

Government Response to
Report of the Constitutional Arrangements Committee on
Inquiry to review New Zealand's existing constitutional arrangements

Presented to the House of Representatives
in accordance with Standing Order 253

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Introduction

The Government welcomes the Committee's report which makes a valuable contribution to advancing discussion of New Zealand's existing constitutional arrangements.

The Committee has made three recommendations to the Government. The Government responds to those recommendations in the report in accordance with Standing Order 253.

The Government proposes to give further consideration to the idea of establishing generic principles to guide significant constitutional change and agrees that more should be done to continue to improve civics and citizenship education in schools. The Government considers that an independent institute is unlikely to be the best mechanism for achieving greater public understanding and more informed debate on New Zealand's constitutional arrangements. As part of the further work that the Government proposes to do on the generic principles in response to recommendation 1, however, the Government will give further consideration to the role that government and other groups/organisations can play in providing information and facilitating discussion and debate.

Recommendations and Government response

The Constitutional Arrangements Committee recommends to the Government that:

Recommendation 1:

Some generic principles should underpin all discussions of constitutional change in the absence of any prescribed process.

- (a) The first step must be to foster more widespread understanding of the practical implications of New Zealand's current constitutional arrangements and the implications of any change.
- (b) Specific effort must be made to provide accurate, neutral, and accessible public information on constitutional issues, along with non-partisan mechanisms to facilitate ongoing local and public discussion. (By majority¹)
- (c) A generous amount of time should be allowed for consideration of any particular issue, to allow the community to absorb and debate the information, issues and options.
- (d) There should be specific processes for facilitating discussion within Maori communities on constitutional issues. (By majority²)

¹ The ACT New Zealand member dissents from public education proposals he considers susceptible to partisan promotion, as explained in the report.

Response:

Constitutional change can vary significantly. At one end of the spectrum is significant change, such as change to New Zealand's electoral laws. Some changes, however, are essentially technical, or of interest only to a limited group (e.g. change to Executive Council procedures). Other changes, particularly those involving changes to unwritten constitutional conventions, may evolve gradually over the course of time (e.g. the changes to the caretaker convention that occurred over a twenty year period from 1984).

The Government agrees to give further consideration to the idea of establishing generic principles to guide significant constitutional change. The Government intends to give further consideration to that issue, including the nature of possible principles of that kind. It will be important to consider also how and when such principles should be applied, in order to ensure that the process can be tailored depending on the nature of the constitutional change in question.

Recommendation 2:

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

Response:

The Government agrees that more should be done to continue to improve civics and citizenship education in schools.

In 2000, the Ministry of Education initiated a stocktake of the New Zealand curriculum. The stocktake concluded that there should be more emphasis in the curriculum on citizenship (local, national and global).

In March 2003, the Government agreed to the establishment of the New Zealand Curriculum Project to address the recommendations in the stocktake report. This project is redeveloping the national curriculum so that the values, understandings and competencies for New Zealand students are clearly articulated and there is clear focus on the quality of teaching. Through this process citizenship education will be made more explicit in the national curriculum. Schools will be consulted in 2006 and the new curriculum will be implemented in 2007.

Strengthening citizenship education in schools is one way that the Government can ensure that young people have the knowledge needed to become responsible and engaged citizens. The Government is also committed to continuing to assess what more it can do in other forums to strengthen civic awareness among our young people, for example, celebrations of national events, open days at courts and citizenship ceremonies.

² The ACT New Zealand member dissents from public education proposals he considers susceptible to partisan promotion, as explained in the report.

Recommendation 3:

The Government might consider whether an independent institute could foster better public understanding of, and informed debate on, New Zealand's constitutional arrangements, as proposed in this report. (By majority³)

Response:

The Government acknowledges the importance of increasing public understanding of our current constitutional arrangements. The Committee has made a significant contribution to this through its report.

The Committee's proposal to establish an independent institute raises a number of issues, including its purpose, accountability, mandate, relationships with other institutions, and funding. The Government considers that an independent institute is unlikely to be the best mechanism for achieving greater public understanding and more informed debate on New Zealand's constitutional arrangements. As part of the further work that the Government proposes to do on the generic principles in response to recommendation 1, however, the Government will give further consideration to the role that government and other groups/organisations can play in providing information and facilitating discussion and debate.

Conclusion

The Government recognises the importance of the work that the Committee has undertaken and the value of the Committee's report in advancing discussion of constitutional issues.

The Government proposes to give further consideration to the idea of establishing generic principles to guide significant constitutional change and agrees that more should be done to continue to improve civics and citizenship education in schools. The Government considers that an independent institute is unlikely to be the best mechanism for achieving greater public understanding and more informed debate on New Zealand's constitutional arrangements. As part of the further work that the Government proposes to do on the generic principles in response to recommendation 1, however, the Government will give further consideration to the role that government and other groups/organisations can play in providing information and facilitating discussion and debate.

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