summary

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The aim of this briefing is to help the public and decision-makers think about the place of public participation in government in New Zealand in the future. We think that to preserve the legitimacy of government in the future, public participation will play a bigger part of how government makes decisions and how our democracy works. The issue for the Public Service is how we can support governments and the community to make best use of public participation, in the best way to enable effective and timely decision-making.

In this briefing we examine the activities that could improve government's ability to engage the public, and we look at examples of New Zealand's experience of public participation to date. From this we identify the key things that can be done to support public participation.

Participation in this context means participation by any part of New Zealand society, or any community of New Zealand, on an individual or collective basis, in government decision-making. This involvement can range from simply giving advice or providing views, to collaborating on the solutions to issues, or even making decisions on behalf of government.

Benefits and drivers: why participation matters

We identify three key benefits of strong public participation in government:

- it helps to build public trust in government, which is key to legitimacy of government and the building of social cohesion;
- it helps to design and implement more effective government policies, interventions, and programmes, leading to improved services and outcomes; and
- it is a positive response to greater demands for involvement from the public in decisions that affect them.

The Treaty of Waitangi underlines the importance of participation by Māori in government and decisions that affect their rights and interests. The ability of Māori to participate in these matters contributes to both the building of trust and social cohesion, and the effectiveness of government decision-making for improving outcomes and services.

Decision-making, public trust, social cohesion, and participation are all connected. Good decisions enhance public trust, which enhances participation, which leads to better decision-making. Public trust and social cohesion act as both precursors to and outcomes of effective participation processes.

Trends: what might impact participation?

Our briefing considers the evolution of public management theories over the recent past. After the hierarchical Traditional Public Administration with its relative inaccessibility to the public, and the market-driven system of New Public Management, a new model of public administration is emerging.[1] The new model is based on shared values and collaboration within, across, and outside the Public Service. A focus on outcomes and results, and the promotion of collaborative approaches within government, provides an environment more conducive to public participation.

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[1] Traditional Public Administration and New Public Management are terms used to describe different eras in the theory and practice of how government administrations operate.

Recent years have seen a growing interest in co-creation and citizen participation among both practitioners and public administration scholars.

As well as trends and changes in public management, there are national and global trends that will affect public participation in government. Demographic changes, growing inequality, climate change and the future of the natural environment, and changes in digital technology each have the potential to impact public trust and social cohesion. These trends have implications for the willingness and ability of the public to participate in government processes in the future.

Enablers and challenges: what can help or hinder progress?

Governments can build towards enabling greater public participation in government. Enabling factors include:

- the authorising environment, or general permissions, provided by the elected government;
- openness and disclosure of official information;
- building the capacity of the public and communities;
- the capability of the Public Service to work in new ways; and
- the potential for digital and online forms of engagement.

Conversely there are factors which may limit or constrain the development of public participation in government. To some extent these are the opposite of those above: poor process, indifference, or ethical lapses can undermine the willingness of communities to engage. Similarly, there are those for whom digital technology is not accessible or usable and for whom it becomes a source of exclusion rather than an enabler of participation. Participation brings benefits overall, but it comes at greater costs than traditional forms of decision-making, and there are risks around community capacity and overload of communities.

Specifically in New Zealand we note that we currently have:

- a more favourable authorising environment but without a uniform standard or expectation of how participation in government should happen;
- progress on openness of official information but with some challenges of accessibility and usefulness of information;
- positive impacts of engagement by public agencies for communities in terms of support, respect, and building their capacity as well as drawing on their views and expertise;
- progress on developing Public Service capability to support public participation but with work still to do;
- the potential for digital technology to support and enhance public participation, combined with the reality of issues around safety, misinformation, and digital disadvantage in communities; and
- differences in capacity for engagement between different communities, and the work to develop better engagement.

Forms of participation

There are a variety of forms that public participation can take, and a variety of ways in which participation has been used in government in New Zealand. In discussing forms of participation we refer to the public participation framework provided by the International Association of Public Participation (the IAP2 Framework). Though this is not tailored to specific New Zealand circumstances it is widely familiar in New Zealand, has international standing, and can be a basis on which we can develop our own framework over time.

New Zealand has good examples of public participation across the IAP2 spectrum, including examples of collaboration with, and empowerment of, communities. Also, different relationships between Māori and the Crown under the Treaty provide lessons and experience, such as in the joint management of resources, that can be of assistance in developing public participation generally.

Like overseas, most public participation in New Zealand has been in terms of consultation rather than deeper involvement of communities in decision-making. New Zealand has not developed a depth of experience in the use of some innovative tools and models for public participation. Examples of models that have seen success elsewhere are collaborative governance and consensus building, participatory budgeting, participatory editing, and citizens' juries.

The direction of travel

We conclude our analysis by asking: given the importance of public participation, what can be done now to improve New Zealand's capacity and capability to achieve this into the future? That is, what could be our direction of travel?

Drawing on our analysis of enablers, challenges, and the different forms that participation can take, we identify three key issues:

- the lack of a single cross-government framework that can serve as a standard for how public agencies engage with the public and communities and that can provide clarity around expected behaviours and forms of decision-making;
- the overall capability of the Public Service to work in new ways with diverse communities, especially at the collaborate/empower end of the IAP2 spectrum; and
- the narrow range of experience in New Zealand with gaps in experience of using public participation methods at the empower end of the spectrum.

To address these issues, and to place the Public Service in the best position to support governments, we outline three elements that could form the basis of a way forward.

Element One – common framework and measurement

We could adopt a common framework for classification of our approaches to participation and require agencies to identify which engagement approach they have taken in developing policy or designing services with reference to this framework.

Element Two – innovation in priority areas

There are opportunities to trial new and different approaches that allow for deeper involvement of the public in decision-making. It would be desirable to target issues that are of national importance, and which might benefit from a high level of public participation.

There could be a move to explore the utility of 'democratic innovations' that are relatively unfamiliar in New Zealand. There are also opportunities to use technology to involve a greater number of New Zealanders in decision-making in a more meaningful way, by increasing the reach of public institutions and decision-makers and making it easier for people to participate.

Element Three – broader shift to collaborative approaches

Expectations could be set for where agencies should be operating on the common framework. Initially this might involve requiring more consistency in the approaches agencies take. Over time

it could involve an expectation that agencies are more frequently operating at the 'collaborate' or 'empower' end of the spectrum (such as co-design approaches or devolved decision-making).

Across these elements there is a considerable capability challenge for the system. This traverses individual and organisational capability and includes development needs relating to ensuring transparency, cultural competencies, workforce diversity, whole of government approaches, and outreach/facilitation skills.
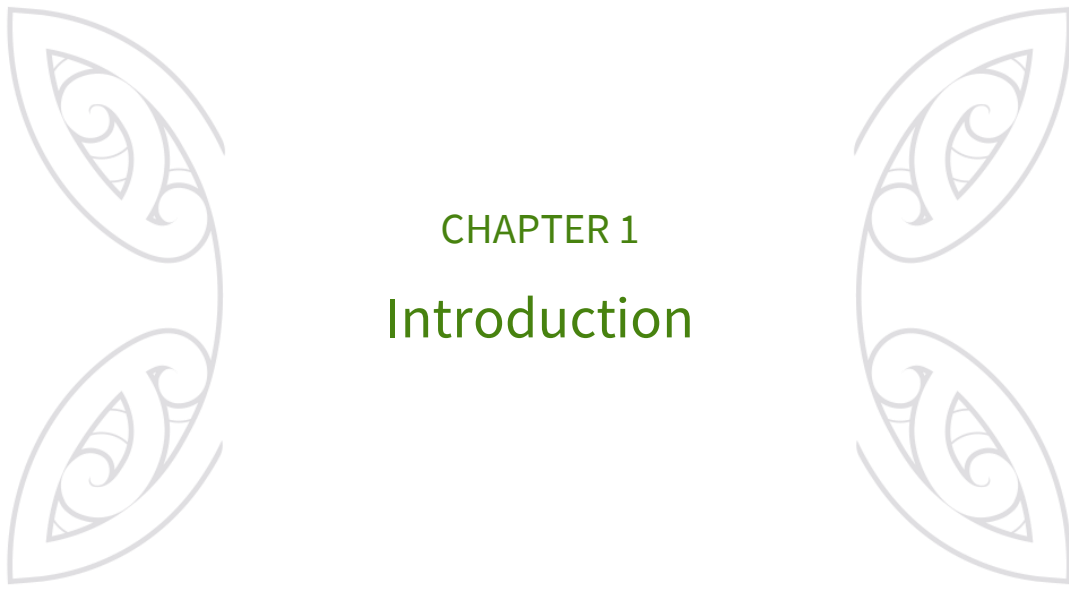
CHAPTER 1

Introduction

Chapter 1. Introduction

The Public Service Act 2020 introduced the requirement for every Public Service department to produce a Long-Term Insights Briefing every three years. The Briefings are a tool to help the Public Service look forward so that it can effectively serve New Zealand not just today but into the future. This is known as the stewardship responsibility of the Public Service.

The purpose of the Briefings is to:

- support stewardship by ensuring our Public Service departments are thinking about the more complex long-running issues facing society and are exploring skills and actions that might be needed to respond to these issues; and
- make the information and analysis public to inform public debate on important issues. This also helps democracy by providing parties from across the political spectrum with a basis to formulate their policies.

The Act requires that the Briefings are prepared independently from Ministers. The chief executive of each Public Service department decides on the topic and the content.

In deciding a briefing topic, the chief executive must consider the purpose of the briefing, which is to make available into the public domain:

a) information about medium- and long-term trends, risks, and opportunities that affect or may affect New Zealand and New Zealand society; and

b) information and impartial analysis, including policy options for responding to these matters.[2]

Chief executives must also consider the matters particularly relevant to the functions of their department and take into account any feedback from public consultation, and the public must be consulted on the subject matter to be included in the briefing and a draft of the briefing once this

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[2] Public Service Act 2020, s 8.

is prepared. These requirements are designed to ensure that the briefing is relevant to the concerns of the public, to the department, and to government.

This is the first Long-term Insights Briefing produced by Te Kawa Mataaho Public Service Commission. The Briefing is focused on the question:

How can we better support public participation in government in the future?

Public participation means the involvement that the public, whether as a community or other grouping or as an individual, can have in the decisions that governments make. For the purposes of this briefing all public participation is involvement in decisions that could otherwise be made by government acting alone. Definitions of 'participation' and 'government' are discussed further in Appendix 1.

The relationship of the Public Service to the communities of New Zealand is a fundamental concern of the Public Service Commission. The Public Service exists to serve New Zealand and can only do so if the relationship is positive and built on trust. The Public Service must ensure that it is trusted by behaving in an ethical and professional manner, and by enabling government to provide services and outcomes that are of greatest relevance and benefit to New Zealanders. The importance of public participation in developing and maintaining trust, combined with the level of public support that we received for choosing this topic, led the Public Service Commissioner to focus on this topic.

Scope

The topic of public engagement is potentially very large, and too large for a single department's briefing. This briefing is intended as a broad overview, aims to identify things that should be done at an overall level, and particularly within the ambit of the Public Service portfolio, to develop our capability and practices of public engagement.

Other departments are covering aspects of public participation in their Long-term Insights Briefings. The Department of Internal Affairs, which has responsibility for the local government and community sector, will address the question of digital technology and how it can better enable participation. The Long-Term Insights Briefing from Department of Prime Minister and Cabinet, Ministry of Foreign Affairs and Trade and the Security and Intelligence Board agencies will address the question of how to engage an increasingly diverse Aotearoa New Zealand on national security risks, challenges, and opportunities.

The Treaty of Waitangi/Te Tiriti o Waitangi

The Treaty of Waitangi is recognised as an integral part of New Zealand's constitutional framework, setting the foundation for an ongoing partnership between Māori and the Crown. The scope of influence the Treaty has extends beyond public participation, but there is a link between the two.

The relationships established under the Treaty are multifaceted – Māori have relationships with the Crown as individuals, whānau, hapū and iwi. Participation can support rangatiratanga by enabling Māori to take a role in decisions that affect Māori rights and interests. Participation can also contribute to decisions and delivery of services that reflect Māori perspectives, tikanga and mātauranga Māori and in some instances, adopt kaupapa Māori approaches, and ultimately are more likely to deliver better services and more equitable outcomes for Māori. We consider the

Treaty context in more detail in this briefing in connection with the benefits, drivers, and enablers of participation in a New Zealand context.

Process

The development of this Long-Term Insights Briefing began with discussions to shape up a range of possible topics that could then form the basis of our first statutory consultation on the subject matter. The results of that consultation, along with consideration of the specific role and functions of the Public Service Commission indicated favour for the topic 'how can we better support public participation in government in the future.'

Substantial desktop research, consideration of the Public Service's existing knowledge bases (e.g., data held by our agency, previous consultations on similar topics, related work programmes), and workshop sessions with the public formed the basis for the content of the briefing itself.

The issuing of this draft briefing constitutes the second round of statutory consultation under the Act. We look forward to receiving feedback and comment to assist our finalising of the document. See *Appendix 2* for more detail on our consultation approach throughout the process.
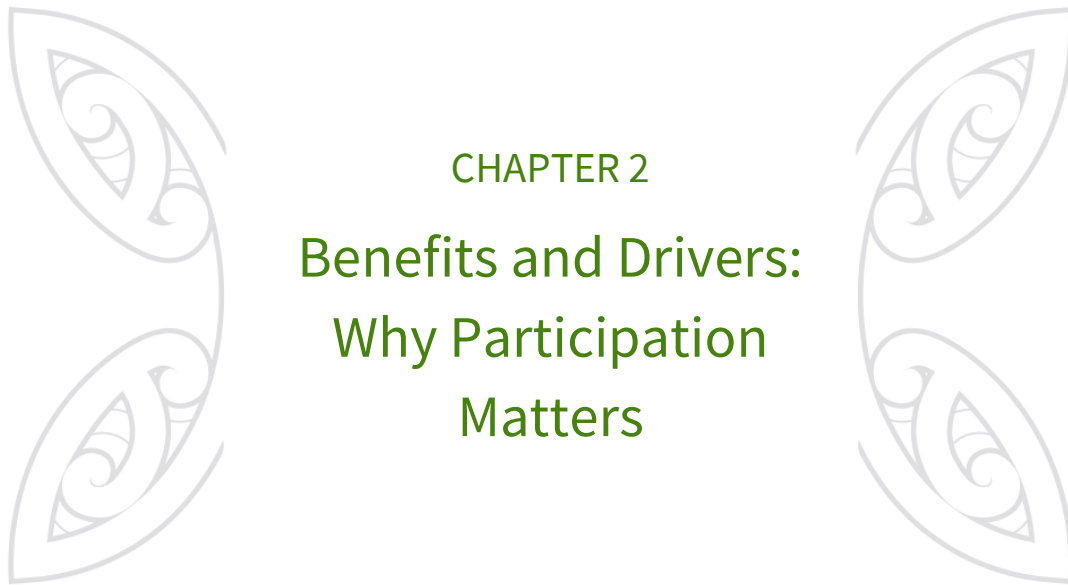
Chapter 2. Benefits and Drivers: Why Participation Matters

In this chapter we describe three high-level benefits of increased public participation in government:

- it helps to build public trust in government, which is key to legitimacy of government and the building of social cohesion;
- it helps to design and implement more effective government policies, interventions, and programmes, leading to improved services and outcomes; and
- it is a positive response to greater demands for involvement from the public in decisions that affect them.

The Treaty of Waitangi underlines the importance of participation by Māori in government and decisions that affect their rights and interests. The ability of Māori to participate in these matters contributes to both the building of trust and social cohesion, and the effectiveness of government decision-making for improving outcomes and services.

There is a mutually reinforcing relationship between decision-making, public trust and social cohesion, and participation. Good decisions enhance public trust, which enhances participation, which leads to better decision-making. Public trust and social cohesion act as both precursors to and outcomes of effective participation processes.

Public trust in government

There is a strong link between openness and inclusiveness in how governments work, and the trust that citizens have in government. One of the central aspects of inclusiveness is the right of

citizens to participate in decisions that affect them. Though it is hard to establish the exact causal link the two are usually regarded as mutually reinforcing.[3]

Trust is of fundamental importance for several reasons. First, it is key to democratic legitimacy. The OECD Framework on Drivers of Trust in Public Institutions includes participation as a key way in which governments express the values of a democratic society.[4] Open information, consultation, listening to citizens' needs and views, and providing equal opportunities to participate are part of securing the legitimacy of government in a democracy.

In the New Zealand context, trust helps to build and facilitate positive partnerships between Māori and the Crown under the Treaty of Waitangi. Mutual trust and confidence between Treaty partners is a key to strengthening these relationships and giving appropriate effect to the rights and opportunities that the Treaty establishes. These relationships can facilitate participation by Māori as individuals, whānau, hapū or iwi, and can in each case contribute to establishing relations of mutual trust and confidence.

Trust in government is also fundamental to the building of social cohesion – or the sense of connectedness between people, and of communities to the larger society – which can be a source of support and assistance. As is highlighted in The Report of the Royal Commission into the terrorist attack on Christchurch masjidain, trust in government is part of this wider web of relationships of confidence.

The effectiveness of the Public Service depends to a great extent on relationships of voluntary cooperation with communities. Many examples could be given: compliance with public health requirements around infectious disease for instance, or reporting of crimes, or the general attitude of willingness to work within the processes of government.

Improved services and outcomes

It is reasonable to argue that better decisions result if people who are affected by them are invited to participate in processes of policy-making and implementation.

In New Zealand the benefits of public participation can be seen in the relationships between Māori and the Crown and how these can lead to better decisions on management of assets and provision and delivery of public services. For example, participation can support rangatiratanga by enabling iwi to take a role in decisions that affect iwi rights and interests as has been the case with Tūhoe management of Te Urewera and establishment of the Waikato River Authority. Participation by whānau Māori and Māori as individuals also contributes to the design and delivery of services that are more likely to reflect Māori perspectives, tikanga and mātauranga Māori and in some instances, kaupapa Māori approaches. This ultimately increases the likelihood of the Public Service delivering and designing better services for and more equitable outcomes for Māori.

On a more general level it is often argued that societies now face an array of highly complex problems that cannot be solved by governments alone. Better decisions mean government are

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[3] Kumagai, S. and Iorio, F. *Building Trust in Government through Citizen Engagement*. World Bank Group. Retrieved from https://openknowledge.worldbank.org/bitstream/handle/10986/33346/Building-Trust-in-Government-through-Citizen-Engagement.pdf;sequence=1.

[4] Brezzi, M., González, S., Nguyen, D. and Prats, M. (2021). *An Updated OECD Framework on Drivers of Trust in Public Institutions to Meet Current and Future Challenges*. OECD Working Papers on Public Governance No. 48. https://doi.org/10.1787/19934351.

more likely to provide the services and outcomes that people need and are more likely to be trusted by citizens. Some commentators go so far as to see participation is indispensable if society is to address crucial issues. In summary the argument is that the issues we now face as a society are so large, complex, and far-reaching in their implications that robust and legitimate policy decisions cannot be made without community participation.

The argument is put in a New Zealand context by Local Government New Zealand discussion paper, which presents a coordinated package of ways in which our major, unprecedented challenges can be addressed, including by increasing "the strength and legitimacy of public decisions through greater civic participation."[5]

On a global scale an analogous point is made by the United Nations Development Programme in its Human Development Report.[6] Given the seriousness and complexity of threats to human societies, the UNDP argues that people themselves must be agents of change; that people must be empowered if we are to expand the scope for action and move beyond defending our present way of life to ease the pressures on the planet.

The UNDP also emphasises the preconditions for change. People can be agents for change but not if they are left out of the decisions. And, on a global scale, people cannot be empowered given current levels of inequality. They emphasise the importance of education and public discussion; greater agency is the enabler for participative work.

According to the OECD's research series, *Studies on Public Engagement*, participation can achieve the following in relation to complex problems:

- better understanding of need within government, response to greater diversity, addressing inequality of voice;
- information that can be leveraged for innovation;
- lower costs by galvanising people;
- reduced administrative costs, compliance costs, and risk of conflict/delay in implementation and delivery;
- increased trust;
- credibility (through better outputs) and legitimacy;
- higher compliance (as people understand why they need to do it); and
- "new forms of social solidarity to harness human and social capital."[7]

In general, there is convergence between the importance we place on public participation and engagement in New Zealand, and the emphasis placed on it internationally. There is a growing recognition that participation helps governments make better and more sustainable decisions on complex issues. This recognition is now a driver of change internationally. OECD reports indicate a growing interest in citizen participation in policy development and decision-making, driven by the increasing complexity of policy-making and the failure to find solutions to some of the most pressing policy problems, particularly for issues that are values-based, require trade-offs, and

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[5] Local Government New Zealand. (2016). *The 2050 challenge: future proofing our communities*. Retrieved from https://www.lgnz.co.nz/assets/e1a77509ff/42597-LGNZ-2050-Challenge-Final-WEB-small.pdf.
[6] UNDP. (2020). *The next frontier: Human development and the Anthropocene*. Human Development Report 2020. Retrieved from https://hdr.undp.org/en/2020-report.
[7] OECD. (2009). *Focus on Citizens: Public Engagement for Better Policy and Services*, p. 201. OECD Publishing. https://doi.org/10.1787/20774036.

demand long-term solutions. In a 2020 report the OECD focuses on representative deliberative processes, claiming that "assembling ordinary citizens from all parts of society to deliberate on complex political questions and develop collective proposals has become increasingly attractive… Over the past few decades, the 'deliberative wave' has been building. Public authorities at all levels of government have been using Citizens' Assemblies, Juries, Panels, and other representative deliberative processes. In these processes, randomly selected citizens, making up a microcosm of a community, spend significant time learning and collaborating through facilitated deliberation to develop informed collective recommendations for public authorities."[8]

The demand for participation

There is now a high level of expectation by the public that they will be involved in the making of decisions that affect them, in ways that go beyond the means of participation traditionally provided by the electoral system.

At the broadest level this can be linked to increases in living standards, with the emergence of an increasingly affluent and relatively secure middle class with high levels of education.[9] The convergence of affluence and education leads to what van der Wal characterises as 'Great Expectations': the demands for 'unlimited transparency' that emerge from an increasingly empowered, vocal, participatory, and critical middle class. As a KPMG report puts it "Advances in global education, health and technology have helped empower individuals like never before, leading to increased demands for transparency and participation in government and public decision-making."[10]

In some many instances this has driven government to increase its responsiveness to individual citizens. Service transformations have centred on the identity of the individual citizen as 'consumer' of public services. Ease of access and user-friendly experiences are highly valued, particularly in information and transactional services used by most citizens that tend to now be available online. For public services this pushes towards a concern with digital access, 'pain points' for clients, and digital exclusion.[11] This consumer orientation may also lead to demands for more individual choice in how entitlements are accessed.

But the demand for greater participation in government processes does not solely exist at an individual level. Society over time has become more characterised by multiple organisations within civil society whose aim, amongst others, is to influence or contest government decision-making. There also continues to be a powerful impulse towards community activism and engagement even though the core of traditional participation in government, voting, is declining (especially among the young). This demand for participation may be seen at a multiplicity of levels from neighbourhood activism on local issues, to national politics.

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[8] OECD. (2020). *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*. OECD Publishing: Paris. https://doi.org/10.1787/339306da-en.

[9] van der Wal, Z. (2020). 'Chapter 2. Trends and drivers of public administration in the twenty-first century.' In *Handbook on Corruption, Ethics and Integrity in Public Administration.* Cheltenham, UK: Edward Elgar Publishing.

[10] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*. Retrieved from https://assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[11] Cords, C. (2015). *Result 10: Measuring pain points in customer research*. Retrieved from https://www.digital.govt.nz/blog/result-10-measuring-pain-points-in-customer-research/#:~:text=We%20learned%20that%20over%20half,or%20ethnicity%2C%20made%20no%20difference;

CHAPTER 3

Trends: What Might Impact Participation?

Chapter 3. Trends: What Might Impact Participation?

The previous chapter indicated a mutually reinforcing relationship between decision-making, public trust and social cohesion, and participation. This section explores the impact of some specific trends on that relationship, as well as on the willingness and ability of the public to participate.

The first part outlines trends in the public management system, providing important context for understanding the Public Service Commission's particular interest in and role in relation to the topic of public participation. Recent reforms of New Zealand's public management system are characteristic of a new era in public administration theory and practice conducive to a greater role for the public in the business of government.

The second part explores four macro trends with global impacts across multiple domains and with specific relevance for New Zealand and the subject of participation in government. Contextual factors are important in the design of participation processes, and this section helps us build an idea of some of the possible considerations for the future environment of participation. The trends are likely to impact the future of public participation by increasing the pressure on its drivers and intensifying the need for its benefits. Many of the trends are themselves issues with significant complexity and competing interests and values that threaten social cohesion and are therefore likely to benefit from greater public participation, keeping people engaged with government and reflecting their perspectives in decision-making.

There is already evidence of complex issues facing the Public Service and government decision-makers. Governments recognise that the scale and impact of such trends are not within their power to address alone – they will need the active participation of the public, both in terms of civil society and of the private sector. Recognitions of this kind are particularly evident around environmental issues, reaching as far back as 1992 in Principle 10 of the declaration from the Rio

Earth Summit.[12] Although often framed as risks, possible impacts of some of the trends also present opportunities for testing more innovative approaches to participation.

Public management trends

The fields of public management and public administration are commonly understood to have relatively distinct periods of differing theory and practice. These paradigms offer a framework for also understanding specific trends in public participation in government.

The first coherent philosophy of public management emerged in the late 1800s and early 1900s and is now referred to as Traditional (or 'Old') Public Administration. This was replaced in the1980s and 1990s by New Public Management, which is still the prevailing paradigm worldwide. More recently, a new philosophy has started to emerge, although it is not yet described as coherently as its predecessors and is sometimes referred to simply as post-New Public Management. Other names for it include New Public Administration, New Public Governance, Digital Era Governance, and New Public Service.[13] While this appears a sequential process, all periods of history have likely featured a mixture of administrative models and competing ideas. Many public administrations have aspects of all three public management systems layered one on top of another. The New Zealand system is no exception.

At their core, these three approaches to public administration have different concepts of the respective roles of government and citizens in the design of policy and service delivery.

Traditional Public Administration operated as a closed system, with limited citizen involvement

Some of the key characteristics of Traditional Public Administration (TPA) are a focus of government on the direct delivery of services through agencies, carried out by administrators accountable to elected officials and given limited discretion in their work.[14] The primary values of public organisations are efficiency and rationality, with programs administered through hierarchical organisations where managers largely exercise control from the top of the organisation. Public organisations operate most efficiently as closed systems; thus, citizen involvement is limited.

Traditional Public Administration engages with citizens through consultation using, for example, Green Paper and White Paper processes[15] and 'town hall' meetings in which more or less complete proposals are presented to a public audience to muster support for their implementation. Since the citizens' input comes late in the process where there is already government support for specific proposals, the impact of these traditional forms of citizen participation is limited. That limited impact has increasingly become a source of frustration both among the participating

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[12] UN Environmental Programme. (n.d.). *Principle 10*. Retrieved from https://www.unep.org/civil-society-engagement/partnerships/principle-10.

[13] For a detailed analysis of the philosophy of Traditional Public Administration and New Public Management, see: Denhardt, J. V. and Denhardt, R. B. (2015). *The New Public Service: Serving, Not Steering*. New York: Routledge.

[14] Denhardt, J. V. and Denhardt, R. B. (2015). *The New Public Service: Serving, Not Steering*. New York: Routledge.

[15] Green Papers are official documents that publish policy options early in the policy process and invite public comment. The final proposals agreed by government are published as government policy in a White Paper. Further comment may be sought on the final policy before it is passed into law.

citizens who feel it is a waste of time, and among the decision-makers who realise that they are not as responsive as they would like to be.[16]

In the 1970s, in the field of private sector service design, designers began to focus more on the needs and experiences of service users as co-creators rather than customers. They developed co-creation as a participatory approach to service production and delivery. Co-production also emerged, based on the idea that multi-organisational arrangements will often be better at producing goods than a single integrated bureaucracy. These concepts began to be applied in public administration but were stifled to some extent by the emergence of New Public Management.[17]

New Public Management treated citizens as informed consumers, using market mechanisms to drive allocation of resources

While Traditional Public Administration relied on management hierarchies to drive system performance, New Public Management (NPM) relied more on market mechanisms to incentivise performance, including competition between providers, performance bonuses, and penalties. The intent of New Public Management was to embed the theory of the marketplace and business-like culture in public organisations.[18] Centralised rules were discarded, and public servants were given significantly more autonomy to exercise their own discretion in the belief that they would respond rationally to incentives in the system. Public servants were challenged to either find new and innovative ways to achieve results or to privatise functions previously provided by government. They were encouraged "not to assume the burden of service delivery, but instead to ensure public services are delivered through contracting or other arrangements; to 'steer, not row.'"[19]

New Zealand was seen as a leader in New Public Management, going faster and further than other countries.[20] Large departments were split up into smaller agencies, with policy agencies staying within the Crown but many delivery agencies being established as Crown entities outside the core Crown, some of which can trade and compete with other public and private service providers. Each agency had a 'purchase agreement' that described what goods and services the government was purchasing from the agency. Permanent secretaries, as the heads of departments, were replaced with fixed-term chief executives. These chief executives were given extensive autonomy to manage their organisations to deliver outputs.

The reforms of the late 1980s solved the problems of the time to a considerable extent by increasing accountability, increasing transparency of resource allocation, and lessening the inertia

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[16] Bentzen, T. O., Sørensen, E., and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal, 25*(1): 1-28.

[17] Bentzen, T. O., Sørensen, E. and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal, 25*(1): 1-28.

[18] Vigoda, E. (2002). 'From Responsiveness to Collaboration: Governance, Citizens, and the Next Generation of Public Administration.' *Public Administration Review*, *62*(5): 527-540.

[19] Scott, R. (2019). *Service, Citizenship and the Public Interest – New Public Service and our Public Service Reforms*. SSC Discussion Paper retrieved from https://www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Service-Citizenship-and-the-Public-Interest-New-Public-Service-and-our-public-service-reforms.pdf.

[20] Pallott, J. (1999). 'Beyond NPM: Developing Strategic Capacity.' *Financial Accountability & Management, 15*(3-4): 419-426.

generated by large departments that were input-dominated. But the reforms also created new problems. The separate agencies were enterprising about their own resources but were not incentivised to connect with others.[21]

In effect, New Public Management changed the nature of the partnership between citizen and state, aiming to turn the users of public services from 'clients' of the state into informed 'consumers.' NPM used consumer choice or the market mechanism to drive allocation of resources in newly created 'quasi-markets' in which public and private service providers compete for contracts. Interest in co-production and co-creation with public service users during the 1970s and 1980s declined in the 1990s, partly because of NPM.[22]

Both Traditional Public Administration and New Public Management assumed that government could be neatly divided into different functions.[23] This works well where functions are discrete, and the public can access the service from a single agency. But many services cut across agency boundaries, and the 'customer' has to shop around, joining up information about separate services. The NPM model assumes the customer is well-informed about the services on offer and can successfully integrate them. But integrating public services proves too difficult, costly, and time-consuming for many of the most disadvantaged citizens and their needs are not adequately met. The solution is for agencies to be joined up, focussed on meeting the diverse needs of citizens and communities through provision of integrated services, which demands a different model of public administration.

Emergence of a public management model that engages citizens in co-creation of service delivery

Recent years have seen a growing interest in co-creation amongst both practitioners and public administration scholars.[24] The renewed interest is fuelled by the disappointment with New Public Management that, despite its reinvigorating focus on results and user satisfaction, it has failed to deliver on its promise to provide more and better service at lower costs.[25]

In accordance with the service-dominant logic that informs the literature on co-production in the private sector, it is argued that clients and users in the public sector often play an active role in producing the services they consume and that the efficiency and quality of these services depend on client co-production.[26] Other researchers have broadened the concept of co-production to

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[21] Norman, R. (2003). *Obedient Servants? Management Freedoms and Accountabilities in the New Zealand Public Sector*. Wellington: Victoria University Press.

[22] Bentzen, T. O., Sørensen, E. and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal, 25*(1): 1-28.

[23] Scott, R. and Boyd, R. (2022). *Targeting Commitment: Interagency Performance in New Zealand*. Brookings Institution Press/Ash Center.

[24] See Horne and Shirley, 2009; US Government, 2009; OECD, 2011; and European Commission, 2019 quoted in Bentzen, T. O., Sørensen, E. and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal, 25*(1): 1-28.

[25] Hood, C. and R. Dixon. (2015). *A Government That Worked Better and Cost Less? Evaluating Three Decades of Reform and Change in UK Central Government*. Oxford University Press: Oxford, UK.

[26] Osborne, S.P., Radnor, Z. and Nasi, G. (2013). 'A new theory for public service management? Toward a (public) service-dominant approach.' *American Review of Public Administration, 43*(2): 135-58.

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involve the contribution of voluntary third sector organisations to the production of public value outcomes.

The pervasiveness of wicked problems that can neither be solved through hierarchical top-down command nor by enhancing market competition is causing public decision-makers to turn to co-creation. This offers a tool for mobilising additional resources from citizens and other societal actors, enhancing collaboration across sectors and organisational silos, and spurring innovation by facilitating knowledge sharing, mutual learning and creative problem solving. Often, this turn towards co-creation is supported by the development of online collaboration platforms that facilitate interactions among complex networks of people.

The demand is for a voluntary, balanced, and reciprocal interaction. But there are cases cited in the international literature of so-called 'co-creation' where public authorities try to dump the responsibility for social service provision at the feet of disempowered communities that are too weak to shoulder the burden and too weak to protest.[27]

Increasingly powerful digital technology has allowed public service delivery to be more joined up and more tailored to the needs of service users. Consumer technology such as online shopping and smartphones have also fuelled increased public expectations of the Public Service. Citizens now expect to engage with government agencies differently, and access services in different ways. 'Government as a platform' is a term increasingly used to describe government enabling a range of services to operate from a common platform rather than designing and delivering the services itself (for example the Trust Framework for digital identity being developed by the Department of Internal Affairs).[28] This represents a shift in the role of government in public administration, from provider of services to also enabling competing services from private sector providers.

New digital technology has also enabled government to better understand the needs of citizens and vulnerable groups in society with a view to better targeting assistance. For example, the Integrated Data Infrastructure (IDI) maintained by Stats NZ enables approaches that improve outcomes for vulnerable populations by putting people at the centre, rather than services. The data provides a better understanding of what services people are currently receiving, the cost and effectiveness of these services, and where there are any gaps in service provision.[29] This approach was also tied in to Better Public Services (BPS) Results Programme, which encouraged agencies to focus more on delivering services in ways that met individual needs.[30] There are several cases where the BPS programme sparked innovation, new partnership arrangements and design thinking methods like rapid prototyping and co-design of solutions through empowering the people affected to take part. In this sense the New Zealand Public Service could be seen as being more 'citizen-centric' in service delivery.

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[27] Bentzen, T. O., Sørensen, E. and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal, 25*(1): 1-28.

[28] Digital.govt.nz. (2021). *Development of Digital Identity Trust Framework confirmed*. Retrieved from https://www.digital.govt.nz/news/development-of-digital-identity-trust-framework-confirmed.

[29] Scott, R. and Boyd, R. (2022). *Targeting Commitment: Interagency Performance in New Zealand*. Brookings Institution Press/Ash Center.

[30] Scott, R. and Boyd, R. (2022). *Targeting Commitment: Interagency Performance in New Zealand*. Brookings Institution Press/Ash Center.

New Public Service in New Zealand – The Public Service Act 2020

Of the three relatively distinct eras of public administration theory and practice, the post-NPM era is the best descriptor of the New Zealand Public Service's most recent reforms and overall direction of travel (although it retains some elements of TPA and NPM).[31] Out of all the various descriptors for that next era, the ideas of 'New Public Service' are most aligned to New Zealand. Broadly, New Public Service takes a humanist view of public service, highlighting that in the relationship between citizens and the state, both sides are made up of collectives of people. This results in an emphasis on shared values and collaborative processes.[32]

The influence of 'New Public Service' thinking in New Zealand can be seen in the Public Service Act 2020. A "spirit of service to the community"[33] is now enshrined as the fundamental characteristic of the Public Service in its foundational legislation and is championed by its most senior leaders.[34] The Public Service's role to support the Crown in its relationships with Māori is also recognised in the Act, aiming to provide a whole-of-system approach to equitable services designed for and with Māori. The Act includes in its purpose statement "facilitates active citizenship." To support that purpose, one of five public service principles is to "foster a culture of open government." Open government has a wide variety of objectives that ultimately strengthen democracy and build trust, including improving transparency and accountability, encouraging active citizenship and participation, and ensuring responsiveness of government. Open government is also "becoming increasingly important as citizens in the information age expect to be more informed and involved in government decision-making."[35]

Macro trends

The five trends discussed in this section – public trust, demographic changes, increasing inequality, climate change, and digital technology – were identified as trends with both relatively high certainty in their trajectories, and high significance for their potential impacts on public participation in government. Each of the trends presents risks and opportunities for the ability and willingness of the public to participate in government processes.

Public trust

Public trust is an important thread that has been running throughout this Briefing. Other sections have touched on the importance of trust to the remit of the Public Service Commission, the relationship between participation and trust – where both processes and outcomes can produce trust – and how the motivation to increase public trust acts as a driver for increased participation.

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[31] Scott, R., Donadelli, F. and Merton, E. (2021). *Theoretical Paradigms in the Reform of the New Zealand Public Service: Is post-NPM still a myth?* Paper for the 2021 World Congress for Political Science, Lisbon, Portugal.

[32] Seven distinguishing features of New Public Service are set out in Denhardt, J. V. and Denhardt, R. B. (2015). *The New Public Service: Serving not Steering,* p. 43. Routledge, New York.

[33] Scott, R. J. and Macaulay, M. (2020). 'Making Sense of New Zealand's 'Spirit of Service': Social Identity and the Civil Service.' *Public Money and Management, 40*(8): 579-588.

[34] Scott, R. (2019). *Service, Citizenship and the Public Interest – New Public Service and our Public Service Reforms*. SSC Discussion Paper retrieved from https://www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Service-Citizenship-and-the-Public-Interest-New-Public-Service-and-our-public-service-reforms.pdf.

[35] Cameron, H. and Butler, C. (2021). 'Public Service Principles – What are they and what do they mean for public servants?' *Public Sector, 44*: 19-21.

Throughout the rest of this section, trust is an important link between macro trends and their impact on the future of public participation. However, in this section, we specifically discuss the rate of public trust as a trend in itself.

New Zealand consistently performs highly in international rankings related to public trust and confidence. Globally, public trust was declining in many countries before the pandemic, and only 51% of OECD citizens trusted their national government in 2020, compared to 63% of New Zealanders.[36] Many OECD countries experienced a decline in public trust between 2007 and 2020, while New Zealand had the opposite.[37] In Kiwis Count, the Te Kawa Mataaho survey of public trust and confidence, there has been a long-term gradual upward trend in public trust since 2007, as shown in Figure 1. The pandemic accelerated that increase, and over the past two years trust levels have remained above the pre-pandemic levels. The COVID response clearly impacted on trust ratings, with 88% trusting the government to make good decisions in managing COVID-19 (compared to 59% among the G7 nations).[38]

Figure 1: Trust in public services and public / private brand by quarter[39]
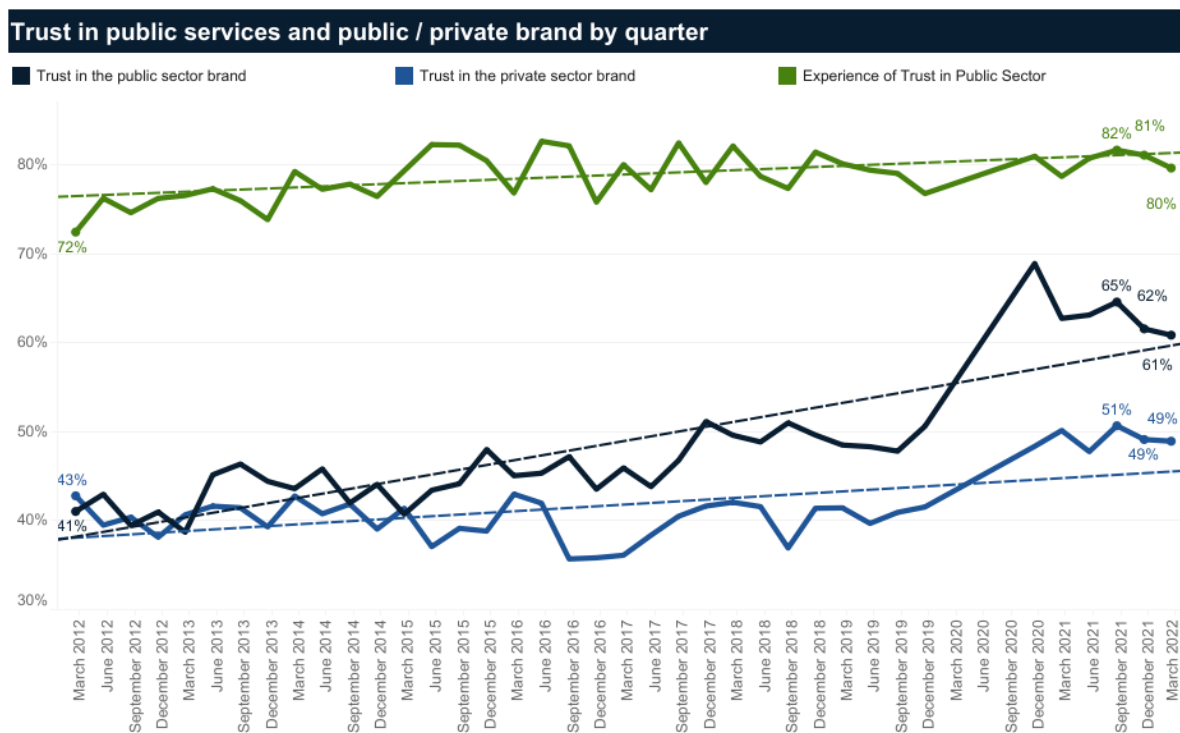
Our research into what drives trust in New Zealand has identified the importance of responsive services that meet the needs of the public. Services that are reliable, accessible, and efficient build

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[36] OECD. (2019). *Government at a Glance 2019.* Retrieved from https://www.oecd-ilibrary.org/docserver/8ccf5c38-en.pdf?expires=1652052388&id=id&accname=guest&checksum=54658055A8A5CC3388C7A36BAD92D41F.

[37] OECD. (2019). *Government at a Glance 2019.* Retrieved from https://www.oecd-ilibrary.org/docserver/8ccf5c38-en.pdf?expires=1652052388&id=id&accname=guest&checksum=54658055A8A5CC3388C7A36BAD92D41F.

[38] Colmar Brunton. (2020). *COVID Times*. Retrieved from https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/CB-COVID-Times_8-April-2020.pdf.

[39] Kiwis Count. (2022). *Latest quarterly results*. Retrieved from https://www.publicservice.govt.nz/our-work/kiwis-count.

trust. Kiwis Count has consistently found that about 80% of people trust the public servants from their most recent experience with government to do the right thing.

Perceptions of the motivation and integrity of public servants are also important drivers. The public expect that government workers join out of a desire to help people and make a positive impact, and to contribute to their communities and society. In Te Taunaki, the first Public Service Census, we found that the most common reason for joining the Public Service was to make a positive contribution to society.[40] Perceptions of the integrity of public servants are also linked to trust. New Zealand has been recognized internationally for low levels of corruption, for example in the Transparency International's Corruption Perceptions Index, where we again tied for first place in 2021.[41]

We know that trust is not only about what an individual has experienced, but also about their family, social network, and wider community. Māori respondents tend to have lower trust as measured in the Kiwis Count survey. Internationally, there is a trust gap between those with high incomes and those with low incomes that intersects with the trend of increasing inequality. Since 2020, global trust has increased slightly for those with the highest incomes while it has declined slightly for those with the lowest incomes.[42]

Demographic changes

In the topic of enabling better public participation in government, considerations about 'the public' form half of the equation. Therein lies the importance of demographic changes: the public that is participating in government in the future is likely to have a different composition and different characteristics to 'the public' of today.

There are several demographic trends that interact to produce projections of an ageing population as well increased global diversity. Key among these are fertility rates, mortality rates and migration. At the broadest level, life expectancy is increasing, and birth rates are falling.[43] However, these trends are not homogenous in all countries. Australia, New Zealand, Europe, and North America are all projected to have at least 30 people aged 65 and over for every 100 people aged 15-64 by 2030, while Japan is projected to have 50 or more.[44] Involuntary migration, including due to the effects of climate change, and record number of children and young people among the world's refugees will also mean increasing diversity profiles in many countries.[45]

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[40] Te Kawa Mataaho. (2021). *Motivation for joining and staying in the Public Service*. Retrieved from https://www.publicservice.govt.nz/our-work/workforce-data/working-in-the-public-service/spirit-of-service#s1.

[41] Transparency International. (2021). *Corruption Perceptions Index*, p. 3. Retrieved from https://images.transparencycdn.org/images/CPI2021_Report_EN-web.pdf.

[42] Edelman. (2022). *Edelman Trust Barometer 2022*. Retrieved from https://www.edelman.com/sites/g/files/aatuss191/files/2022-01/2022%20Edelman%20Trust%20Barometer%20FINAL_Jan25.pdf.

[43] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*, p. 39. Retrieved from https://assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[44] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*, p. 39. Retrieved from https://assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[45] World Economic Forum. (2021). *The Global Risks Report 2021*. Retrieved from www3.weforum.org/docs/WEF_The_Global_Risks_Report_2021.pdf.

In New Zealand, the fertility rate "has been below the 'replacement rate' of 2.1 since 2013," and "Stats NZ assumes [it] will stabilise at 1.65 from 2021."[46] Since the 1950s, New Zealand's life expectancy at birth has increased by around 12 years for both males and females, a trend that is projected to continue gradually to increase life expectancy by another 5 years from 2021 to 2060.[47]

As with many trends, there are different patterns among smaller groups. Māori and Pacific Peoples in New Zealand have both higher fertility rates and higher mortality rates (despite improvements) than ethnically European and Asian New Zealanders. Over time, this means Māori are projected to account for 21% of New Zealand's total population and only 11% of the 65+ population, while Pacific Peoples are projected to account for 11% of the total population and 5% of the 65+ population by 2043.[48]

High rates of migration before COVID-19 were expected to slow the rate of population growth but rates and impacts of migration in New Zealand are now more uncertain. Furthermore, migrant populations tend to be slightly younger, but their birth rates tend to shift towards that of the general population, so their overall impact on population ageing is unlikely to be significant over the longer term. However, rates of migration do have significant impacts on population diversity, even over the longer term.

A more diverse society will have implications for participation in government in terms of communication as well as a greater diversity of interest, needs and perspectives to be reconciled or balanced in decision-making. The effects of an ageing population may be more pronounced in economic issues like labour supply, reduced tax revenue, and corresponding increases on healthcare and superannuation expenditure, which could then have flow-on effects for Public Service capability for public participation processes.[49]

Inequality

Growing economic inequality is a significant issue, both internationally and in New Zealand. Major international economic bodies like the IMF, the OECD and the World Bank have all acknowledged the importance of addressing inequality, while New Zealanders consistently rate inequality as the biggest issue facing the country in polling since 2014.[50] This is because inequality has real impacts on many aspects of society.

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[46] New Zealand Treasury. (2021). *He Tirohanga Mokopuna: The Treasury's combined Statement on the Long-term Fiscal Position and Long-term Insights Briefing,* p. 12. www.treasury.govt.nz/system/files/2021-09/ltfs-2021.pdf.

[47] New Zealand Treasury. (2021). *He Tirohanga Mokopuna: The Treasury's combined Statement on the Long-term Fiscal Position and Long-term Insights Briefing,* p. 12. www.treasury.govt.nz/system/files/2021-09/ltfs-2021.pdf.

[48] New Zealand Treasury. (2021). *He Tirohanga Mokopuna: The Treasury's combined Statement on the Long-term Fiscal Position and Long-term Insights Briefing,* p. 32. www.treasury.govt.nz/system/files/2021-09/ltfs-2021.pdf.

[49] New Zealand Treasury. (2021). *He Tirohanga Mokopuna: The Treasury's combined Statement on the Long-term Fiscal Position and Long-term Insights Briefing,* p. 32. www.treasury.govt.nz/system/files/2021-09/ltfs-2021.pdf.

[50] Inequality. (n.d.). *Understand Inequality*. Retrieved from https://www.inequality.org.nz/understand.

Both livelihood and debt crises were ranked among the top ten international risks by impact in 2021.[51] Income inequality is increasing in countries that house 71% of the global population.[52] In New Zealand, wealth inequality is greater than income inequality: "while the richest 10% of income earners have 27% of all after-tax income, the wealthiest 10% of asset holders have 59% of all wealth."[53]

The COVID-19 pandemic offers a case study for global inequality, having disproportionately affected youth, unskilled workers, working parents (especially mothers), and already-disadvantaged minorities. In nine of the world's largest economies, 70% of working women believe their careers will be slowed by the pandemic, while 51% of youth from 112 countries believe their educational progress has been delayed.[54]

Most significantly for the subject of public participation in government, inequality undermines public trust, breeding alienation and posing risks to social cohesion. Pressure on people's material conditions can reduce their ability to participate, especially in terms of their time availability. Inequality can also reduce willingness for citizens to engage, where the government seeks input from parts of the public who have consider themselves to have already been failed by that government.

Climate change and the environment

Around the world, global warming has already led to higher average air and ocean temperatures, widespread melting of snow and ice, and rising sea levels.[55] The IPCC unequivocally states that "widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred."[56] In New Zealand, we are feeling many of the same effects, including melting glaciers and more frequent extreme weather events such as flooding and heatwaves. Our average temperature increased by 1 degree Celsius between 1909 and 2018 and that warming is projected to continue.[57]

Perceived national action on globally significant issues can enhance public trust. Climate change is already considered an urgent issue, which makes it a highly appealing subject for public participation and one suited for more innovative approaches. For example, the Irish Citizens' Assembly on Climate is discussed as a case study in chapter 5. The climate change movement

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[51] World Economic Forum. (2021). *The Global Risks Report 2021*. Retrieved from www3.weforum.org/docs/WEF_The_Global_Risks_Report_2021.pdf.

[52] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*. Retrieved from assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[53] Rashbrooke, M., Rashbrooke, G. and Chin, A. (2021). *Wealth inequality in New Zealand: An analysis of the 2014-15 and 2017-18 net worth modules in the Household Economic Survey*, p. 5. IGPS Working Paper 21/10. Retrieved from www.wgtn.ac.nz/__data/assets/pdf_file/0007/1935430/WP-21-10-wealth-inequality-in-New-Zealand.pdf.

[54] World Economic Forum. (2021). *The Global Risks Report 2021*, p. 17. Retrieved from www3.weforum.org/docs/WEF_The_Global_Risks_Report_2021.pdf.

[55] World Bank. (2010). *World Development Report 2010: Development and Climate Change*. Retrieved from https://openknowledge.worldbank.org/handle/10986/4387.

[56] IPCC. (2021). *Climate Change 2021: The Physical Science Basis. Summary for Policymakers*. Retrieved from: https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM_final.pdf

[57] Ministry for the Environment. (2020). *National Climate Change Risk Assessment for New Zealand*. Retrieved from https://environment.govt.nz/publications/national-climate-change-risk-assessment-for-new-zealand-main-report/

offers many examples of new and different ways of campaigning and sharing information to put pressure on governments and build demand for engagement. The climate change movement is an especially interesting case study because of its journey in overcoming some of the earliest examples of mis- and disinformation in the form of climate change denial.

As the severity of climate change and associated environmental impacts increases, we may see increasing demand from the public to engage in government processes related to environmental policy. Conversely, a focus on climate change may reduce willingness to participate in discussions on other issues. Climate change also has the potential to undermine social cohesion, as some of its impacts (e.g., displacement) may have traumatic effects on mental health. In New Zealand, there are likely to be specific social, cultural, spiritual, and economic risks for Māori wellbeing resulting from their unique relationships with lands, waters, and biodiversity.[58]

Climate change impacts are likely to be unequally distributed, potentially contributing to inequality through changing asset values and resource scarcity. Such a scenario comes with risks of conflict and disruption that would further undermine social cohesion and risk loss of trust in government. The New Zealand Treasury explores some of the potential long-term fiscal impacts of climate change in their first Long-Term Insights Briefing.[59]

Digital technology

Digital technology is an important enabler of participation, providing ever more opportunities to disseminate information and connect people. In 2012, there were already 2.4 billion global internet users, compared to only 360 million in 2000.[60] In some countries, people have greater access to mobile phones than to basic amenities like clean water and electricity.[61] The rate of change in the digital space has been exponential and is expected to continue increasing; the next decade will bring more progress than the past 100 years combined.[62] Opportunities for digital technology to better enable public participation are discussed in the next chapter.

An area of such rapid expansion and development inevitably also brings challenges that government will need to contend with if it hopes to better enable public participation in the future. Cybersecurity and governance, mis- and dis-information, and digital exclusion will all need to be managed to ensure that the benefits of technological development for participation in government can be enjoyed without risks to trust and social cohesion.

Cybersecurity risks are some of the more immediate and direct issues evident in the digital space. Cybercrime and failures of digital and data governance can have severe impacts on public trust, as

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[58] Ministry for the Environment. (2020). *National Climate Change Risk Assessment for New Zealand*. Retrieved from environment.govt.nz/publications/national-climate-change-risk-assessment-for-new-zealand-main-report.

[59] New Zealand Treasury. (2021). *He Tirohanga Mokopuna: The Treasury's combined Statement on the Long-term Fiscal Position and Long-term Insights Briefing,* p. 32. Retrieved from www.treasury.govt.nz/system/files/2021-09/ltfs-2021.pdf

[60] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*, p. 39. Retrieved from https://assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[61] KPMG. (2014). *Future State 2030: The global megatrends shaping governments*, p. 39. Retrieved from https://assets.kpmg/content/dam/kpmg/pdf/2014/02/future-state-2030-v3.pdf.

[62] Corbyn, Z. (2020). 'Peter Diamandis: 'In the next 10 years, we'll reinvent every industry.'' *The Guardian*. Retrieved from https://www.theguardian.com/technology/2020/jan/25/peter-diamandis-future-faster-think-interview-ai-industry.

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well as resulting in potential hesitance to adopt new technologies.[63] This then has the potential to reduce the willingness of the public to participate, especially if participation may require them to provide data through a digital process. The public may be mistrustful of new engagement technologies. Cybersecurity risks may also impact on the ability of an otherwise willing public to participate, as there is a risk that government systems are vulnerable to cyberattack.

Some countries have started regulating or otherwise taking action to address some of the more harmful effects of digital changes: fake news laws, digital services legislation, social media regulations and Australia's move to make Facebook and Google contribute to funding journalism.[64] However, the nature of digital change makes it difficult to effectively regulate. Although 80% of countries have e-commerce and data protection regulations, these are still outpaced by developments in the scale and application of various technologies.[65]

Misinformation has the potential for severe and far-reaching impacts on participation, through erosion of trust and social cohesion, and flow-on effects for the willingness of the public to participate. The provision of information is the basis for most models of public participation (see Chapter 5. Forms of Participation) and success is predicated on effectively sharing information, which in turn relies on trust in the credibility of that information. If the credibility of the government as a source of information is undermined, this will hamper government's ability to seek and facilitate public participation in its work. The erosion of trust and social cohesion are likely to reduce the public's willingness to participate, causing a reduction in the uptake of participation opportunities that would otherwise be functional.

Globally, the spread of mis- and disinformation is increasing, with a 150% increase in the number of countries experiencing social media manipulation campaigns between 2017 and 2019.[66] Misinformation can spread faster on the internet than accurate information,[67] often with real-world impacts. In New Zealand, a recent survey by the Classification Office found that 82% of respondents were concerned about the spread of misinformation, with 57% believing they had come across misinformation in the past six months.[68] The impacts of misinformation on social cohesion and trust in science on democracy more broadly have significant implications for the public's willingness and ability to participate in government processes.[69] The relationship between trust and misinformation is also circular, with high trust making a society more resilient to the negative impacts of misinformation. Susceptibility to misinformation is associated with the belief

[63] National Cyber Security Centre. (2021). *Cyber Threat Report 2020/21,* p. 5. Retrieved from www.ncsc.govt.nz/assets/NCSC-Documents/2020-2021-NCSC-Cyber-Threat-Report.pdf.

[64] Schiffrin, A. (2022). 'Cracking the misinformation code.' *Newsroom*. Retrieved from www.newsroom.co.nz/cracking-the-misinformation-code.

[65] UNCTD. (2021). *Online Consumer Protection Legislation Worldwide*. Retrieved from https://unctad.org/page/online-consumer-protection-legislation-worldwide.

[66] Bradshaw, S. and Howard, P. (2019). *The Global Disinformation Order: 2019 Global Inventory of Organised Social Media Manipulation*. Retrieved from demtech.oii.ox.ac.uk/wp-content/uploads/sites/93/2019/09/CyberTroop-Report19.pdf.

[67] Vosoughi, S., Roy, D., and Aral. S. (2018). 'The spread of true and false news online.' *Science,* 359(6380): 1146-1151.

[68] Classification Office. (2021). *The Edge of the Infodemic: Challenging Misinformation in Aotearoa*. Retrieved from www.classificationoffice.govt.nz/media/documents/The_Edge_of_the_Infodemic.pdf.

[69] Classification Office. (2021). *The Edge of the Infodemic: Challenging Misinformation in Aotearoa*, p. 30. Retrieved from www.classificationoffice.govt.nz/media/documents/The_Edge_of_the_Infodemic.pdf.

that government officials, international organisations and scientists/experts intentionally spread misinformation.[70]

Digital divides have a clear impact on the ability of the public to participate in government processes, completely restricting certain parts of the population from engaging through digital channels. Those parts of the population also face broader issues in the context of social cohesion, risking disenfranchisement and disillusionment for their participation in society outside of government processes. This is also one of the factors playing into the trend of increasing inequality.

Although global access to the Internet is increasing, there are still significant disparities across countries of different incomes. Internet usage ranges from more than 87% of the population in high-income countries to less than 17% in low-income countries.[71] Similar disparities are reproduced in New Zealand at the national level. The Citizens Advice Bureau have made digital exclusion the subject of a recent campaign, expressing concern about digital-only or digital-first approaches to public service provision and engagement.[72]

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[70] Classification Office. (2021). *The Edge of the Infodemic: Challenging Misinformation in Aotearoa*, p. 30. Retrieved from
https://www.classificationoffice.govt.nz/media/documents/The_Edge_of_the_Infodemic.pdf.
[71] World Economic Forum. (2021). *The Global Risks Report 2021*, p. 30. Retrieved from
www3.weforum.org/docs/WEF_The_Global_Risks_Report_2021.pdf.
[72] Citizens Advice Bureau. (2020). *Face to Face with Digital Exclusion*. Retrieved from
www.cab.org.nz/assets/Documents/Face-to-Face-with-Digital-Exclusion-/FINAL_CABNZ-report_Face-to-face-with-Digital-Exclusion.pdf
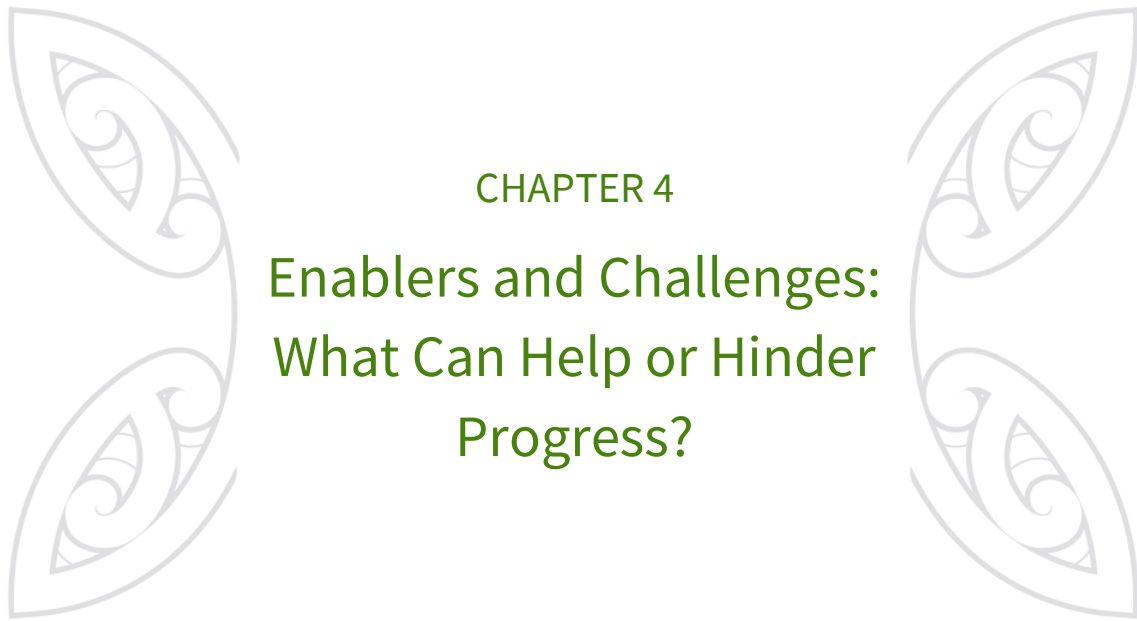
Chapter 4. Enablers and Challenges: What Can Help or Hinder Progress?

The benefits, drivers, and trends described in the previous two chapters all pull in the direction of greater public participation. How can these drivers be responded to? This chapter addresses five factors that act as enablers and a key to building participation into future. Conversely, these factors will become barriers in the future if not developed well. We draw extensively on a range of sources including:

- the work produced by the Policy Project; a function located in the Department of the Prime Minister and Cabinet with responsibility for equipping policy staff, teams, and agencies with skills needed for the future;
- feedback received through the Open Government Partnership; an international project within which governments commit to increasing openness, participation, and responsiveness; and
- the feedback to date from this Long-Term Insights Briefing process.

Authorising environment and representative democracy

Traditionally the main form of 'participation' in our government has been by voting. Once a government is in place, in our form of representative democracy, it then has wide discretion to make decisions, subject only to any legal constraints including those set by Parliament. Beyond that, governments may choose to consult or involve the public in decision-making; but for the most part they do not have to. Consequently Parliament and the government of the day can be seen as the 'authorising environment' for public participation.

These days there is a generally positive view of participation as a contribution to representative democracy. In the view of the OECD, "Growing efforts to embed public deliberation into public

decision-making could be seen as the start of a period of transformation to adapt the architecture of representative democracy. Democratic institutions across the world are beginning to transform in ways that give citizens a more direct role in setting agendas and shaping the public decisions that affect them."[73] This view forms a key part of the vision of the future for those who advocate for greater public participation in government.

The previous two chapters have made clear there will be an increasing pressure towards public participation in future. What needs to happen to 'authorise' a positive response to these pressures?

Decision-makers in government can have different perspectives on and approaches to public participation. Some will appreciate the benefits of participation as described in Chapter 2, including a better-informed policy process, and greater acceptance of decisions by those affected by them. But participation can be seen as delaying or hindering decisions, or as competing with the rights of elected decision-makers in an environment where politicians want to be free to respond to political agendas. Bentzen, Sørensen and Torfing, in a recent Danish and Norwegian study, found barriers to participation in a reluctance of elected officials and administrators to engage in decision-making through iterative processes with uncertain outcomes.[74] This highlights the need to ensure that as processes become more open and participative, they continue to support effective and timely decision-making.

There can be a tension between the shift to participatory approaches and the commitments that decision-makers have made through the political process. The primary role of the Public Service is to support Ministers in developing and implementing policy, and therefore the extent of participatory approaches will be at Ministers' discretion. In New Zealand there has been a shift over time towards an authorising environment that is more supportive of participation. This can be seen in the Public Service Act 2020 that in several respects supports and enables a participative approach to government. Specific provisions include:

- Recognition of the Public Service's role in supporting the Māori-Crown relationship. This aligns with wider trends towards increasing recognition of the Treaty in statute law, court decisions, and government policy, making it a more powerful driver for the participation of iwi and Māori within government and Public Service agencies.
- "Facilitates active citizenship" in the Purpose of the Act. Participation in the work of government is a form of active citizenship, sitting alongside many other forms of community involvement.
- "Foster a culture of open government" as one of the five principles of the Public Service. Openness is fundamental to participation.

The more positive authorising environment for participation is also underlined by the commitment of successive New Zealand governments to the Open Government Partnership: an international project within which governments commit to increasing openness, participation,

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[73] OECD. (2020). *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*. OECD Publishing: Paris. https://doi.org/10.1787/339306da-en.

[74] Bentzen, T. O., Sørensen, E. and Torfing, J. (2020). 'Strengthening public service production, administrative problem solving, and political leadership through co-creation of innovative public value outcomes?' *The Public Sector Innovation Journal*, 25(1):1-28, p. 23.

and responsiveness. The question is whether there is anything more than needs to be done in this area?

Though government and Parliament are supportive of public participation, and government frequently seeks views and information from the public, there is less clarity on the detail around expectations and process. Public participation comes in many forms, and we do not have a single, cross-government, set of expectations of how public agencies conduct participative exercises. There is a risk of frustration as reasonable expectations are not met on either public or public service sides.

Depending on the topic and its importance, there will always be different approaches to public participation, but these differences need to be defensible. Without a common and clear framework there is a risk of variations in practices that may not be seen as legitimate by the public. For example, communities should know whether they are being invited to inform a decision, or share in the making of a decision. For public servants the nature of their mandate from Ministers to involve the public in processes needs to be clear.

This issue is partly addressed in the social cohesion work programme arising from the report of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain.[75] The Government has required agencies involved in the work programme to use the framework of the International Association of Public Participation to describe their community engagement. The Policy Project has provided the agencies with guidance and advice by way of a community engagement tool that aligns with the common framework and its associated statements of values and ethics. In chapter 6 we explore ways in which we can build on this framework to provide the public and Public Service with clearer and more predictable public participation processes in future.

Information

Information is fundamental to participation. Without disclosure of all information relevant to the public's understanding of an issue there cannot be real participation in the making of decisions, or in their subsequent evaluation of a decision.

In New Zealand, our approach to the release of official documents has largely been underpinned by the Official Information Act (OIA) 1982. At the time it was introduced this Act was a significant step forward in the transparency and openness of government, requiring that agencies release information requested by the public provided it does not meet one of the grounds for withholding set out under the Act. While there has always existed criticism around the government's performance under the Act, the data collected by the Public Service Commission shows improved performance particularly in recent years. The percentage of OIA responses completed within the statutory timeframes has increased from 91% in 2015 to consistently over 97% since 2019, despite consistent increases in the volume of requests received. Recent initiatives to further strengthen performance include new guidance for agencies, support via a community of practice, and expansion of performance information to encompass extensions to and transfers of requests.

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[75] Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019. (2020). *Ko tō tātou kāinga tēnei: Report of the Royal Commission of Inquiry*. Retrieved from https://christchurchattack.royalcommission.nz/the-report/download-report/download-the-report.

The more significant issue, however, is that the OIA is now 40 years old and as a result is no longer sufficient alone to meet citizen expectations of access to information, or to respond to the increased volume of information exchange that occurs in a digital age. The approach to accessing information under the OIA is reactive, requiring individuals to request information before its release can be considered. As discussed in Chapter 2, individuals now expect greater transparency from government and information that is easier to access and more user-friendly. Recent trends towards greater proactive release of information go some way to addressing these demands, with concrete steps to date including:

- routine publication of ministerial diaries online;
- more proactive release of Cabinet material;
- more publication of lists of advice received by Ministers; and
- piloting routine proactive release of information.

As government makes more information available, the next challenge to address will be to ensure relevance of information. In future the issues around official information will be framed more by the demand for information in a form that is comprehensible and useful for the public and communities. The focus in future will shift to how agencies work to make information understandable and useful to the public. Readability, usability, and navigability of government website are concerns, as is streamlining processes for information availability, and addressing access for those who cannot access information digitally. Access to, and useability of, public information is a theme in the New Zealand's Open Government Partnership fourth National Action Plan, now in development.

Public and community capacity

Public participation and community engagement are pervasive in how government works in New Zealand. Stakeholders are routinely identified and consulted in the process of preparing advice to Ministers, and Ministers want assurance that interested parties have had opportunity to state views, alternative courses of action, or risks in proposals. A range of legislation requires consultation at community level. Local and regional councils, health services, and a range of Public Service departments consult on proposals as they affect local communities. Chapter 5 of this briefing illustrates something of the range and depth of the New Zealand experience.

To develop participation further in the future, all sections of the public, and all communities, need to be able to engage and participate. That means being aware of opportunities, able to shape topics and questions, and being offered avenues and options for participation that are suited to their own circumstances.

There are developments in the Public Service that help move us in this direction. For instance, Regional Public Service Commissioners are now responsible for engagement with communities at the regional level, working with local government, iwi, and community stakeholders to identify the outcomes that communities want. A similar function is fulfilled for specific population groups by 'population agencies' that provide advice on the interests of those groups and build capability among public servants to engage with those specific communities. The existing agencies (Te Puni Kōkiri, Ministry for Pacific Peoples, and Ministry for Women) are now joined by a new Ministry of Ethnic Communities and Ministry for Disabled People as the Government's chief advisor on the inclusion of ethnic and disabled communities respectively in wider society, and as a provider of information, advice and services and support for those communities in New Zealand.

Issues of social cohesion have been emphasised in the report of the Royal Commission inquiry into the terrorist attack on Christchurch masjidain. In response there is a work programme in place on building social cohesion. This is a multi-agency work programme, including significant work programmes delivered by MSD and Police, with a focus on improved community engagement.

Supporting public and community capacity is a work in progress and a challenge into the future. Some communities experience frustration in trying to engage with government. The Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain has highlighted some of these experiences. Some communities and individuals may not participate through existing channels because of circumstances like poverty, lack of education, lack of opportunity, or disability. We know that Māori in general have lower rates of voter participation and report lower levels of trust in government, which may be factors that influence their participation in consultation.[76] And there are well known issues with 'consultation fatigue' where community organisations get snowed under by multiple and uncoordinated demands for input from government agencies.

Public participation in government must be positive for the communities involved. It must support, respect, and build their capacity as well as draw on their views and expertise. For this to happen a range of issues and opportunities have been identified:

- Consultation can be placed within a context of an ongoing relationship, rather than an episodic interaction. In a more ongoing relational context, consultation questions can be agreed in advance, and timeframes could ensure that consultation is not rushed.
- Feedback is important, including evaluation of consultation processes, and information on who was consulted and with what effect.
- Public agencies should work together to coordinate their consultation activities so that communities are not overloaded, and the same information is not sought repeatedly.
- The selection of issues matters: are the most important matters being chosen as the subject of public participation? There can be a sense that some major changes have not been the subject of public consultation. Examples raised include use of facial recognition technology, AI, number plate recognition, and algorithms.
- Governments can work to build community capacity and capability for engagement. Building community capabilities includes using local people to connect into communities, treating local people as experts, resourcing development, and building relationships over time.

Responding to these issues well in the future depends to a large extent on the capability and capacity of the Public Service to respond. This brings us to the directions in which we need to build capability for participation.

Public Service capability

The capability challenge

Public participation aims to be, in essence, a contribution to democracy through building trust, strong relationships, and social cohesion. Often policy analysts have taken account of these issues in framing advice to Ministers, for example, by alerting Ministers of risks to public trust or social

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[76] In 2020, 73% of enrolled Māori voted compared with 82% of overall enrolled voters. The 2019 Kiwis Count survey showed Māori had lower levels of trust in government than other groups.

cohesion of particular policy options. However, for the most part, public servants have not had to manage these kinds of issues as participants in a process that may traverse the Public Service, civil society, and private sector.

The reform efforts of recent years have accustomed many public servants to working in collaborative and participative ways. But the skills needed are different from the skills that public servants have brought to their work in the past and may prove challenging for many. Depending on context, effective public participation in policy may involve:

- displacement of public servants from the centre of the process as someone else might be in the centre/lead role;
- working with different kinds of actors as co-determiners of decisions, including actors from voluntary and private sectors;
- emphasis on process as much as outcome – public engagement may be as much about building citizenship as it is about producing better decisions;
- conflicting priorities more forcefully entering the process as each participant faces different imperatives; and/or
- build commonality of views and values across participants who may have very different ones.[77]

Implicitly there is an obligation to ensure that public participation is positive for communities; that it helps build engagement and cohesion. Often this will require a much greater element of proactivity in ensuring that potential participants are aware of the opportunity to participate and have equal access to the process.

Building capability as an enabler

Capability has several dimensions, some relate to organisations as a whole, and some to the development of individual skills and competencies.

Organisational culture is the highest level of organisational capability. We have seen in the previous chapter how public agencies have moved over time from Traditional Public Administration to New Public Management, and then a more recent shift in emphasis towards what may be called 'New Public Service'. Each style of public management needs a different content and emphasis in its organisational culture. Traditional public management emphasised a culture of control and consistency. New Public Management emphasised a culture of innovation around consumer needs. The culture of New Public Service is reflected in the Public Service Act 2020 and in the impetus it gives towards open government, active citizenship, diversity, and support for the relationships between Māori and the Crown.[78] This implies a culture that supports public participation: a strong emphasis on inclusiveness backed by commitment to people's rights to participate and influence decisions, respect for the needs and intersts of all, valuing of diversity inside and outside the Public Service, and a determination to enable involvement and long-term relationships.

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[77] Bryson, J., Sancino, A., Benington, J. and Sørensen, E. (2017). 'Towards a multi-actor theory of public value co-creation.' *Public Management Review, 19*(5): 640-654.

[78] For a more extensive treatment of this evolution see Norman, R. (2020). 'Rediscovering Public Service in New Zealand after 30 years of New Public Management?' *Policy Quarterly, 15*(4): 27-34.

Beyond culture there is a capability challenge in other dimensions of organisations. Aspects of organisational development needed for public participation include building capability in policies/frameworks, prioritisation, partnerships, and people capability.[79]

Individual competencies matter. The International Association of Public Participation has defined statements of values and ethics that, among other things, guide the actions of public participation practitioners and enhance the integrity of the process. Many of these are familiar aspects of good practice. Some are more challenging like the obligation to actively seek out participants and their views and following up to ensure that all commitments, including those by government, have been met.

There are cultural competencies specific to New Zealand's context. As noted earlier, different forms and approaches to participation can be used to facilitate appropriate participation by Māori as individuals, whānau, hapū or iwi, or a combination of these. And there are specific knowledge and skills needed for engagement with Pacific and other ethnic communities within New Zealand, as well as the disabled community.

A major dimension of organisational capability is resourcing. The processes of public participation themselves are not without cost. Consequently, public participation is a more costly way of making decisions than more traditional means. Fiscal management by the state affects the ability of the Public Service to adopt and drive new approaches to public participation. Internationally this has been discussed in terms of the implications of 'austerity' including the risk that fiscal austerity makes public services less responsive (to those who are vulnerable and therefore costly to serve).[80]

According to one OECD survey resource scarcity appears to lie behind at least some of the unevenness in adopting key principles of participation internationally. Countries reported the greatest success in establishing rights (including rights of access to official information). Progress had also been made on active citizenship and commitment. But principles of resources, time, and evaluation were the hardest to apply and were where least progress was being made.

What progress is being made in the New Zealand Public Service?

In New Zealand there are moves to build the capability of the Public Service for working in closer engagement with communities and the public.

The trend towards greater diversity in Public Service workforces is, in part, designed to enable the Public Service to engage better with the diverse communities, families, and individuals that make up New Zealand society. Diversity strategies have been pursued for some years. The Public Service Act 2020 now requires chief executives and boards to promote diversity and inclusiveness and to be "guided by the principle that the group comprising all Public Service employees should reflect

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[79] The Policy Project. (2020). *Getting Ready for Community Engagement: A guide for government on building capability and readiness for community engagement*. Retrieved from https://dpmc.govt.nz/sites/default/files/2020-10/policy-project-community-engagement-getting-ready.pdf.
[80] Needham, C. and Mangan, C. (2016). 'The 21st-century public servant: working at the boundaries of the public and private.' *Public Money and Management, 36*(4): 265-272. https://doi.org/10.1080/09540962.2016.1162592.

the makeup of society."[81] Diversity has increased both in terms of chief executives, senior management, and the Public Service workforce as a whole.

There are new tools available to assist public servants and agencies to work in new ways. The Policy Project, as part of the Open Government Partnership work programme, has made available a wide and range of resources on public engagement. This is a significant contribution to upgrading Public Service capability for public participation. They include a Policy Community Engagement Tool (which contains process guidance and have been developed specifically for the agencies involve in the work on building social cohesion), and guidance on good practice engagement, principles and values, capability and readiness, selecting appropriate levels and methods for engagement, and advice on inclusive community engagement. The Policy Project has also undertaken research into the experiences of community engagement in New Zealand from both Public Service and community perspectives.

The Public Service is strengthening the capability of the system to support the Crown's priorities to improving services and outcome for Māori and to better engage with Māori and understand Māori perspectives. The Public Service Act 2020 places explicit responsibilities on chief executives of Public Service agencies to develop and maintain capability to engage with Māori and understand Māori perspectives. There is an understanding across the Public Service that there still is progress to be made but there is a strong appetite for this. Although not all roles in the Public Service have a community engagement focus, many public servants have reported through the recent Public Service Census that they were encouraged and supported to engage with Māori to ensure Māori views and perspectives are considered.[82]

Increasingly, we are also seeing stronger alignment of agencies' resources, engagement, collaborations, and development opportunities to strengthen the capability of the system to support the Crown's priorities to improving services and outcomes for Māori under the Public Service Act 2020. A range of tools have been developed across the system to support public servants and develop their capability in this area. In 2019 a Cabinet circular was released setting out guidelines for policymakers to consider the Treaty of Waitangi in policy development and implementation.[83] Te Arawhiti have also developed engagement framework and guidelines to assist Public Service agencies in thinking about engaging with Māori specifically.[84] This guidance includes how public servants should consider Treaty implications for policy development and implementation. To ensure agencies are developing the appropriate capabilities to better engage with Māori and understand Māori perspectives, Te Arawhiti also produced guidance for agencies to create internal Māori capability strategies. The Māori Crown Relations Capability Framework intends to coordinate the Public Service's approach to building capability.[85]

Capability is a work in progress, and outside of the Public Service there remain concerns about Public Service capability for engagement. Feedback has included comment on specific areas

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[81] Public Service Act 2020, section 75.
[82] Te Kawa Mataaho Public Service Commission. (2021). *Māori Crown relations.* Retrieved from https://www.publicservice.govt.nz/our-work/workforce-data/maori-crown/maori-crown-relations.
[83] Cabinet Office. (2019). *CO (19) 5: Te Tiriti o Waitangi / Treaty of Waitangi Guidance*. Retrieved from https://dpmc.govt.nz/publications/co-19-5-te-tiriti-o-waitangi-treaty-waitangi-guidance-html#section-1.
[84] Te Arawhiti. (n.d.). *Engagement*. Retrieved from https://www.tearawhiti.govt.nz/te-kahui-hikina-maori-crown-relations/engagement.
[85] Te Arawhiti. (n.d.). *Public Sector Capability.* Retrieved from https://www.tearawhiti.govt.nz/tools-and-resources/public-sector-maori-crown-relations-capability.

where training is said to be needed – privacy and open government. A recent survey conducted by the Policy Project that gathered the views of both community and Public Service practitioners. When community representatives were asked what did not go well in a recent engagement with government the top concerns reflected shortness of time and rush in processes, dissatisfaction with a lack of meaningful engagement, lack of follow up, and poor facilitation. Feedback from Public Service practitioners included some similar concerns and issues with capability for engagement with Māori.[86]

Digital technology

Digital and online technology has the potential to contribute to public participation in ways that build community and a sense of social cohesion. Technology already helps us overcome challenges of scale and distance and increase accessibility of information and participation.

As in other areas of life the quantity of information from and about government has vastly increased. For most the ease of access to government policy proposals, and the ability to respond, is facilitated by the internet. Technology has enabled innovative approaches like the Ministry of Youth Development's online platform called 'The Hive' that aims to increase young people's participation in government policy development by facilitating their contribution, guiding them through the submission process, and then relaying information and data back to them to close the feedback loop.

The Department of Internal Affairs, in its Long-Term Insights Briefing focused on this topic, discusses how the use of technology in the future could better enable community participation and decision-making. The possibilities may include options around investment in *public social media* that could support people to build virtual communities with multiple uses including participation. There are also more technical possibilities such as using AI to quickly support translation so that language technology is harnessed to make government information available in a variety of languages.

There is potential for the internet and social media to revolutionise policy processes by enabling collaboration through networks that are no longer hierarchical, no longer require a sequencing between government proposal to public input, and which do not require a sharp separation between Public Service participants, expert advice from outside officialdom, and public/community voice.[87]

There are challenges in realising the potential of technology for participation, which to an extent have already been discussed in the preceding chapter on trends. A set of related and overlapping issues is found in:

- the priority users place on safe use of technology where they are not exposed to abuse or intimidation in online spaces and where personal data and privacy are protected;
- the use of social media as an avenue for manipulation through disinformation and misinformation, leading to the collapse of the potential for rational debate that is at the heart of real engagement; and

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[86] The Policy Project. (2021). *Survey Results: community engagement in government policy making*. Retrieved from https://dpmc.govt.nz/sites/default/files/2021-07/survey-results-community-engagement-jul21.pdf.
[87] OECD. (2009). *Focus on Citizens: Public Engagement for Better Policy and Services*, chapter 5. OECD Publishing. https://doi.org/10.1787/20774036.

- digital disadvantage including lack of access to computer and internet, limited digital literacy, financial barriers, general literacy, language barriers, disability, and preference for person-to-person interaction.[88]

As one commentator puts it "Progress towards digital inclusivity is threatened by growing digital dependency, rapidly accelerating automation, information suppression and manipulation, gaps in technology regulation and gaps in technology skills and capabilities."[89] Government is working to address these issues through its vision for digital inclusion and the associated action plans and research priorities.[90]

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[88] Citizens Advice Bureau. (2020). *Face to Face with Digital Exclusion*. Retrieved from www.cab.org.nz/assets/Documents/Face-to-Face-with-Digital-Exclusion-/FINAL_CABNZ-report_Face-to-face-with-Digital-Exclusion.pdf.
[89] World Economic Forum. (2021). *The Global Risks Report 2021*, p. 8. Retrieved from www3.weforum.org/docs/WEF_The_Global_Risks_Report_2021.pdf.
[90] Digital.govt.nz. (n.d.). *Digital inclusion*. Retrieved from https://www.digital.govt.nz/digital-government/programmes-and-projects/digital-inclusion.
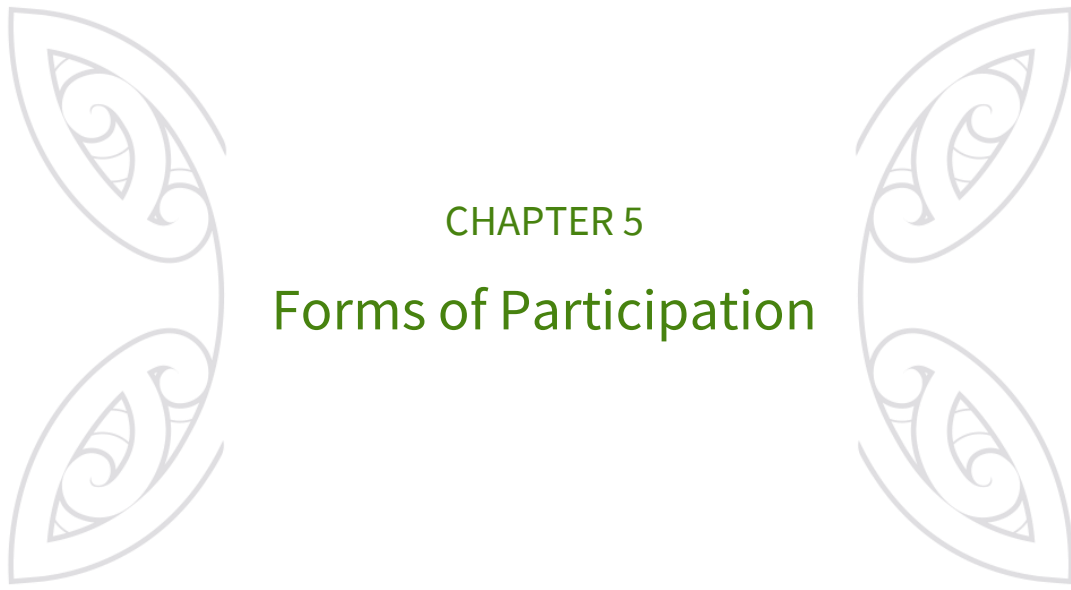
CHAPTER 5

Forms of Participation

Chapter 5. Forms of Participation

Public participation comes in many forms. This chapter discusses a range of different approaches to participation, supported by examples from New Zealand and overseas, to illustrate this variety. At the end of the chapter we make some observations, based on the New Zealand examples, about our use of public participation and about gaps in experience.

A framework for classifying types of participation, together with values, ethics, and behaviours for good practice, has been provided by the International Association for Public Participation (the IAP2 Framework). Public servants and engagement practitioners across jurisdictions are likely to be familiar with the spectrum. In New Zealand, DPMC's Policy Project refers to the spectrum throughout their guidance on the 'community engagement' theme in their 'Policy Methods Toolbox.'[91]

We are conscious that the IAP2 Framework is not entirely appropriate or sufficient for the New Zealand context. There is a need to incorporate good practice in organisational development and competency, as well as the focus on individual practitioners. This aspect is addressed by the Policy Project in its guide for agencies on building capability in policies/frameworks, prioritisation, partnerships, and people capability.[92] And there are cultural competencies specific to New Zealand's context. As noted earlier, different forms and approaches to participation can be used to facilitate appropriate participation by Māori as individuals, whānau, hapū or iwi, or a combination of these. As part of supporting the Māori-Crown relationship the system is taking appropriate steps to better involve Māori where policy decisions have implications for Māori. Through the various

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[91] DPMC. (2021). *Community engagement: Tools and resources*. Retrieved from https://dpmc.govt.nz/our-programmes/policy-project/policy-methods-toolbox/community-engagement#tools.

[92] The Policy Project. (2020). *Getting Ready for Community Engagement: A guide for government agencies on building capability and readiness for community engagement*. Retrieved from https://dpmc.govt.nz/publications/getting-ready-community-engagement.

forms of public participation discussed in this section the Crown, supported by the Public Service, can better recognise Māori rights and responsibilities under the Treaty by better collaborating with Māori and empowering iwi to make decision about issues that pertain to them.

We refer to the IAP2 framework in the interim given its international recognition and widespread existing use in New Zealand. Over time we will be able to tailor the framework to our own needs and situation. Te Arawhiti has already progressed this with their framework for engagement with Māori.

The IAP2 framework arranges five broad types of participation based on the level of impact the public will have on the resulting decision or other outcome:

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empower

Models from 'involve' and upwards start to blur more along the spectrum depending on how the model is implemented in a specific case. For example, some sources refer to co-design as a method within the 'involve' category, while other sources consider it collaborative, or even empowering.

For each of the five broad categories, this chapter gives a general overview and then outlines some of the more common specific methods that fall within them. The methods are described using general characteristics based on several ways of looking at engagement from academic sources:

- purpose/focus/objective;[93]
- participant selection;[94]
- organisational capability, culture, and attitudes;[95]
- participant characteristics such as skills, values, attitudes, and social capital;[96]
- flow of information between sponsors (government) and participants (the public);[97]
- aggregation of results;[98]

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[93] Glass, J. J. (1979). 'Citizen participation in planning: The relationship between objectives and techniques.' *Journal of the American Planning Association 452*:180-89; Rosener, J. (1975). 'A cafeteria of techniques and critiques.' *Public Management* (December): 16-19.

[94] Nabatchi, T., Ertinger, E., and Leighninger, M. (2015). 'The Future of Public Participation: Better Design, Better Laws, Better Systems.' *Conflict Resolution Quarterly, 33*(1): S35-S44.

[95] Voorberg, Bekkers and Tummers. (2014). 'A Systematic Review of Co-Creation and Co-Production: Embarking on the Social Innovation Journey.' *Public Management Review*, 17(9): 1333-1357.

[96] Wise, S., Paton, R. A., and Gegenhuber, T. (2012). 'Value co-creation through collective intelligence in the public sector: A review of US and European initiatives.' *VINE, 42*(2): 251-276; Ostrom, E. (1996). 'Crossing the Great Divide: Coproduction, Synergy, and Development.' *World Development, 24*(6): 1073–1087; Voorberg, Bekkers and Tummers. (2014). 'A Systematic Review of Co-Creation and Co-Production: Embarking on the Social Innovation Journey.' *Public Management Review*, 17(9): 1333-1357.

[97] Rowe, G. and Frewer, L. J. (2005). 'A Typology of Public Engagement Mechanisms.' *Science, Technology % Human Values, 30*(2): 251-290. https://doi.org/10.1177/0162243904271724

[98] Rowe, G. and Frewer, L. J. (2005). 'A Typology of Public Engagement Mechanisms.' *Science, Technology % Human Values, 30*(2): 251-290. https://doi.org/10.1177/0162243904271724

- level of empowerment of the public.[99]

Alongside descriptions of these specific methods, we also offer case studies both from New Zealand and overseas. Neither the methods or case studies described are exhaustive and are intended only as examples to illustrate how the different levels of the spectrum can operate in practice.

Inform

This category is focused on methods that promote transparency and accessibility of information. These usually involve a one-way flow of information outward to the public, although some methods like drop-in centres, hotlines and public hearings or meetings also offer the opportunity for the organizing party to collect data on the kind of information being sought. Informing the public can be considered something of a baseline for a functioning, open democracy, especially given these methods do not imply any consequent action on the government's part. Other methods of informing the public include advertising, publishing (including online), social media posts, drop-in centres, hotlines, and public hearings/meetings.

Consult

This category brings together methods that solicit public feedback on analysis, options, or decisions. They are usually used for more clearly defined matters for which background work has already been done. Unlike 'inform' methods, consultations generally involve a two-way flow of information, with the organising party first offering sufficient information for the public to then make a useful contribution. Successful consultation methods also usually involve a final step where the organising party feeds back to the public on what impact their contributions have had, allowing for varying degrees of government action/implementation.

Submissions

Submissions are a highly conventional avenue through which government parties seek input from the public. They are usually made in writing, either digitally or through the mail, with occasional options to present a submission verbally. Participants are self-selected, although publicising the opportunity to specific people or groups can produce a larger or more representative sample. In order to receive relevant and useful submissions, the organising party will need to provide background information for submitters to draw on. A submission process demonstrates integrity by also feeding back to submitters how their insights have been considered.

Focus group

Focus groups have their origins in the private sector, having been used for market research. They fulfil a similar purpose in the public sector context, providing insight into the views held by a group, usually on a specific proposal. Depending on the participant selection process, the members of the focus group may be able to speak on behalf of others in their community. Representative sampling or targeting specific demographics increase the likelihood of that being the case.

This model can account for differing views; the aim is not to reach consensus or even agreement, although a moderator or facilitator is a common feature. The moderator or facilitator's role is

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[99] Arnstein, S. (1969). 'A Ladder of Citizen Participation.' *Journal of the American Planning Association, 35*(4): 216-224.

usually to ask a series of questions over the course of the focus group, which is usually shorter than half a day and involves relatively few people (5-10).

Case Study: Farm Systems Change project[100]

The Ministry of Primary Industries led an engagement with farmers and rural communities, businesses, and other government agencies that support rural communities to improve their understanding of farming systems. They held home interviews and hui within the farming communities to listen to the lived experiences of issues from the farming communities and to understand how best to collaborate with them. These insights were intended to inform certain approaches on how government could better support farming communities. The outcome of the engagement was a series of case studies of best practice from high performing farms which were shared with farming communities.

Survey/polling

This is a well-established research method used throughout the public and private sectors, as well as in academic research. It can be much more effective at producing quantitative data than many of the other methods listed here but can also accommodate qualitative data through more open-ended questions. Results are most likely to be useful if the survey has reached a representative sample of participants. Surveys can be used to collect views on a range of issues and may be particularly useful for revealing differences that could be explored in greater depth using another method.

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[100] The Policy Project. (2020). *Community engagement case study – Farming Systems Change Project*. Retrieved from https://dpmc.govt.nz/sites/default/files/2022-02/community-engagement-case-study-farming-systems-feb22.pdf.
Ministry for Primary Industries. (2020). *About Farm Systems Change*. Retrieved from https://www.mpi.govt.nz/agriculture/dairy-farming/farm-systems-change.

Case Study: Research project on how digital can support participation in government[101]

The Department of Internal Affairs conducted a research project in 2017 to understand the ways digital can support public participation in government. They ran an extensive engagement process to understand the experiences of people, businesses, and communities when engaging with government and where improvements can be made. The engagement process included six weeks of interviews, online surveys, prototype testing, and workshops with 195 individuals, 9 NGOs, and 20 government agencies. DIA produced a report and proposal for change which drew together insights from the engagement on how government could better enable people, businesses, and communities to be involved in government decision-making, from the development to shaping of government decisions and policies.

Involve

This category is made up of methods that often involve the public on an ongoing basis to ensure their concerns and aspirations are reflected in the outcome. Many of these methods involve iterative processes that extend beyond a single meeting, although they have similar information flows to methods in the 'consult' category. 'Involve' methods are suited to issues that affect well-defined groups and can be used early on to help define what those issues are as well as to help identify solutions.

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[101] Te Tari Tai Whenua Internal Affairs. (2018). *How digital can support participation in government*. Retrieved from https://www.digital.govt.nz/assets/Standards-guidance/Engagement/How-digital-can-support-participation-in-government.pdf.

Citizens' panel[102]

Citizens' panels bring a representative sample of citizens together as a group that will be available to the organising party on a rolling basis over a longer period. This is a high-level method that may involve several other methods at different stages. For example, regular surveys are a common method for collecting the views of a Citizens' Panel. The method lends itself equally to online or in-person activities and can handle very high numbers of participants, who are usually selected with the intention of being demographically representative.

Case study: Scottish Parliament Citizens' Panel on COVID-19 (2021)[103]

The panel was established by the Scottish Parliament's Covid-19 Committee to address the question 'what priorities should shape the Scottish Government's approach to COVID-19 restrictions and strategy in 2021. Establishment of the panel was guided by five criteria for selecting a Citizens' Panel topic as outlined in the Scottish Parliament's public engagement strategy.

The panel met online once a week for four weeks from mid-January to early February. Members were selected from each of Scotland's eight parliamentary regions and were broadly demographically representative (based on census data on gender, age, region, ethnicity, and the Scottish Index of Multiple Deprivation). The process of recruitment was a collaboration between the Committee's Engagement Unit and a not-for-profit organisation using a database of people who had been randomly invited to a deliberative event in the past and had registered their interest. The database was made up of over 1500 Scottish residents who were then invited to register interest in the Citizens' Panel on Covid-19. Stratified random sampling was then conducted on the 350 people who registered interest. There were initially 20 members selected for the panel. The panel was supported by an expert steering group with a range of specialties that enable them to contribute both to the running of the panel as an engagement process and to its subject question.

The final criterion for selection of a Citizens' Panel topic is impact, requiring committee convenor, members, and staff to 'make a firm commitment that the results will have a bearing on their own consideration and recommendations.' Accordingly, the COVID-19 Committee heard evidence from some of the Members in a session two weeks after the final Panel meeting, as well as receiving the Panel's final report.

Co-design

Co-design usually begins with involvement of people affected by a problem to help define the parameters of the issue. From there, the process allows participants to develop creative solutions to the problem. The emphasis of this model is on the perspective of the affected group, with their experiences providing valuable data and government parties filling more of a facilitating role. Later stages such as prototyping and piloting are key elements of design thinking, as is the highly

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[102] Involve. (2018). *Citizens' Panel*. Retrieved from https://www.involve.org.uk/resources/methods/citizens-panel.
[103] The Scottish Parliament Pàrlamaid na h-Alba. *Covid-19: Citizens' Panel.* Retrieved from https://archive2021.parliament.scot/parliamentarybusiness/currentcommittees/116947.aspx.

iterative nature of this model. To be successful, this model requires many of the same enablers as innovation, especially risk tolerance.

Like many of the other methods in this chapter, the positioning of co-design within the IAP2 spectrum is dependent on its implementation in a specific case. Some co-design processes may fit more naturally into the collaborate category, while others may reach into empower. The following three case studies help draw out those differences in relation to the different contexts and goals of each initiative. The Healthy Homes Initiative in Auckland resembles a fairly standard co-design process, in which affected parties are involved, but the initiating organisation retains ownership over the process and its outcomes. The development of The Generator through the Building Financial Capability initiative is a slightly more collaborative example of co-design, with significant emphasis on the views of people directly affected by financial hardship, rather than the views of other agencies and government organisations. The capability building elements of Afghanistan's National Solidarity Programme suggest greater empowerment than a standard co-design process.

Case study: Healthy Homes Initiative - Auckland[104]

In 2015, the Ministry of Health contracted The Southern Initiative (TSI) to lead a co-design process with the Auckland-wide Healthy Homes Initiative (AWHI) to test ideas to make homes warmer and drier and to produce practical solutions. Between 2015 and 2018, TSI collaborated with different government agencies and organisations to run the co-design process with stakeholders. The co-design process consisted of the following 4 phases – Frame, Explore, Imagine, and Test. TSI gathered existing information on AWHI to frame the context of the issue and to establish a project aim. To develop a deeper understanding through the user's perspective, the team conducted in-depth interviews with ten whānau and three workers in the AHWI on their experiences. They produced key insights and visual maps from the interviews which were shared back with whānau and the workers for feedback. Once the key issues were identified and agreed upon, the team held a brainstorming session to explore and develop potential prototypes to be tested in workshops with stakeholders (whānau, providers, and agencies). They tested the prototypes in a safer to fail environment and refined the set of prototypes which were tested live with whānau in their homes and with providers and landlords. Over 14 months, the prototypes were further refined where necessary as they progressed through the testing phase. Some prototypes which have since been implemented include a Minor Repair Service to provide repair services for low cost and high impact repairs, and building capacity to supply and install curtains. In collaboration with the Auckland Co-design Lab, TSI produced a brief outlining the lessons learned from this initiative's co-design process.[105] Some of the lessons indicate that the process to finding practical solutions for a complex issue is not linear, that there are practical ways of testing potential solutions in real but safe environments with minimised risks and costs, and that the co-design process connects different parts of the system to facilitate better understanding of a complex issue in order to provide better support and develop more relevant policies for communities.

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[104] The Southern Initiative. (2018). *Healthy Homes Initiative – Auckland: Co-design: Testing ideas to make homes warmer and drier*. Retrieved from https://www.health.govt.nz/system/files/documents/publications/hhi-auckland-codesign-making-homes-warmer-drier-rpt1-june2018.pdf.

[105] Auckland Co-design Lab and The Southern Initiative. (2019). *Learning in complex settings: A case study of enabling innovation in the public sector*. Retrieved from https://knowledgeauckland.org.nz/media/1874/learning-in-complex-settings-tsi-innovation-brief-may-2019.pdf.

Case study: The Generator – Building Financial Capability[106]

As part of their Building Financial Capability initiative, the Ministry of Social Development led a co-design process from 2015 to 2016 to explore better ways to provide services which build people's financial capabilities. The initial discovery phase of the co-design process involved literature reviews, group discussions, workshops, interviews, design sessions, and feedback via email submissions. This phase included more than 500 people who were people experiencing financial hardships, clients and providers of budgeting services, case managers from the Work and Income unit, and financial capability experts. A range of concepts were identified from the information gathered in this phase. One of the concepts was called The Generator, which is a programme "to help people realise their talent and abilities, increase their incomes and employment opportunities, build their skills and capabilities, and create strong connections and networks in vulnerable communities."[107] It provides a guide to complete a series of carefully planned steps for a sustainable enterprise before applying for seed funding. Successful applicants are then paired with experienced community generators who co-fund their enterprises and act as mentors. After the initial discovery phase of the co-design process, the Auckland Co-Design Lab facilitated a design sprint to develop a high-level prototype of The Generator from practical approaches and experiences they gathered via interviews and discussions with potential users. Then they developed a structure and process to The Generator, which was successfully tested with different stakeholders, especially people who had first-hand experience of financial hardship. The Generator is now successfully operating across Aotearoa New Zealand and a recent survey held in 2021 returned very positive feedback.[108]

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[106] Ministry of Social Development. (n.d.). *Building the Financial Capability of New Zealanders Experiencing Hardship: An overview*. Retrieved from https://www.msd.govt.nz/documents/what-we-can-do/providers/building-financial-capability/bfc-overview-of-services.pdf.

[107] Ministry of Social Development. (n.d.). *The Generator*. Retrieved from https://www.msd.govt.nz/what-we-can-do/providers/building-financial-capability/generator/index.html.

[108] The Generator. (2021). *Survey on completion of Generator process*. Retrieved from https://www.msd.govt.nz/documents/what-we-can-do/providers/building-financial-capability/generator/the-generator-process-completion-survey.pdf.

Case study: Afghanistan's National Solidarity Programme (NSP)[109]

Afghanistan's National Solidarity Programme was initiated in 2003 by the Ministers of Finance and of Rural Rehabilitation and Development at the time in order to alleviate impoverished communities. Although the programme itself is probably better categorised as a successful example of collaborative governance, it is also a valuable example of how co-design initiatives can actually fall further along the spectrum of public participation (i.e. collaborate rather than simply involve) by devolving greater decision-making power.

The Ministry of Rural Rehabilitation and Development contracted an oversight consultant as well as 22 national and international NGOs and UN-Habitat as 'facilitating partners' to design and deliver the programme.

The two illustrations of co-design within the programme are the facilitation of sub-project activities and proposals that are aligned with the NSPs priorities and appraisal criteria, and capacity-building activities intended to improve the governance skills of participants in the programme.

Facilitating Partners contact villages that have been identified as communities for the purposes of the National Solidarity Programme and help them run elections for Community Development Councils. The Councils have variable numbers of member positions (but must have a gender balance) and voter eligibility criteria, as determined by the community itself in a process overseen by a pre-cursor elected committee. The election process usually takes six months. The CDCs then lead a co-design process with their communities to submit project proposals, supported by the technical assistance of the Facilitating Partners. The proposals are funded out of the community's Block Grant, which is calculated at $200 per family and capped at $60,000 per community.

The initiative is widely considered a success, especially given its difficult operating conditions, being recognised as "the central policy instrument for Afghan state building and development."[110] A second phase evaluation found both direct and indirect forms of economic development as a result of the programme, in addition to improved quality of life in rural areas, and capacity development across all levels of participants.[111]

Workshops

Although workshops are almost too broad of a method to discuss here, they are also a quintessential form of public participation easily adapted to a range of issues or topics. Workshops that use a break-out group format can cater to fairly large numbers of participants if

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[109] Evans, M. and Terrey, N. (n.d.). *Co-design with Citizens and Stakeholders*. Retrieved from https://www.governanceinstitute.edu.au/magma/media/upload/ckeditor/files/Co-design with Citizens and Stakeholders.pdf; Calder, J. and Hakimi, A. (2009). *Statebuilding and Community Engagement without Reconciliation: A Case Study of Afghanistan's National Solidarity Program*. Retrieved from https://cdn.future.edu/wp-content/uploads/2018/05/Afghanistan-NSP-National-Solidarity-Program.pdf.

[110] PRDU, University of York and MRRD. (2006). *Mid-term Evaluation Report of the National Solidarity Programme (NSP), Afghanistan*, p. 2. Retrieved from https://www.cmi.no/publications/file/2446-mid-term-evaluation-report-of-the-national.pdf.

[111] PRDU, University of York and MRRD. (2006). *Mid-term Evaluation Report of the National Solidarity Programme (NSP), Afghanistan*, p. 127. Retrieved from https://www.cmi.no/publications/file/2446-mid-term-evaluation-report-of-the-national.pdf.

there are sufficient facilitators. Participants may be invited, self-selected, or representatively sampled. Effective workshops tend to be hands-on and activity-based, with dynamic flows of information between participants as well as between participants and facilitators.

Case study: Child and Youth Wellbeing Strategy[112]

From late 2018 to early 2019, the Child Wellbeing Unit worked with other agencies to coordinate a major public engagement process with more than 10,000 New Zealanders on "what would make New Zealand the best place in the world for children and young people?" as part of the development of the Child and Youth Wellbeing Strategy (the Strategy). The Office of the Children's Commissioner and Oranga Tamariki led the engagement process with more than 6000 children and young people across New Zealand through face-to-face interviews, focus groups, and online surveys. The Child Wellbeing Unit attended 11 regional hui and 10 regional workshops, participated in regional meetings, focus groups, interviews and workshops organised by various agencies, and received input from online surveys and written submissions. These engagements informed the content of the Strategy and its corresponding list of actions and initiatives to be implemented. This is a successful example of providing the opportunity for children, young people, their families, and wider support networks to be involved and to provide input at an early stage of the policy development process. Since the development of the Strategy, some initiatives from this Strategy have already been implemented (e.g., the Youth Voice Project and the Youth Plan). There are also ongoing public engagements held to monitor success against the Strategy's outcomes, to implement and embed the Strategy appropriately, and to potentially evolve the Strategy.

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[112] The Policy Project. (2020). *Demonstration Project Report: Child and Youth Wellbeing Strategy*. Retrieved from https://dpmc.govt.nz/sites/default/files/2020-12/policyproject-demonstration-project-report-dec20.pdf.

Case Study: Hāpaitia te Oranga Tangata – Safe and Effective Justice Programme[113]

Hāpaitia te Oranga Tangata is an engagement-led programme established to explore long-term solutions on how the criminal justice system could be reformed to ensure a safe and effective justice system. The programme established an advisory group to lead the public consultations and held a three-day Criminal Justice Summit in 2018 attended by over 600 people. From late 2018 to early 2019, the advisory group travelled across New Zealand to meet with members of the public in person. Over 4000 people participated in 220 regional engagements which included workshops, hui and fono. Additionally, they received over 200 written submissions online or via email. Their participant pool included experts, Māori with lived experience within the system, victims and their families, community members, criminal justice providers, and the general public. From the extensive engagement process including the summit, the advisory group produced two reports. The first report, *He Waka Roimata*[114] presents the conversations, reflections, and written submissions from the public engagements in structured themes. The second report, *Turuki! Turuki! Move Together!*[115] sets out the direction and recommendations for long-term transformative change throughout the justice system based on the input received during the public engagement process.

Crowd sourcing

Crowdsourcing is a model that involves many people: some sources suggest 5000 as an optimum number. It therefore operates most effectively through online channels that allow participants to give input in relatively well-defined ways. Participants are self-selected, but the model will be most effective if it has mechanisms to attract high numbers of people with substantial interest in the topic.

Representative deliberative processes[116]

Deliberative methods are most applied to significant, complex issues that will benefit from constructive, thoughtful debate and consideration of different perspectives. To achieve this, they sometimes involve circulation of supporting material. The forums themselves typically take place over less than half a day and are best for groups between 20 and 70 people.

The purpose of deliberative forums is generally to reach consensus on the best option by considering trade-offs. Selecting a range of participants that represent a balanced sample of differing views on the topic is likely to increase the effectiveness and value of this model. Where

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[113] Ministry of Justice. (2021). *Hāpaitia te Oranga Tangata: Safe and Effective Justice*. Retrieved from https://www.justice.govt.nz/justice-sector-policy/key-initiatives/hapaitia-te-oranga-tangata.

[114] Te Uepū Hāpai i te Ora, Safe and Effective Justice Advisory Group. (2019). *He Waka Roimata: Transforming Our Criminal Justice System*. Retrieved from https://www.justice.govt.nz/assets/Documents/Publications/he-waka-roimata.pdf.

[115] Te Uepū Hāpai i te Ora, Safe and Effective Justice Advisory Group. (2019). T*uruki! Turuki! Move Together!: Transforming Our Criminal Justice System*. Retrieved from https://www.justice.govt.nz/assets/Documents/Publications/turuki-turuki.pdf.

[116] Participedia. (n.d.). *Planning Cells.* Retrieved from https://participedia.net/method/160.

consensus is not reached, noting these matters and any further questions may still be a useful output.

Collaborate

Methods in this category allow the public greater influence than 'involve' methods and often resemble partnerships. Although they may require more time and resourcing than methods from earlier in the spectrum, these methods are also appropriate for more complex issues that may involve competing interests. Implementing 'collaborate' methods early in a process is likely to improve effectiveness, because it allows participants in the collaboration to define their parameters together. Information in these models will necessarily move freely between parties, evolving constantly with reciprocal openness.

Collaborative governance[117]

This is a more formal way of partnering with the public than many other models but shares similar deliberative and consensus-oriented elements. It's often used as an alternative to more adversarial interest-group processes, sometimes explicitly when these have failed. Collaborative governance arrangements are often longer term than other models and can involve myriad other participatory elements within them.

Participants in a collaborative governance arrangement will usually be selected by the government agency initiating it. Depending on the specific issue, participants are likely to have already been identified based on interests or relevant expertise. If there are concerns about the legitimacy of the arrangement, a more open process for identifying participants may be required, although it is less common for the general public to be involved in this model.

One of the most significant challenges to successful collaborative governance is preserving clear lines of accountability within the collaboration. If government parties remain purely accountable for the outcomes of the arrangement, this can undermine the legitimacy of the collaboration and reduce buy-in from other parties. However, if decisions resulting from the arrangement are truly and meaningfully collaborative, this raises the question of where accountability for public resources will sit.

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[117] Participedia. (n.d.). *Collaborative Governance.* Retrieved from https://participedia.net/method/150.

Case study: Community Planning in Scotland[118]

Community Planning operates across all 32 local authority areas in Scotland, supported by a statutory framework with two key purposes: to engage people and communities in decisions that affect them and to garner commitment from organisations to work together to provide better public services.

The Local Government in Scotland Act 2003 assigns responsibility for initiating and facilitating the community planning process to the 32 local councils on a permanent and recurring basis. It also requires NHS boards, enterprise networks, police, fire and rescue services and Regional Transport Partnerships to be involved. Outside of the elected officials providing oversight and local service providers, participants in community planning are mostly self-selected residents who volunteer, as well as business and non-profit representatives.

Collectively, the groups involved are referred to as Community Planning Partnerships, which usually include within them Boards, 'theme groups,' and implementation groups. The Partnerships are responsible for producing two types of plans: one covering the priorities for the whole council area, and one focused on smaller areas within that. Size and membership of boards is highly variable across the 32 Partnerships, from six to 40 partners, each with between eight and 13 members. The majority of the 32 boards include members from the voluntary sector and around two thirds also include business and other community representatives. Higher education organisations are also frequently represented on the boards.

Although intended to reduce the complexity in the community engagement space, Community Planning Partnerships had not yet managed this in any significant way by 2006.[119] On an individual level, there have been some visible improvements both in attitudes towards the process itself and in outcomes and service provision.[120] Acknowledgement was also made that the benefits of the initiative were likely to become more evident over the long term.

Consensus building[121]

Consensus building is a method specifically designed to deal with contentious issues where there may be significantly varying views and competing or interdependent interests. The outcome of a consensus building method is not necessarily that all parties have got exactly what they want, but rather that all parties have come to a level of agreeable compromise. Success of this method relies on good faith participation all participants having their interests heard and understood, possibly beginning right from the stage of problem definition. This model is likely to be more effective if it involves a competent and neutral facilitator.

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[118] Scottish Government. (n.d.) *Improving public services.* Retrieved from https://www.gov.scot/policies/improving-public-services/community-planning; Audit Scotland. (2006). *Community planning: an initial review.* Retrieved from https://www.audit-scotland.gov.uk/docs/central/2006/nr_060616_community_planning.pdf

[119] Audit Scotland, 2006, p. 1

[120] Audit Scotland, 2006, p. 9

[121] Burgess, H. and Spangler, B. (2003). *Consensus Building*. Retrieved from https://www.beyondintractability.org/essay/consensus_building.

Case study: Norwegian Consensus Conference on Genetically Modified Foods (1996 and 2000)[122]

The original conference in 1996 was organised by the National Committees for Research Ethics and the Norwegian Biotechnology Advisory Board in recognition of the need to gather the perspectives of non-experts on the genetic modification of food. Specifically, the panel was to produce coordinated advice, foster dialogue between experts and citizens, and contribute to public discussion of the subject. The follow-up conference in 2000 was organised with the same group of participants due to a reappearance of the issue on the Parliamentary agenda.

The initial conference took place over four days in October, starting with expert presentations, followed by questions on the second day, the third day dedicated to the preparation of the Panel's report and then the fourth day set aside for the Panel to present the report. Preparation for the Conference began earlier that year, with significant work taking place in the months immediately before. The 2000 follow-up took place over two days in November, with less preparation. The 1996 conference had a budget of 137,500 Euros and took the equivalent of 545 days' work across all staff (including a facilitator), experts and participants.

The 16 final participants for the lay panel were selected using a fixed list of criteria from the 400 people who expressed interest in response to newspaper advertisements. The selection criteria allowed for an even split of men and women, and for a range of ages (between 18 and 72), regions and backgrounds (none of which were linked to the subject area of genetic modification). Participants also had two weekend seminars of preparation in August and September.

The facilitator contributed to the development of consensus among the panel in producing their agreed conclusions, which were brough together in a final report and sent to all members of parliament and all ministries. Despite evaluations of the conference, it is difficult to assess its impact on decision-making, as the conference was not well-coordinated with parliamentary activity. Furthermore, the recommendations presented in the report were fairly conservative, largely aligning with proposed official policies. However, the conference was considered impactful in terms of contribution to public debate, measured by high levels of media interest.

Empower

The models in this category give the public greater instrumentality, either in decision-making, or over design of a product that will form the basis of implementation. Although there is still space in some of these models for the government partner to reject the recommendations of an empowered public, this is likely to significantly undermine the success of the initiative. It would potentially also erode trust that would otherwise provide a solid foundation for a future engagement. Keeping participants in 'empower' methods to medium or even small groups

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[122] Mørkrid, A. J. (2001). *Consensus Conferences on Genetically Modified Food in Norway*. Retrieved from https://www.oecd.org/norway/2537449.pdf

enables greater time and effort to be put into the relationships and support mechanisms that allow them to function.

Case study: Te Mātāwai

Te Mātāwai is an independent statutory entity in which representatives of iwi, Māori organisations and the Crown, act on behalf of iwi and Māori to revitalise, protect, and promote te reo Māori across the whole of Aotearoa New Zealand. Established under Te Ture mō Te Reo Māori (the Māori Language Act) 2016 (the Act), Te Mātāwai has a board of thirteen, seven representing kāhui-ā-iwi, four representing Te Reo Tukutuku (Māori language stakeholder groups) and two members appointed by the Minister of Māori Development. In its role, Te Mātāwai strengthens relationships between the Crown - iwi and Māori and strengthens iwi and Māori leadership regarding Māori language opportunities. The purpose and functions of Te Mātāwai reflect a partnership approach as its intention is also to support, inform, and influence Crown initiatives and support the relationships of iwi and Māori with the Crown in relation to te reo Māori. The Act also establishes a clear set of legislative functions – providing Te Mātāwai with "full capacity to undertake any business or activity, do any act, or enter into any transaction" and "full rights, powers, and privileges" necessary to perform its functions. Members of the Board can only be removed by the appointer of the relevant member (i.e., either iwi, Te Reo Tukutuku, or the Minister), implying accountability of iwi representatives to the relevant iwi groups and Crown representatives to the Minister. Te Mātāwai itself makes decisions in respect of the exercise of its functions under the Act.

Participatory budgeting

Participatory budgeting is a model that devolves funding decisions to the people the funding is intended to help. There are a range of different ways this model can be implemented, although common features are likely to be shortlisting and developing options, open decision-making, and a defined level of funding to be allocated by participants. The number of participants can vary significantly – participatory budgeting can be used on the individual level but is more commonly in specific regions. The model relies on fairly well understood issues and options.

Case study: Porto Alegre, Brazil[123]

Porto Alegre's participatory budgeting initiative is an annual process that has been ongoing since 1989. It was implemented by the newly elected Workers' Party in an attempt to reduce the corruption that characterised Brazil's political culture at the time. The process of debates takes place over nine months, beginning with the city government's presentation of the accounts from the previous year and its investment plan for the current year (decided through the previous year's debates).

Although in some ways the initiative is considered to have become 'embedded in the institutional structure of municipal government,' it has been vulnerable in more recent years, firstly to the reduction of funds and then to suspension in 2017. The reduction of funds may be due in part to changing priorities and new sources of funding at the federal level, while the suspension in 2017 was the result of a change in political power to an opposition party.

By 2006, 19.8% of residents had participated in the budgetary process at some point.[124] At its peak in 2002, it involved 17,200 citizens, who self-selected their involvement at public meetings held in spaces like churches and union halls. Debates are split into three streams, the first covering the 16 neighbourhood districts, citywide assemblies, and meetings of the Council of the Participatory Budget. The Council is made up of elected delegates from each of the 16 districts who represent their districts' positions on citywide issues, giving the process a strong deliberative element. 'Delegates to the COP convene for two hours once a week, and can only serve for one year at a time to give as many people as possible the opportunity to participate.' The number of delegates for each district is set to be roughly proportional to the number of residents present at the election meeting.

Over-representation of women, ethnic minorities, and disadvantaged groups in comparison to the city's general population has resulted in a redistributive and 'more effective allocation of resources.' The initiative has been successful enough that successive years have seen an increase in the proportion of the city's overall budget that is included in the participatory process. Other tangible effects include: 'between 1988 and 1997, water connections in Porto Alegre went from 75 percent to 98 percent of all residences. The number of schools has quadrupled since 1986. New public housing units, which sheltered only 1,700 new residents in 1986, housed an additional 27,000 in 1989.' 5,556 Participatory Budget projects were included in investment plans between 1994 and 2004, 82% of which were also completed within that time.

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[123] Local Government Association. (2016). *Case study: Porto Alegre, Brazil*. Retrieved from https://www.local.gov.uk/case-studies/case-study-porto-alegre-brazil; Goldsmith, W. W. and Vainer, C. B. (2001). *Participatory Budgeting and Power Politics in Porto Alegre*. Retrieved from https://www.lincolninst.edu/publications/articles/participatory-budgeting-power-politics-porto-alegre#:~:text=In%20Porto%20Alegre%2C%20a%20popular,for%20governing%20their%20own%20community; Lvovna Gelman, V. and Votto, D. (2018). *What if Citizens Set City Budgets? An Experiment That Captivated the World—Participatory Budgeting—Might Be Abandoned in its Birthplace*. Retrieved from https://www.wri.org/insights/what-if-citizens-set-city-budgets-experiment-captivated-world-participatory-budgeting; The International Bank for Reconstruction and Development / The World Bank. (2008). *Brazil: Toward a More Inclusive and Effective Participatory Budget in Porto Alegre*. Retrieved from https://openknowledge.worldbank.org/bitstream/handle/10986/8042/401440v10ER0P01sclosed0March0302008.pdf?sequence=1&isAllowed=y.

[124] The International Bank for Reconstruction and Development / The World Bank, 2008, p. 23

Participatory editing

Participatory editing can be considered a subset of crowd sourcing, as well as having links to the mediation technique of 'single-text negotiation.'[125] It involves the use of a single document to outline diverse stakeholder interests in relation to a particular issue. Parties then add to, remove from, and refine the document in an iterative process intended to develop an output that is agreeable to all parties. The iteration is what sets this method apart from crowdsourcing more generally, and makes it less appropriate for such a large number of participants. Participatory editing can be especially effective when used in combination with other methods; for example, it can be used to develop a report about the proceedings of a workshop or other collaborative meeting.

Citizens' juries[126]

Citizens' juries operate much like juries in court, with members of the jury receiving background information, listening to expert testimonies, and then making a judgement based on the information available. Juries are best-suited to well-defined issues on which there is no public consensus – mostly value-based, rather than technical issues. As a deliberative method that works to build consensus, citizen juries are time and resource intensive. A relatively small group of participants (usually 12-25, although there are examples of larger juries) are randomly selected on a representative basis and meet over several days. Commitment of the convening body to act on (or at least respond) to the outcome of the jury process is an important factor in the success of this model.

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[125] Shane Smith, M. (2005). *Single-Text Negotiation*. Retrieved from https://www.beyondintractability.org/essay/single-text-negotiation.
[126] Citizens Juries c.i.c. (n.d.). *Recent citizens' juries*. Retrieved from https://citizensjuries.org/; The Policy Project. (n.d.). *Citizen juries*. Retrieved from https://dpmc.govt.nz/our-programmes/policy-project/policy-methods-toolbox/community-engagement/citizen-juries

Case study: Irish Citizens' Assembly (2016-2018)[127]

The assembly was established by a Resolution of both Houses of the Oireachtas (Irish Parliament) to consider five largely unrelated issues (abortion, ageing population, referendum processes, fixed-term parliaments, and climate change) based on agreements made in the formation of a Partnership government.

The first meeting was in October 2016, with subsequent meetings to take place across single weekends for each topic, and the Assembly due to conclude in July 2017. However, the programme of topics to be considered ended up requiring greater time between meetings as well as some additional meetings and the Assembly was therefore granted an extension by both Houses until 2018. The format for the meetings was generally as follows:

1. introductory remarks by the Chairperson;
2. expert presentations;
3. presentations from civil society and advocacy groups;
4. consideration of submissions by members of the public;
5. question and answer sessions and debates; and
6. roundtable discussions.

Facilitators and notetakers were present at each session, along with 99 randomly selected participants (and one chair appointed by the government). Participants were broadly demographically representative (based on census data – age, gender, social class – based on occupation, regional spread, etc.) and eligible to vote in referenda. They were recruited through an initial tendering process and then based on an agreed methodology of cold door-to-door recruitment in specified areas run by professional recruitment agencies. Participants (and experts) had their costs covered (including contribution to childcare) but were not otherwise reimbursed for their time. In total, the Assembly cost 1.5 million Euros.

Recommendations were submitted to parliament for discussion and the government provided a response to each recommendation. The ultimate outcome was that the government called a referendum on abortion and declared a climate emergency.

Delegated decisions

Historically, delegated government decision-making has meant privatisation and contracting out. However, in the context of the IAP2 spectrum, delegated decision-making refers more to decentralisation and community empowerment through networked and local governance. It involves the transfer of decision-making (often in relation to a particular issue or desired outcome) from one party (usually a public organisation) to another (usually a non-governmental entity, but sometimes an entity at a different level of government). This method is most likely to be successful when the parameters of the delegation are clearly communicated and where the party being delegated to is seen as legitimately representative of those affected. In some cases, the delegation will need to be structured by legislation, particularly where there are questions of

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[127] An Tionól Saoránach | The Citizens' Assembly. (2018). *Welcome to the Citizens' Assembly 2016-2018*. Retrieved from https://2016-2018.citizensassembly.ie/en.

accountability. Characteristics of the initiating organisation such as capability, resources and political context will also have a bearing on the outcome of this method.[128]

Case study: Social Sector Trials

The Social Sector Trials are an example of a different approach to collaboration which moves us along the spectrum towards empowering through devolved funding and local decision-making.

The Trials were a community-based approach aimed at improving the way government plans, funds, and delivers social services for youth. They operated across New Zealand, starting with five in rural communities in 2011 and increasing to sixteen by 2016, when the programme was 'mainstreamed.' The Trials involved transferring the control of resources including funding, decision-making authority, and accountability for results from government agencies to a Trial lead in the local community. The Trials were overseen nationally by a Joint Venture between several social policy agencies with oversight by a Joint Venture Board and operational direction provided by a director located in the Ministry of Social Development. Members of the Joint Venture contributed funding for a separate appropriation. A Trial lead (either from an NGO or a government agency) established a governance group to support the planning and implementation of Trials activities. Governance groups were typically made up of young people, the local Mayor, school principals, iwi, police, council representatives, government agencies and other community leaders. Each Trial lead, supported by their governance group, consulted their community to create Action Plans detailing problems faced by young people in their community and the activities they would implement to achieve outcomes. Each Trial location took a different approach to their Action Plans, using a 'local solutions to local problems' philosophy. According to the final evaluation report, "Trials locations valued the opportunity and flexibility to shape a government sponsored initiative in a way that would fit local needs, resulting in pride and ownership of the Trials design and initiatives."[129] According to the report, the Trials improved community collaboration, increased community responsiveness to issues faced by young people, and changed behaviour and attitude amongst the young people involved, as well as improving their confidence and motivation. The report concluded that the Trials increased community responsiveness to issues faced by young people, and that transparency, leadership and credibility were important to collaboration and to the Trials success or failure.

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[128] Overman, S. (2016). 'Great Expectations of Public Service Delegation: A systematic review.' *Public Management Review, 18*(8): 1238-1262. http://dx.doi.org/10.1080/14719037.2015.1103891.

[129] Centre for Social Research and Evaluation (MSD). (2013). *Final Evaluation Report: Social Sector Trials – Trialling New Approaches to Social Sector Change.* Retrieved from https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/evaluation/social-sector-trials/msd-social-sector-trials-evaluation-report-may-2013.pdf

Using the IAP2 Spectrum

Mostly, as in other countries, our experience is at the "consult" end of the IAP2 spectrum. Consultation of interested parties on policy proposals is a well-established way in which the Public Service seeks a wider range of view and expertise in framing advice to Ministers.

We also have some experience with involving the public in decisions as is shown by the examples of co-design in participative models, and we have some examples of delegated decision-making that fit within the Empower end of the spectrum.

However, it is also clear that New Zealand has not developed a depth of experience in other parts of the spectrum, or in the use of important tools and models for public participation. Significant examples are collaborative governance and consensus building and, at the Empower end of the spectrum, participatory budgeting, participatory editing, and citizens juries.

This has been commented on in the consultation processes we have run in connection with the Open Government Partnership and in the preparation of this Long-Term Insights Briefing. Respondents and commentators have said that New Zealand has limited experience with co-creation or with processes like participatory budgeting, citizens assemblies, or devolution of control to communities. There is a sense that some deliberate use of a wider range of public participation processes is needed. There has been, by a range of civil society organisations, criticism of Open Government Partnership itself over co-creation, and under-resourcing of participation processes, and implementation of projects.

Rashbrooke notes that New Zealand has made limited use of democratic innovations encouraging public participation. For example, New Zealand has not put the same effort into creating spaces for democratic online engagement that is has for transactional government services. With reference to the local government context, he provides concrete examples of what empowerment might mean including participatory budgeting.[130]

Given the benefits of public participation discussed in chapter 2, and the drivers of expanded public participation in contemporary societies, there is a clear case for New Zealand undertaking a more deliberate exploration of a wider range of public participation models and techniques. This is a core part of the future direction set out in the next chapter.

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[130] Rashbrooke, M. (2017). *Bridges Both Ways: Transforming the openness of New Zealand government.* Institute for Governance and Policy Studies. Retrieved from https://www.victoria.ac.nz/__data/assets/pdf_file/0006/1175244/WP17-04-Bridges-Both-ways-for-Print.pdf.
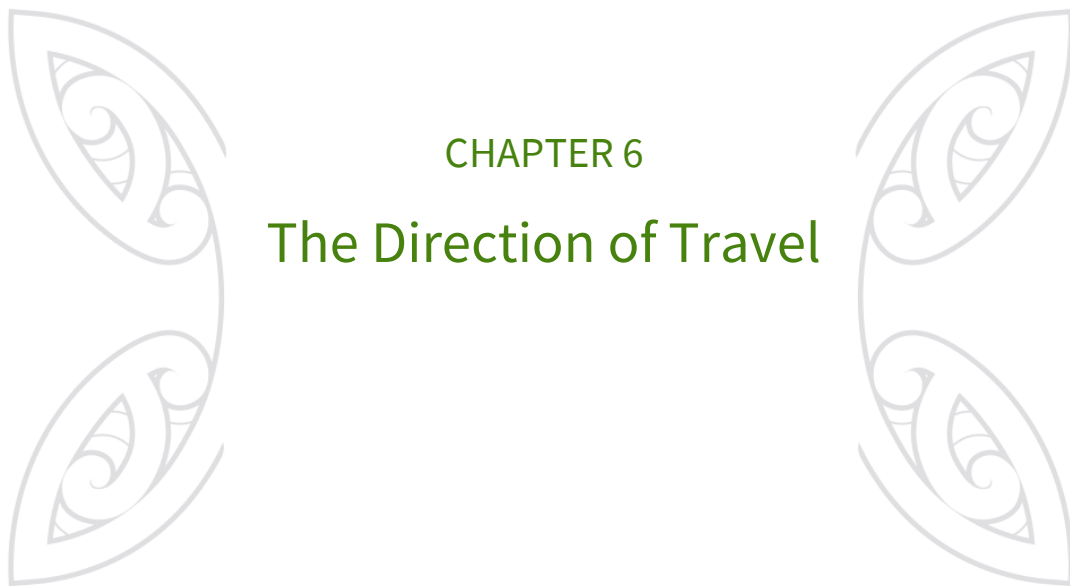
CHAPTER 6

The Direction of Travel

Chapter 6. The Direction of Travel

As discussed in the second chapter of this briefing there are significant benefits from public participation in government, and chapter 3 has set out the strong drivers towards greater expectations of, and government interest in, public participation in policy and implementation issues. For these reasons there is a case to build the Public Service's capability to support governments' engagement with the public and communities in future.

In this briefing we have discussed the factors that can enable, or disable, the move to greater public participation in government. In chapter 4 we discussed current developments, under the headings of:

- Authorising environment,
- Information,
- Public and community capacity,
- Public Service capability, and
- Digital technology.

Across each of these areas there has been, or is currently, work to improve use of, and practices and capability for, public participation in government in New Zealand. We have noted that this is occurring across a range of departments and portfolios. The question now is where further work should be undertaken at an overall level within the Public Service. This is an important consideration in framing the leadership role of the Public Service Commission over the next two decades.

Authorising environment

The vision for the future should be one in which all participants - public, community and Public Service – know what form of public participation is proposed for issues, what to expect by way of

behaviour, process, and safeguards, and whether they are being asked to provide information for a decision, or collaborate in a decision, or make a decision.

We have seen that the authorising environment in New Zealand is increasingly supportive of public participation but that is lacks a common cross-government set of expectations of how public agencies conduct participative exercises. Without a common framework there is a risk of variations in practices that may not be seen as legitimate by the public. Moreover, currently there is limited ability to understand how extensive participative approaches are across the Public Service and how this is changing over time.

Information

Information is of fundamental importance to participation. We are moving beyond a focus on release of official documents, to a focus on relevance of information. The focus in future will shift to how agencies work to make information understandable and useful to the public. Access to, and useability of, public information is a theme in the New Zealand's Open Government Partnership fourth National Action Plan, now in development.

Public and community capacity

To develop participation further in the future, all sections of the public, and all communities, need to be able to engage and participate. That means being aware of opportunities, able to shape topics and questions, and being offered avenues and options for participation that are suited to their own circumstances.

This will be a work in progress into the future and an issue for all agencies that directly interface with the public and communities to address, both individually and on an inter-agency basis. This is supported by population agencies including Te Puni Kōkiri, Ministry for Pacific Peoples, and Ministry for Women, the new Ministry for Ethnic Communities, and the forthcoming Ministry for Disabled People, which have relationships with specific communities and interest groups.

Public Service capability

In the future New Zealand needs a Public Service that is highly and uniformly skilled to meet the challenges of more public participation in government, and for deeper engagement with communities. We have seen that capability for public participation is being built through a range of initiatives including changes to ensure a more diverse Public Service workforce, guidance and advice provided to public servant from the Policy Project, publication of frameworks and guidance supporting the system's capability and engagement with Māori, and institutional changes like the establishment of the Ministry of Ethnic Communities. However, we note that most public participation has been in terms of public consultation rather than deeper involvement of the public in decision-making. We see a need to focus on developing capability to support more innovative ways of working with communities.

Digital technology

Digital and online technology potentially can contribute to public participation in ways that build community and a sense of social cohesion. Technology can help overcome challenges of scale and distance and increase accessibility. Social media platforms can create 'safe' digital spaces which enable participation and there is potential for the internet and social media to revolutionise policy

processes by enabling collaboration through networks. There are challenges to be addressed in terms of safe use, misinformation and disinformation, and digital disadvantage.

Future direction

The assessment above shows that there are current issues relating to the lack of a single common framework for public participation in New Zealand and the need to develop Public Service capability to work in novel ways. Moreover, the analysis in chapter 5 above illustrates gaps in experience in the use of important tools and models for public participation.

Below we set out the general elements for a future direction for the Public Service in New Zealand, one that addresses the future vision set out in this document, including the Public Service role in seeking and realising opportunities to support Māori-Crown relationships under the Treaty of Waitangi. This, when combined with the other work in train, and outlined above, would enhance the ability of the Public Service to assist and support governments undertake public engagement.

There are three elements for a future direction.

Element 1 – Common framework and measurement

Above we set out a vision for the future focused on ensuring clarity around expectations and processes for public participation in New Zealand. This fills in a gap in the authorising environment for participation.

To address this, we could adopt a common framework for classification of our approaches to participation and require agencies to identify which engagement approach they have taken in developing policy or designing services with reference to this framework. Over time we could tailor existing international frameworks to our own needs and situation. Te Arawhiti has already progressed this with their framework for engagement with Māori.

While eventually New Zealand should develop its own unique framework, the IAP2 framework has the benefit of availability, strong international comparability, and the existence of extensive guidance from the Policy Project on its application. Te Arawhiti's engagement framework and the Policy Project's community engagement tool developed in response to the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain both show how this framework can be adapted for different contexts in New Zealand, and could inform the development of a New Zealand-specific framework over time.

A simple reporting framework could involve a requirement for Cabinet policy decisions or decisions on the delivery of services to include information about the participatory approach pursued and why, with reference to the relevant framework. This information would be made publicly available under Cabinet's current policy regarding proactive release of Cabinet material and could also be collated and reported by a lead agency with responsibility for oversight. More extensive reporting regimes could involve such a lead agency collecting more detailed information directly from agencies.

As with all three of these elements there is a capability development challenge involved. The implementation of a common framework and reporting approach would likely require some minimum standard of capability to be achieved for all public servants working in the policy profession or involved in the design of services. There is also, as discussed earlier, an organisational dimension of capability relating to policies, prioritisation, and development of

partnerships and community relationships. The Policy Project already has already developed the collateral necessary to support this development, and the nominated lead agency could offer training courses to support the dissemination of this information.

Element 2 – Innovative approaches in priority areas

While New Zealand does have some strong examples of public participation at various levels of the IAP2 spectrum, there are opportunities to trial new and different approaches that allow for deeper and more meaningful involvement of the public in decision-making.

For example, deliberative approaches to policy development, where representative groups of the public are tasked with analysing and making recommendations on an issue, is an area which has seen much focus internationally, but which is relatively unfamiliar in New Zealand and where we could learn from the experience of other countries. There are also opportunities to use technology to involve a greater number of New Zealanders in decision-making in a more meaningful way, by increasing the reach of public institutions and decision-makers and making it easier for people to participate.

There will be a range of options for both the types of participatory approaches that are trialled and the topics on which participation is focused. Complex areas such as climate change, where radical policy responses may be necessary and it will be crucial to follow processes that build and maintain the trust of communities who will be affected, are likely to be good candidates. Other areas which have been the focus of deliberative approaches internationally have been issues fundamental to democratic systems such as constitutional or electoral reform. In the first instance, it will likely be appropriate to pick one or a few important issues to focus on as we build capability and expertise.

The type of participatory mechanism that is appropriate will depend on the nature of the specific issue being addressed. Some examples of common approaches internationally which we could draw on include citizen assemblies and participatory budgeting, which were both addressed earlier in our discussion of different forms of participation. There will also be opportunities to continue to learn from and expand on the innovative approaches that have been taken to participation domestically, for example partnership-based arrangements intended to give effect to the Treaty of Waitangi.

It will also be important to adapt any models we might adopt to suit our unique New Zealand context. For example, citizen assemblies have traditionally taken a representative approach where the makeup of the assembly directly reflects the makeup of society from a demographic perspective. In New Zealand, if the subject area involves or affects the rights and interests of Māori under the Treaty of Waitangi, consideration will need to be given to whether the model could be appropriately adjusted, or alternative innovative approaches pursued.

With both this element and Element 3 below there is a considerable capability challenge for the system. The Policy Project survey[131] of Public Service and community practitioners identified top priority capability development needs relating to ensuring transparency, cultural competencies, workforce diversity, whole of government approaches, and outreach/facilitation skills.

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[131] The Policy Project. (2021). *Survey Results: community engagement in government policy making*. Retrieved from https://dpmc.govt.nz/sites/default/files/2021-07/survey-results-community-engagement-jul21.pdf.

Element 3 – Broader shift to collaborative approaches

As we have discussed, there are many tools and resources available to public servants and work programmes underway to support them in implementing participatory approaches, including the Policy Project's community engagement resources and Te Arawhiti's framework for engagement with Māori.

Supported by the implementation of a common framework and measurement (as described in element 1), expectations could be set for where agencies should be operating on the framework. Initially this might involve requiring more consistency in the approaches agencies take to consultation, but over time could involve an expectation that agencies are more frequently involving the public in policy development in a meaningful way and looking for more opportunities to propose approaches that fall on the 'collaborate' or 'empower' end of the spectrum (such as co-design approaches or devolved decision-making).

It is important to acknowledge that this element will be the most challenging and costly to implement of the three proposed, for several reasons.

First, it will require a significant increase in the capability of public servants. As we discussed earlier in this briefing, effective community engagement requires a particular set of skills that are not common to all government officials. While a targeted approach to deepening participation as described in element 2 could leverage expertise already present in government, a broad expectation to facilitate greater public participation across all areas will require many public servants to develop new skills and engage in unfamiliar processes. This would require a more significant investment in Public Service capability and a clear strategy for delivering necessary training. Supporting initiatives such as a standard qualification for public servants could also be considered.

Second, it will be important to ensure that communities have the resources and support necessary to participate. There are significant costs to the individuals and organisations in communities who commit their time, and often money, to participation. If an expansion of the government's approach to participation is to be sustainable, it will be important to ensure that communities as well as the Public Service are well-equipped and have the capacity to engage. It will also be important to ensure that increased expectations to facilitate public participation does not result in a programme of engagement that places undue burden or stress on the public. The risk of overload on community representatives is a real issue, and it will be necessary to ensure that government agencies are coordinated in their approaches to facilitating participation and prioritise engagement on issues that are of the greatest importance to communities.

Finally, it is important to note that an increased use of participatory approaches that involve a greater involvement of the public in decision-making will require strong support from political decision-makers as well as public institutions. As we have discussed earlier in this briefing, in our representative democratic system it is Ministers who make decisions on Government policy, and so ultimately involvement of the public in these decisions is at their discretion.

Appendices

Appendix 1. Definitions

The scope of the 'Public'

While our topic refers to 'public' participation, we also refer to and are interested in ideas such as 'active citizenship'.[132] However, we prefer to use the term 'public' as it has a broader meaning as 'citizenship' refers to the legal rights and obligations that come with membership of a nation state. This is challenging for the context of participation, where involvement of residents who are not legal citizens is equally important. We are interested in supporting all members of the public to participate in government, regardless of their citizenship status. That is why when we refer to the public, or to citizens, we use the World Bank definition, where '*citizen* is not used in a legal sense but is understood in the broad sense of referring to all people in a society or country in an inclusive and non-discriminatory way.'[133]

Also, 'public' in this briefing is intended to be understood as all components of New Zealand society including individuals and groups such as whanau, particular communities, interest groups, and representative groups.

Work undertaken by the Policy Project in this area refers primarily to 'community engagement'. Community engagement and public participation in these contexts are, for practical purposes, synonymous.

The scope of 'Government'

In defining government, we refer to the relevant functions of the Commission to scope this topic. The Commission's functions relate mostly to central, executive government. In this sense, we consider other branches of government – Parliament and the Courts – out of scope. At this stage we are also excluding actions or decisions by local or regional government, which other Public Service agencies have oversight of.

Within central, executive government, we expect to be focused on Public Service agencies (i.e. Government Departments) and Crown agents. This is because this topic is focused on how to involve people in government decisions that affect them – such as policy design or how services will be delivered (including services contracted out by these agencies). Public Service agencies and Crown agents are the key agencies making these types of decisions. This would include both decisions that affect New Zealanders at a national level, as well as those affecting local communities.[134]

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[132] Public Service Act 2020, section 11, relating to the purpose of the Public Service includes a role in facilitating "active citizenship"

[133] World Bank Group. (2014). *Strategic Framework for Mainstreaming Citizen Engagement in World Bank Group Operations.* Retrieved from https://consultations.worldbank.org/sites/default/files/materials/consultation-template/engaging-citizens-improved-resultsopenconsultationtemplate/materials/finalstrategicframeworkforce_4.pdf

[134] For example, place-based initiatives, or regional decisions coordinated through the regional commissioner model.

Appendix 2. Consultation

This Appendix outlines the consultation process, including the two statutory periods of consultation on the subject matter and draft briefing, as well as additional stages beyond that.

Consultation on the subject matter

In August and September 2020, we published a consultation document and invited submissions from members of the public to help us identify which of five topics we should focus our draft Briefing on. The five topics were all about how the Public Service could better serve society with options around innovation, social media, joined-up government, Public Service capability, and public participation in government.

We sought submissions through a range of channels. We received 53 submissions in total, 11 of which were from organisations.

The importance of public participation was touched on by 34 submissions, making it the most popular topic we received feedback on. It was closely followed by innovation, which received particular attention from a New Zealand organisation leading on innovative programmes.

Feedback from submitters highlighted relationships between the topics, which was also acknowledged in our consultation document. For example, some submissions commented that public participation can enable innovation, but also that successful public participation requires a capable workforce, an informed public, and a joined-up Public Service.

Our broad public consultation was supported by a handful of conversations we had directly with some of the Commission's expert stakeholders from academia throughout September 2021. Following selection of the topic we also held two further workshops online in March 2022 to gather insights from the public to feed into the development of the draft Briefing. A summary of these discussions in included as Appendix 2 to this briefing.

Deciding the topic

All five possible topics that we consulted on were relevant to the Public Service Commission's specific role and functions within the Public Service.

Matters relating to public participation raised in the submissions included:

- benefits for
    - trust and legitimacy,
    - democracy, and
    - outcomes;
- barriers in terms of
    - lack of information,
    - digital exclusion and misinformation,
    - Public Service capability, and
    - quality of civics education;
- methods of participation such as
    - co-design,
    - citizens' assemblies,
    - local engagement; and

- Treaty of Waitangi / Tiriti o Waitangi considerations.[135]

Before and after selecting the topic for this briefing we initiated some discussions that were in addition to those required by the Act. First, our broad public consultation on possible topics was supported by a handful of conversations we had directly with some of the Commission's expert stakeholders from academia throughout September 2021. Many of the matters raised by the experts also came up in parts of the public consultation. Some of the key points are presented below:

- necessity of greater public involvement and engagement in light of significant periods of change, crisis as the new normal;
- threats to democracy;
- importance of civics education;
- position of social media in relation to the Public Service and traditional media;
- misinformation and echo chambers, especially state-mandated misinformation and implications for human rights and civil liberties, relationship to social cohesion;
- the role of local government and localism more generally, narrowing the gap between the public and decision-makers; and
- equity of participation.[136]

Following selection of the topic, we held two further workshops online in March 2022 to gather insights from the public that would then feed into the development of the draft Briefing. Participants were asked to address two questions:

1. What could public participation in government look like in the future? (In terms of an ideal state) and
2. What are the barriers and enablers for getting there?

We are extremely grateful to the workshop participants who gave up their time to contribute. A range of perspectives were represented, and valuable discussions sparked between participants. Overall common and recurring themes across these discussions are set out below:[137]

- Relationships between the public and government: ongoing, inclusive, listening, resulting in change, shared understanding of purpose, people rather than process focus, co-created measures of success
- Accessibility: relevant information communicated so that everyone can understand (simple language, sign language and interpretation, other languages)
- Deliberative and participatory focus: an objective of building consensus from disparate views, not exacerbating divisions, also requires consideration of the relationship to representative democracy and possible tensions given that participants are not elected but may still be representative of the public's viewpoints
- Question of when various kinds of participation are appropriate: focus on the most important issues for the most involved processes, business-as-usual or time-sensitive

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[135] All submissions are available in full on our website, along with our summary analysis: www.publicservice.govt.nz/resources/our-long-term-insights-briefing.
[136] www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Long-Term-Insights-Briefing-notes-from-discussions-with-expert-stakeholders.pdf
[137] A full summary of the discussions is available on our website: www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Long-Term-Insights-Briefing-Public-Workshop-Notes.pdf.

decisions are probably less suited for participatory mechanisms, participation also in challenging decisions that have already been made not just at the start of a process

- Resourcing: for Public Service capability, for participation processes themselves (especially as deliberative models can be time- and resource-intensive), and for civil society or communities with otherwise limited capacity
- Public Service capability: for engaging with diverse communities, different risk profiles and power sharing, standards of behaviour in participatory work, valuing contributions, and facilitation and framing
- Cultural leadership: a more expansive view than even the local/central discussion, looking out to the Pacific and New Zealand's range of different relationships in that region.
- institutional arrangements: questions of independence, challenges of a centralised system, institutions should be enabling, Crown obligations to Māori as citizens and as tāngata whenua sometimes encapsulated in specific legislation
- Process considerations: diverging practices due to the absence of an all-of-government standard, need for feedback loops, risk of consultation fatigue, who is participating, is the scope right
- Examples to investigate: Pacific Youth Parliament, PYLAT (Pacific Youth Leadership and Transformation) Trust iSpeak model, and Te Reo o Ngā Tangata – a citizen's assembly on climate.