PUBLICSECTOR

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IPANZ PRESIDENT LIZ MACPHERSON

My office is on Lambton Quay in the heart of Wellington's CBD. It is a great location for viewing parades, protests, or just the ordinary foot traffic. The CBD is noticeably quieter these days as more people work from home. Tuesday, 8 November was different.

I was aware that there was a protest march, but it was not until my meeting was completely disrupted by the sound and vibration of huge motorbikes that I looked out. As others have commented, this was a protest like no other I have seen. There was no unifying message or chant. Some placards were vehemently anti-vax, some pro-vaccination but anti-mandate, others anti-1080. Pro-choice placards were next to Nazi swastikas and anti-apartheid signs. Some waved the Tino Rangatiratanga flag, others the flag of the United Tribes – often upside down. Still others waved Trump and QAnon flags and slogans.

To the extent that there was a theme, it appeared to be fear and dissatisfaction. One commentator described it as the "protest of the grumpy". In a nation that is currently 80 percent fully vaccinated, it is easy to write off the protests as "a vocal minority". But we live in a world where the key threats we face – the most obvious being COVID-19 and climate change – require sound choices, behavioural change, and action by individuals "for the greater good". Individuals and their choices matter. The last few weeks have demonstrated that solutions to complex challenges that rely on the support of most of the population can't be achieved simply through central fiat.

On the same day as the protest, Te Pūnaha Matatini released the latest results from their Disinformation Research Project. The project found a dramatic increase in COVID-19 disinformation on social media since Delta arrived in August. Worryingly this included a sharp increase in "dangerous speech" – speech that increases "the risk that the audience will condone or participate in violence against members of another group".

How do we respond? The platforms that deliver this material must be part of the solution. However, research shows that where someone has been persuaded by disinformation, debunking it is not easy. The best remedy is for people to hear good information from individuals or groups they know and trust, which sadly is often not government agencies. Working in true, empowered partnership with community organisations, churches, iwi, hapū, and whānau groups and businesses is as critical to treating the infodemic as it is the pandemic itself.

Contributions Please

Public Sector journal is always happy to receive contributions from readers.

If you're working on an interesting project in the public sector or have something relevant to say about a particular issue, think about sending us a short article on the subject.

Contact the editor Simon Minto at simon.g.minto@gmail.com

REDUCTION IN THE PRISON POPULATION
ACHIEVED THROUGH HUMAN-CENTRIC APPROACH

How has making a strategic shift from focusing on the system to focusing on people brought about a reduction in New Zealand's prison population? Lana Simmons-Donaldson explores how Ara Poutama Aotearoa the Department of Corrections' new approach is reducing over-representation of Māori in the corrections system and is transforming the organisation from the inside out.

The Hōkai Rangi strategy has shifted the organisation's focus. It's put people at the centre and has come at a time where the prison population has reduced by 25 percent over the past three years and includes 1,184 fewer Māori in prison.

Hōkai Rangi began as a strategy in response to the Waitangi Tribunal report Tū Mai te Rangi, and then its scope widened to become an organisational strategy in 2019. Its development was led by Jeremy Lightfoot, the then Deputy Chief Executive and now Chief Executive. He says the focus on six strategic outcomes, and in particular, the oranga and wellbeing of people, has been "without question transformative for our organisation".

Jeremy says the prison population was 10,824 in March 2018 and is now below 8,000. "We are in a great space at the moment, in terms of material reduction in the prison population."

Deputy Chief Executive Māori, Topia Rameka (Ngāti Tūwharetoa), says the reduction is being well-received by the department's iwi partners. "They are acknowledging that we are making inroads on the volume front while keeping communities safe."

Despite the significant reduction in a relatively short period, there is still over-representation of Māori in New Zealand prisons – Māori make up 52 percent of the overall prison population, and for Māori women, it is higher still. Jeremy says this is because the "remand population continues to grow in proportion to the sentenced population. It is where we still find a predominance of Māori." He says the next big challenge is "understanding what the whole system can do with its component parts to have more of an equity focus".

Hōkai Rangi and Te Tiriti o Waitangi

The Hōkai Rangi strategy can trace its lineage to Te Tiriti o Waitangi through the 2017 Waitangi Tribunal report Tū Mai te Rangi: Reporting on the Crown and Disproportionate Reoffending Rates.

Jeremy says 2017 was a critical point in the history of Ara Poutama Aotearoa. "The tribunal found it wasn't okay for us to assimilate all people in the same homogenous way." The findings placed an obligation on the department to develop a Māori strategy that was culturally responsive and aligned to the things that might make a difference for Māori. "That was an important shift."

There is now an emphasis on listening. "We took the view that the big shift we needed to take was to explain less and be less defensive." He says it was important to "change our frame, to listen purposely and actively. Particularly to listen to and get insights from Māori."

Topia says Corrections is known for doing things differently. "We openly call ourselves out, and we recognise that we have a role to play to lead change toward better outcomes. We can't do that by ourselves. We acknowledge that we operate within a wider sector and within communities – strong partnerships are critical to the shift that needs to happen."

Topia joined Ara Poutama Aotearoa in 2019 and was a member of Correction's Māori Leadership Board, Te Poari Hautū Rautaki Māori, which worked alongside frontline staff, service providers, academics, and other Māori experts to develop Hōkai Rangi. As the inaugural Deputy Chief Executive Māori, Topia oversees key organisational functions, including policy, research and evaluation, psychology and programmes, reintegration and housing, Māori outcomes and partnerships, and the Māori Pathways Programme.

He says that the establishment of the role, and the areas of responsibility that it leads, are critical to influencing a different approach to old challenges. "Iwi Māori have acknowledged some of the small wins that we are realising, including having a role like a Deputy Chief Executive Māori that has oversight of some of the key levers of the business."

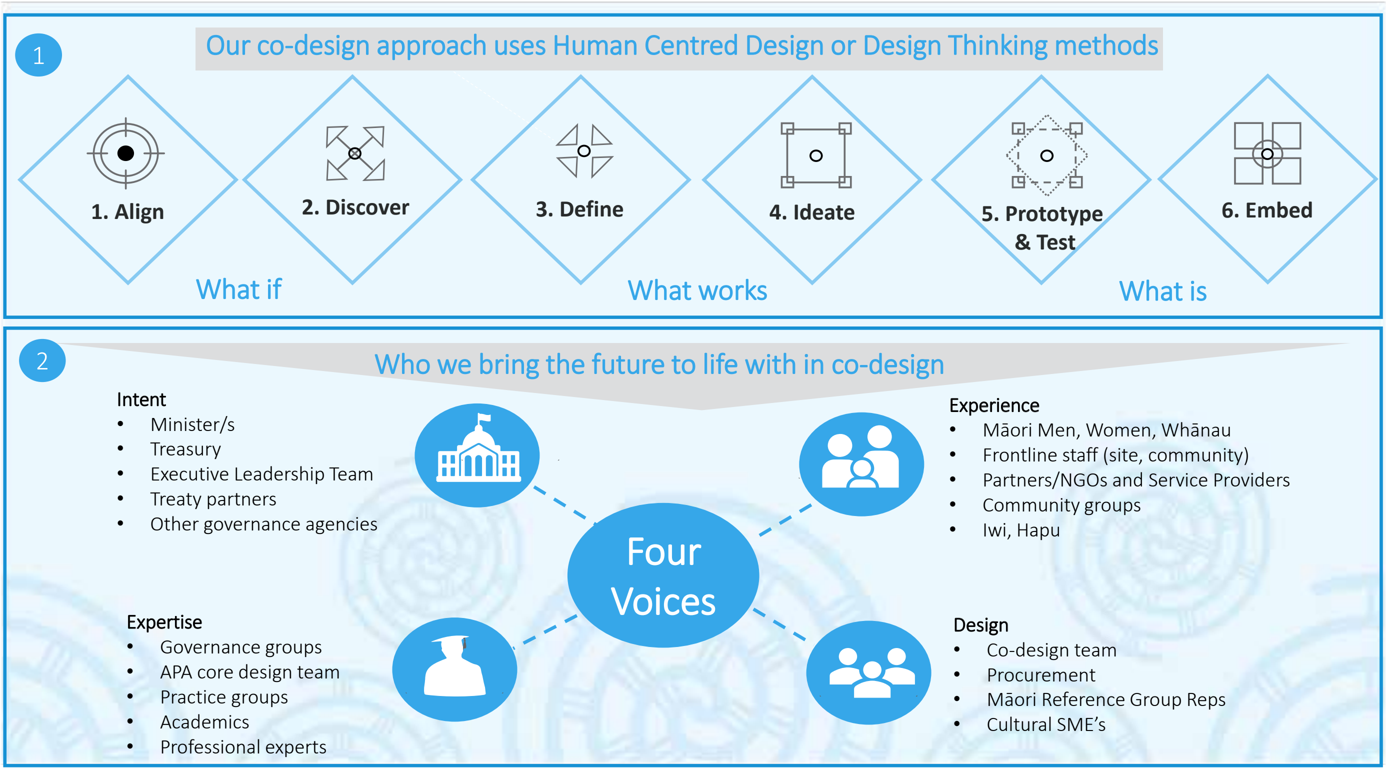
Topia says having a relatively high Māori staff ratio and great relationships already in place with iwi and Māori service providers has meant Ara Poutama Aotearoa has always been well-positioned to engage in conversations.

Co-design insights

Regarding co-design with Māori, Topia, who is the former Chief Executive of the Tūwharetoa Māori Trust Board, says Ara Poutama Aotearoa has "great existing relationships, and we are continually building new ones with those who want to partner with us. We take the approach that there is no one-size-fits-all and we need to adapt to the specific regional needs of our partners."

He says there has been an increased interest in co-design over the past 18 months. "The department is currently producing our version of a 'co-design 101 guide' to support staff to better understand the options and processes available to them. We plan to make this available for others to use as well. It outlines how we approach this mahi, when we do it, why we do it, and what we do."

Jeremy Lightfoot and Topia Rameka



1 Our co-design approach uses Human Centred Design or Design Thinking methods

1. Align
2. Discover
3. Define
4. Ideate
5. Prototype & Test
6. Embed

What if – What works – What is

2 Who we bring the future to life with in co-design

Four Voices

Intent
- Minister/s
- Treasury
- Executive Leadership Team
- Treaty partners
- Other governance agencies

Experience
- Māori Men, Women, Whānau
- Frontline staff (site, community)
- Partners/NGOs and Service Providers
- Community groups
- Iwi, Hapu

Expertise
- Governance groups
- APA core design team
- Practice groups
- Academics
- Professional experts

Design
- Co-design team
- Procurement
- Māori Reference Group Reps
- Cultural SME's

Ara Poutama Aotearoa, human-centred design approach

Topia suggests a prioritisation exercise is critical to identify what key projects might be part of a co-design process. At the end of the day, iwi Māori want "better outcomes for their people and that means better outcomes for Aotearoa Inc." In saying that, he says there are opportunities for other government departments to change settings within their own span of control. "Just as any system might realise poor outcomes, so too can a system realise advantageous outcomes – if we can see an opportunity to make improvements, we should just get on and do it."

Jeremy highlights the shift hasn't been easy. He recalls a two-day wānanga, involving 50 or 60 people from a broad cross-section of the Corrections community. "They were all coming with insights they wanted to share. Some were pretty angry, traumatised, and hurt from past experiences." He says, "I sat and listened with colleagues as they told their stories of the impact on them or their whānau. It was hard to listen actively, without immediately saying 'please let me explain'. Trying to put yourself in their shoes, to have a degree of appreciation. Then working with them to explore what would a different path look like, and how might we go about capturing those insights."

Personal and organisational change

Jeremy says the shift the organisation is taking has led to very different conversations taking place across all levels of the business. An engineer by profession, he has worked in several roles since joining the organisation 11 years ago. He says Ara Poutama Aotearoa has had a significant impact on him, helping to shape him into the leader he is now. "It's helped impress upon me the first and most important thing – understanding people." He says that you can do the greatest job with your building, or technology, and corporate capabilities, "but these must be viewed as supportive to our workforce, having positive connections to the people we manage and their whānau. We are committed to treating all people with dignity and decency, and this is what is going to make a real difference to the services we deliver."

Te ira tangata – human-centred design

Human-centred design is a fundamental component of how Corrections approaches its work, with a focus on co-design and ensuring key voices are part of the process. Topia says, "The voice of lived experience, the voice of intent, the voice of expertise, and the voice of design are all critical to the process. Buy-in from the start is needed, of staff, of partners and whānau." He says those are the key ingredients for navigating towards a good outcome.

Topia says, "Human-centred design, or te ira tangata, is about making sure a person's needs are catered to, not placed into a system that is inflexible."

He says the approach is focused on the importance of each "man or woman's particular circumstances, their cultural outlook, their history, their whakapapa, their outlook for the future – all of those things".

Transformation

Involvement in the development of Hōkai Rangi enabled Jeremy to anchor the change and support the people in the organisation. "To help support them to do some of the hardest jobs in Aotearoa. There is not much public recognition for the incredibly challenging environments our people have to grapple with every day."

In terms of the cultural capability within Ara Poutama Aotearoa, Topia is positive. "I think we are well placed and have good foundations in this space. While we are still on our journey, we have come a long way. As an executive team, we have unity in purpose and unity in leadership, and I believe that is echoed throughout the business."

Next steps

While small gains have been made to reduce the prison population, a key focus remains on addressing the over-representation of Māori. "The next big challenge is understanding what the whole system can do to have more of an equity focus," Jeremy says.

He sees "massive opportunities and support for a collective justice sector approach. We definitely have support for such an approach. I've never seen such a unified pursuit of that goal.

"We need to shift our mode to have collective impact and focus on the things that most powerfully shift the entirety of the justice system."

Anna Pendergrast

Pia Andrews

Ann-Marie Cavanagh

IMAGINING A FUTURE DIGITAL PUBLIC SERVICE

Anna Pendergrast speaks to some experts in digital transformation to find out where the public service might be in another 10 years of positive digital change.

I got my first public sector job in 2010. One of my main tasks was doing the initial processing of passport applications. Every morning, my colleagues and I opened courier pack after courier pack, checked the forms for payment details, put photos and cheques into plastic bags, and attached them to the application with a pin so they didn't get lost. In the afternoon, we input application details into the computer system, ready to go to passport officers. The office was a well-oiled machine, and the processes were optimised for efficiency and security.

The way we did things changed dramatically over my two years in the role, partly due to the way digital technologies were further incorporated into the workflow, significantly altering and augmenting the way we did things. Although receiving paper applications remained the norm, we went from manually entering the details from each application to scanning the forms in batches for the new computer system to recognise and process the data. We then spent the afternoon checking the uploaded data and correcting any errors.

Fast-forward 10 years, and I imagine the processes and jobs for receiving and processing passport applications would be unrecognisable to me. New Zealanders applying for a passport no longer have to send in a paper form and instead are encouraged to apply online. While public servants are undoubtedly still part of the process, so too are digital technologies, such as facial recognition, which was introduced into the passport production process in 2012. And I can only assume that the days are gone when rows of people diligently open mail each morning.

My experience is not unique, and I am sure all past and present public servants have a story of how their jobs have changed as new tools become available. I always loved hearing from older colleagues about the days of typed telephone lists, handwritten draft briefings, and typing pools – all things that seem unimaginable to me now.

Embedding new technologies into any organisation doesn't happen magically. It's an ongoing process and takes planning, investment, the right skills, and new processes and organisational frameworks. There also needs to be clear overall goals – why do organisations want to make the changes and who is going to benefit from them? This article takes a deeper dive into the digital transformation of government. It focuses on understanding the "why" of becoming a digital public service, the possibilities, and the barriers and what public servants can do now to help on the journey.

What is digital transformation?

Digital transformation doesn't have a single definition. At a high level, it's about integrating digital technologies into an organisation in order to reach its goals. This also means looking beyond the technologies themselves to wider systems and organisational culture. It can require a fundamental rethinking of how things are done. The govt.nz website reflects this, stating, "We're focusing on what people need from government in these fast-changing times and how we can meet their needs using emerging technologies, data and changes to government culture, practices and processes."

Digital technologies are powerful tools for transformation, but are usually not the purpose or key objective. This is true for Inland Revenue (IR), which recently shepherded significant changes to how the tax system works. While "digital" was vital for its business transformation, introducing new technologies wasn't the underlying purpose. In a recent IPANZ panel discussion on digital leadership, IR Chief Executive Naomi Ferguson noted that the changes were as much about policies and processes. However, computer power and digital capabilities were vital as they allowed IR to really go back to the question of "how will the tax system work?" and know that there were tools available to help them make their chosen approach a reality.

FUTURE GOVERNMENT SERVICES WON'T ALWAYS NEED TO COME DIRECTLY FROM AN AGENCY.

Not all digital transformation efforts are successful. The lingering legacy of Novapay is one notable example. When discussing why some projects fail while others succeed, authors of the *Harvard Business Review* article "Digital Transformation Is not about Technology" state, "Fundamentally, it's because most digital technologies provide possibilities for efficiency gains and customer intimacy. But if people lack the right mindset to change and the current organizational practices are flawed, [digital transformation] will simply magnify those flaws."

A vision

So, what is the vision for a digitally enabled public service in 10 years? I spoke to two people who think about this a lot: Pia Andrews and Ann-Marie Cavanagh. Pia Andrews is an internationally recognised digital government expert who was

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recently Director General for Digital Experience and Client Data and Special Advisor to the Chief Transformation Officer for Service Canada. Ann-Marie is the Deputy Government Chief Digital Officer and Deputy Chief Executive of the Digital Public Sector branch of Te Tari Taiwhenua, the Department of Internal Affairs.

Both Ann-Marie and Pia were clear that a digitally enabled public service would have the needs of people at its centre. Ann-Marie hoped that, in 10 years, the goals from the Strategy for a Digital Public Service would start to be achieved. “We want to see a unified, modern, and efficient public service, with citizens and businesses at the heart of that.” This includes providing efficient, trusted, and streamlined services and freeing up public servants to do the things that people really excel at – in particular, serving people.

In Pia’s vision, “all aspects of the public service would provide world-class integrated services and a dignified and delightful experience for people across Aotearoa who are interacting with government”. She would like to see “high public trust and high confidence in the public sector – in its political neutrality, in its policies, in its administration, and in its services”. This would mean that people can trust, audit, appeal, and co-govern the systems, processes, and decision making. “So we see high public trust and confidence, but also high public participation in everything from policy to service governance.”

Naomi Ferguson also articulated a 10-year vision during the recent IPANZ panel discussion. “One opportunity is the ability to truly integrate the things people need from government in ways that make sense to them. People want services in ways that work.” And perhaps, Naomi suggests, future government services won’t always need to come directly from an agency. An example she gave to demonstrate this potential was getting a visa when you buy a plane ticket. For Pia, having an integrated, multi-channel service layer across all government services is an aspiration and something that she saw, and helped to implement, in her previous roles in Canada. With one call, or visit to a website or service centre, a person can find out about their entitlements and responsibilities across a range of agencies.

How it’s working now

So, what is the public service doing well in its digital efforts? For Ann-Marie, it has made great strides in recognising the importance of trust in government and its provision of digital services. Ann-Marie saw Māori data sovereignty as an example of where progress is being made. She highlighted there is a growing understanding of “how we can think about data as a taonga” and the importance of Māori data sovereignty principles, like having data stored in the jurisdiction it was collected. However, in terms of actually thinking about what this means for communities, she acknowledges “we’re not where we need to be”. “We know that we need to use modern, agile, efficient, contemporary tools. But that typically means that data could be stored offshore. So there’s a tension between knowing what we should be doing and what’s right and saying, actually, we need to get the infrastructure underpinning it.” Ann-Marie notes that great strides have been made with the move to onshore data storage, and commitments from major infrastructure providers to build data centres here, but the next steps will include seeing how to get key datasets into these centres.

It’s the culture more than anything

In terms of barriers, Ann-Marie talked about culture and the need to look across the system and be able to prioritise initiatives beyond individual agencies. “I think it’s the culture more than anything. I think it’s the stepping out of agency silos. I think it’s the ability to look across what’s going on in other agencies ... how do we bring that broader perspective?”

One barrier from Pia’s perspective is the lack of a clear articulation of what the future we’re aiming for actually looks like. “There’s lots and lots of strategies, but none of them outline what the future good looks like.” Pia would also like to see senior executives across government recognising the need for urgent, transformational change. “They do not understand the urgency to transform the current system.” For Pia, New Zealand is asking when we’re going to get back to “normal”. “The rest of the world is rapidly evolving, seeing COVID as the start of an era of rolling emergencies.”

While they both agreed there were many challenges in digital transformation and becoming a truly people-centred digitally enabled public service, there was also an overall sense of optimism. However, Pia was clear that nothing would happen without effort, resources, and planning. When telling me her vision for a future public service (not all of which would fit in this article), she prefaced her answer by saying “none of this will happen by chance or by accident. The only way that these changes would happen would be if some concrete decisions were made to make change, which I have not seen yet.”

THERE’S LOTS AND LOTS OF STRATEGIES, BUT NONE OF THEM OUTLINE WHAT THE FUTURE GOOD LOOKS LIKE.

Keeping the trust

On addressing the challenges ahead for government digital transformation, Ann-Marie noted, “I think we’re on our way there, and I think it is a challenge, but I don’t think we can give up with that challenge.” Ann-Marie is reminded every day of the importance of this work, from the COVID-19 response to the dissemination of misinformation and disinformation. “We’ve got to keep going. Because the one thing we can’t lose within New Zealand is that trust and confidence in government.”

Being curious

So what can public servants do now to help realise this digital future? For Ann-Marie, it’s about curiosity. “I’d say be curious. Be curious about what’s working well and what’s not working well. We’re always good at seeing what’s going well, but we need to unpack how we can do better, particularly with digital space … if a service isn’t working, be curious and ask why. And that’s how I think that kind of agility will come.”

Following the Act

For Pia, one actionable task that every public servant can do is to see how their work aligns with the new Public Service Act. “Look at your current programmes, your current policies, your current services, and ask, how would I, against the letter and the intent of the Public Service Act, make this more adherent to the culture of service? How would I make the reporting more public, the operating principles more public? How would I engage citizens and the public in the processes along the way in co-governance and co-design? There’s heaps in the Public Service Act that people could just say, ‘I’m going to take what I’m doing today and do a quick review on how I can make it more compliant’, which they could then take and brief upwards.”

Towards the end of my conversation with Pia, I ask her to paint me a picture of the future she imagines. Suddenly, her voice changes to an official but friendly tone. “Hello, welcome to Service Aotearoa, how can I help?”

“Uh, I want to do my tax return,” I say tentatively, still getting my brain into role-playing mode.

Over the next few minutes, Pia – in character as a Service Aotearoa representative – verified my income details, confirmed the amount I owed in taxes, set me up with a payment plan, and then moved on to topics totally outside the role of IR – even giving me advice on my hypothetical business. Pia told me that – in this hypothetical future – my business was eligible for an innovation grant. She asked about a licence I had applied for six months earlier and whether I still wanted to go ahead. She also told me that if I had a few minutes, she could walk me through everything I might be eligible for in the future, or I could use the online tool to work that out myself. I made one call to find out about my taxes and walked away having received a range of public services. No digging around different websites or making calls to different agencies, no wondering or searching to learn my entitlements, no being sent somewhere else.

BE CURIOUS ABOUT WHAT’S WORKING WELL AND WHAT’S NOT WORKING WELL.

Even in this make-believe call, it was kind of a rush having all these things I needed to do in very different aspects of my life sorted out with very little hassle. Once our pretend call had finished, so did our actual call. Pia and I said goodbye, and with that I returned to the present.

I am not sure if this will be the digital future for Aotearoa’s public services, but it is compelling. As Liz MacPherson said as she facilitated the IPANZ panel on digital leadership, “The only limits are imagination – we need to think about outcomes and how technology can help.”

Continued Demand for Policy Professionals

As 2021 draws to a close the market shows no sign of slowing down! There is still a significant demand for policy professionals across a number of sectors in response to new government initiatives and reforms being rolled out.

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ALL IS NOT WELL **IN THE POLICY PROCESS**

Making public policy in Aotearoa New Zealand is a difficult business, with many failures and unintended outcomes. Using conclusions from their forthcoming book *Policy-making under Pressure: Rethinking the Policy Process in Aotearoa New Zealand*, Sonia Mazey, Principal of Arcady Hall and Adjunct Professor at the University of Canterbury, and Jeremy Richardson, Emeritus Fellow at Nuffield College, Oxford, and Adjunct Professor at the University of Canterbury, explore what's wrong.

Their book is a collection of perspectives written by many Aotearoa contributors, internal and external to the public sector. This article aims to prompt debate – the conclusions reached are those of the authors.

Sonia Mazey

Jeremy Richardson

Is the team of 5 million well governed?

Public policy making in Aotearoa New Zealand has a patchy record when it comes to outcomes, as highlighted by a number of international sources, including OECD, WHO, and UNESCO "quality of life" indicators. In many policy sectors, we perform no worse than many advanced democracies and, in a few, are world leading. However, in others we rank poorly, particularly in outcomes relating to child poverty, affordable housing, mental health, youth suicide, water pollution, and obesity. New Zealand is a great place to live, but all is not well for the team of 5 million.

Governments stuff up everywhere

Not all societal problems can be solved by governments, and public policies do not necessarily produce "good" outcomes. Indeed, they may even make matters worse. When governments make mistakes, the consequences are not just traffic jams, declining educational standards, and a worsening housing crisis. People can die. Alas, policy failure is perhaps more common than policy success.

The COVID-19 pandemic has also revealed a more serious, global pandemic, namely a decline in the capacity of national governments to solve problems that can be solved only by governments. (When the leader of the free world wonders if swallowing bleach might be a cure for COVID-19, we all need to worry!) Yet saying "we need better public policy" is rather like motherhood and apple pie. Who can object to that? However, achieving better public-policy outcomes is, in reality, extremely difficult. As we explain below, we believe that there are some generic causes of policy failure, common in all Western democracies.

Agenda management

Liberal democratic governments face an endless conveyor belt of problems and resulting demands to "do something". The political agenda is crowded. Too many problems on the conveyor belt create a common governance response, namely a *frenetic* style of policy making, squeezing out time for necessary deliberation and meaningful consultation with key stakeholders who will have to implement proposed reforms and those who will be affected by them. Overwhelmed by multiple policy demands and media criticism, governments often resort to agenda-management strategies designed to allay public concerns and lessen media interest. One such strategy is *inquiryitis*. We are strongly in favour of genuine deliberative policy making, but governments sometimes use inquiries and policy reviews as a means of kicking the can down the road. Another strategy is to announce a major organisational restructure of the relevant government department. As a strategy, such *reorganisationitis* is akin to rearranging the deckchairs on the *Titanic*. Related mechanisms for reducing governmental overload are *privatisation* and *contracting out* of public services, enabling governments to offload responsibility for poor performance. Finally, all liberal democratic governments have become increasingly adept in recent years in effective media and social-media management, otherwise known as *spin doctoring*.

THERE ARE SOME GENERIC CAUSES OF POLICY FAILURE, COMMON IN ALL WESTERN DEMOCRACIES.

The issue-attention cycle

Governments sometimes ignore problems in the hope that "it'll work out" and eventually "go away" or wait for new issues to displace issues already on the agenda. Allegedly, General Franco, the former Spanish dictator, had just two trays on his desk: one marked "problems that time will solve" and the other marked "problems that time has solved". In reality, few policy problems resolve themselves, but over time, some do fade away, albeit unsolved. We are right to blame government for policy failures, but we voters are equally to blame. When a problem comes onto the political agenda, we are initially enthusiastic – something must be done! Quickly, the cost of tackling the problem dawns on us. Solving the problem will cost money, and we may also have to change how we behave (think global warming). As a consequence, our initial enthusiasm wanes and we turn our attention to some other issue that has forced its way onto the public-policy conveyor belt. Meanwhile, the original problem, no longer in the spotlight, remains unresolved in the twilight, where a burgeoning "industry" of advocacy groups and experts continue to beaver away, working to solve the original problem.

Large solutions, unintended consequences, and implementation problems

A rule of thumb in policy making is that the larger the solution, the bigger the problems it will create. Many of today's policy problems are, in part at least, the result of yesterday's solutions. Implementation of a major policy reform usually impacts large numbers of actors, some of whom may behave in unexpected ways and undermine the policy's intentions. Think of motorway building, widely regarded around the world as a solution to traffic congestion. However, the unintended consequences of building motorways (notably urban sprawl, increased road freight, and commuting) have resulted in yet more traffic, more and bigger motorways, and relentless increases in carbon emissions.

Indeed, unintended consequences are a familiar feature of public policy making. For example, the present government's policy of subsidising the purchase of electric vehicles, announced in June 2021, prompted an immediate, adverse unintended consequence – as Japanese second-hand car exporters raised their prices by the amount of the subsidy. New Zealand taxpayers simply transferred money into the pockets of Japanese exporters. This story illustrates another problem in the policy process, namely implementation failure. Effective policy implementation is a challenging and complex process involving multiple actors and interests, some of whom have the capacity to amend, delay, or even prevent the proposal being implemented "on the ground". Implementation failure is a major problem and one that can be addressed only by better policy deliberation and design.

How might the New Zealand public policy process be improved?

Our policy landscape is littered with policy-problem time bombs quietly ticking away; they could probably be defused or controlled by early government intervention, but they are not. Instead, known problems are left to fester unattended until such time as they become a crisis that can no longer be ignored. In summary, the prevalent national "policy style" in New Zealand has been reactive, not anticipatory. The current government's proposed Three Waters reform of the nation's drinking and waste water management is illustrative of this policy style. Whatever the merits or demerits of this particular proposal, the problems that the government is now trying to address (drinking-water safety, failing infrastructure) are chronic in nature; they have been a long time in the making and have been known about for many years.

Similarly, New Zealand has a serious and growing type 2 diabetes problem, exacerbated by the fact that the country also has one of the highest levels of obesity in the OECD – a well-known cause of type 2 diabetes. The latter condition is largely preventable and can usually be controlled, even reversed, by diet, exercise, and inexpensive medication. Left untreated, however, it can result in cardiovascular disease and serious organ failure. These facts are well known. A recent report to parliament predicted that the number of people in New Zealand with type 2 diabetes will increase by 70 to 90 percent over the next 20 years and the annual cost to the economy of type 2 diabetes is likely to rise to $3.5 billion during this period. Despite this chilling prediction, New Zealand still has no national strategy or plan for managing what is widely regarded by medical experts as a disease that has reached epidemic proportions.

In fairness, very few liberal democratic governments are good at anticipatory policy making, in part because it is challenging and also because governments are mindful that failure to deliver on their campaign promises may cost them the next election. Bearing all this in mind, what could be done to improve the New Zealand policy process?

More continuity, more deliberation

A recurring theme of contributions to our book is the lack of continuity in policy making. Political change is a normal feature of democratic government; elections are, as Winston Churchill said, our opportunity to "turn the buggers out"! However, there is now widespread agreement among political parties that our three-year parliamentary term is too short. Rather than moving to four-year terms, we believe that a slightly longer five-year, fixed-term parliament similar to the UK model would be even better, providing governments with more time to develop and implement policies. Reducing the pressure of the electoral churn, though helpful, will not be enough. The policy style itself needs to change.

THE LARGER THE SOLUTION, THE BIGGER THE PROBLEMS IT WILL CREATE.

We need to construct a more *deliberative* approach to policy making. A deliberative approach has three main components: carefully considering and weighing up options (exactly what is the problem and what options do we have?); taking sufficient time to analyse the problem and available options (do you want it now or do you want it right?); and ensuring relevant interests and organisations (those who know where the shoe pinches) have been appropriately consulted and their views taken into account.

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Alongside a change in policy style, we advocate some institutional changes to the way policy is made. For example, we suggest that New Zealand adopt the traditional, Swedish model of policy development, characterised by extensive involvement of broadly based experts and independent policy commissions. The commissions mobilise expertise, facilitate negotiation between competing interests, and foster compromises across the political divide.

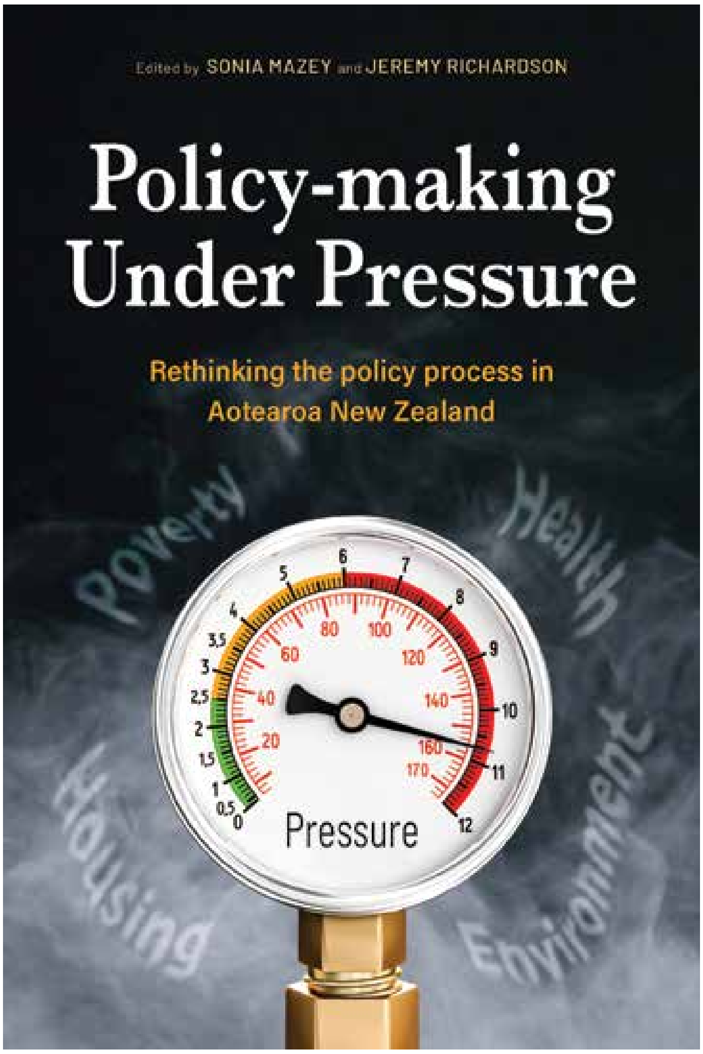
OUR POLICY LANDSCAPE IS LITTERED WITH POLICY-PROBLEM TIME BOMBS.

On a related theme, within Aotearoa New Zealand, much work still needs to be done to give effect to the principles of Te Tiriti throughout the policy process. As highlighted by policy outcomes across a number of sectors, including education, health, and housing, mainstream policy processes have often failed to meet the needs of Māori communities. At a formal level, some progress has been made, but there is more work to be done to ensure that our policy processes and outcomes are responsive to and reflective of te ao Māori. Iwi are not "just" another interest group to be consulted. They are Treaty partners and quite rightly expect to be treated as such.

More analytical capacity and capability

The analytical capacity of opposition parties to formulate policies that they hope to implement if elected must also be increased. Coming into government with half-baked policy ideas is not in anyone's interest. We suggest establishing a publicly funded, independent Policy Consultancy Agency tasked with providing independent but confidential policy-analysis support for opposition parties.

A more radical reform would be to consider a departure from the Westminster parliamentary model of government whereby all ministers must be drawn from the legislature. Party candidates are rarely chosen for their policy expertise or their capacity to run large organisations. The number of MPs is quite small; consequently,


Edited by SONIA MAZEY and JEREMY RICHARDSON
Policy-making Under Pressure
Rethinking the policy process in Aotearoa New Zealand
Poverty
Health
Housing
Environment
Pressure

HIGH AUTONOMY, **HIGH ALIGNMENT**

This article is a summary of a paper published in the new book referred to in the previous article. Dr Rodney Scott, Kaitohutohu Mātāmua, Te Kawa Mataaho; Chief Policy Advisor, Public Service Commission, outlines some strategies being used in the public service to balance the need for co-ordination and innovation and decentralisation and centralisation.

Government is too big to be administered as a single entity. To manage diverse functions and services, governments have found it necessary to divide themselves into more manageable administrative units (departments and agencies). The successful co-ordination of these different parts has been described as both the "holy grail" and "philosopher's stone" of public administration. Strong centralisation and decentralisation have both been tried in New Zealand in living memory.

The break with centralisation

Prior to 1988, the public service was largely co-ordinated by limiting managerial discretion within agencies. Everything from individual promotions to stationery orders was managed centrally. Following the passage of the State Sector Act 1988 and Public Finance Act 1989, New Zealand lurched in the opposite direction; the "New Zealand model" was described as the most decentralised in the world, with strong autonomy for individual chief executives. Both approaches have strengths and weaknesses.

Centralisation improves co-ordination. It allows multiple agencies to work together on cross-cutting problems with improved interoperability of systems. It can also be more efficient (such as one agency reusing resources from another agency) and more economic (as in whole-of-government procurement). Complex problems can often only be solved by agencies working together, whether they're policy based, like family and sexual violence, or operational, like managing the border.

Decentralisation allows innovation. Central rules cannot anticipate all the different ways that agencies operate, and they invariably lead to cases where the rules don't work or don't make sense in certain situations. They can limit the flexibility and autonomy of public servants to solve the problem in front of them. Working with others typically has greater transaction costs than working independently and often results in solutions that only partially satisfy each agency's needs.

A balanced way

Neither approach is optimal on its own, requiring them to be balanced against each other in a mixed system. Peter Hughes and I describe some of the strategies the New Zealand public service uses to do this in our chapter in the book *Policy-making Under* the pool of talent from which to select ministers is tiny and the proportion of MPs on "payroll vote" is arguably too high.

Not all parliamentary systems insist on ministers being appointed only from within the legislature. Instead, they seek to maximise the government's policy-making capability by seeking ministerial talent from outside parliament. In Norway and Denmark, ministers do not need to be drawn from the legislature and it is common for ministers to be appointed on the basis of their technical expertise and knowledge of the policy sector. In such cases, ministers are still accountable to parliament via question time and select committee hearings. Indeed, Denmark's parliament can force the resignation of a minister if there is a majority vote against him or her in parliament.

A further advantage of including ministers from outside parliament is that portfolios can be shared among more ministers, reducing the workload of each minister. Our ministers have multiple and disparate portfolios, and one wonders how they find the time to master complex policy issues and build meaningful relationships with key policy actors and stakeholders.

Ministers are not the sole actors in the policy process. Just as we need to increase the analytical capacity of ministers, we also need to further strengthen the analytical capacity of the public service. A huge amount has been done in this area by the Public Services Commission. We suggest building on these reforms by introducing a centrally managed and competitive graduate-recruitment scheme for certain categories of national public servants – to be run by a new public services recruitment agency. Under such an arrangement, individual government departments would lose their exclusive recruitment function for policy-related grades, and the careers of entrants would be managed centrally, rather than the existing market system, where public servants in one department advance their careers by applying for higher posts in another department.

Apart from helping to break down "departmental silos", a centralised recruitment system might also make the public service a more prestigious and attractive career prospect for our brightest graduates, as it is in the UK and other European countries. Another, related public-service reform would be to establish a well-funded national Public Service College (based in two centres, one in the North Island and one in the South) to provide ongoing professional development in public-policy analysis, and public management, across the whole of the public service, including local government and all public agencies.

MUCH WORK STILL NEEDS TO BE DONE TO GIVE EFFECT TO THE PRINCIPLES OF TE TIRITI THROUGHOUT THE POLICY PROCESS.

The importance of obituaries

Our overriding message is that we need to improve our policy-making processes in order to achieve better public-policy outcomes. However, our wish-list of suggested reforms will come to nothing without bold, well-informed, political leadership. Anticipatory policy making is the Achilles heel of democracies. There is little incentive for politicians to court unpopularity by taking tough decisions today, knowing that it will be their successors who will get the credit. Also, we voters want jam today, not jam tomorrow, so we discount the costs of problems that can be left to the next generation. However, when we visit the doctor, we recognise that we might be told "there is no cure for this", or "there is a cure, but it will be painful and slow to work", or "there is a cure, but it is just too expensive". Neither politicians nor doctors are magicians. As voters, we need to be mature about what we demand of politicians. And so we conclude with what might seem an odd request to our political leaders – think of your obituary rather than winning the next election. Election victories are just footnotes to history. Major successful policy reforms warrant a full-length chapter.

Pressure: Rethinking the policy process in Aotearoa New Zealand edited by Jeremy Richardson and Sonia Mazey. The result is referred to by the Public Service Leadership Team (PSLT, a group of public service chief executives) as "high autonomy and high alignment", following the work of Henrik Kniberg.

Having evolved gradually over many years, the strategies constitute a careful layering of tensions rather than a single organising principle, although many are codified in the Public Service Act 2020. Each is as much craft as it is science, but can be summarised as follows:

- collective decision-making processes that allow central directions to be negotiated and settled
- strong central leadership of the system acting as a broker in cases of conflict (rather than a boss)
- dispersed lower-level leadership roles across the system so that alignment is not seen as top-down centralisation, but more as a collegial exercise
- formalised collective responsibility implemented as and when needed on particular areas of policy or services
- appealing to the authority of ministers or the Public Service Commissioner as a last resort.

The PSLT is one of the main vehicles for alignment, having taken collective responsibility to act as stewards of the whole public service. For example, they played a key role in managing the government's COVID-19 response, both formally and informally. Within PSLT, sub-groups take leadership on specific topics, mandated by the whole group, which agrees to abide by the resulting decisions. For example, the Papa Pounamu group takes responsibility for improving diversity and inclusion across the public service.

"System leads" are used to assign responsibility for driving improvements and co-ordinating action across the public service in a particular area. For example, the Government Chief Digital Officer is responsible for improving digital capability across the system.

Sometimes formal structures are needed, for example, interdepartmental executive boards and interdepartmental ventures provided for under the Act. The Border Executive Board is an example of the former, bringing together six agencies to ensure that New Zealand's border is secure and managed effectively to facilitate trade and travel while minimising risk. Although it hasn't yet been used, the interdepartmental venture model allows chief executives to pool resources where this would deliver better policy outcomes.

Mixed models are messier than simple systems built on a single organising principle. They involve careful negotiation of when to act together and when to act separately. Navigating this complexity is a challenge that senior public servants face every day.

COP26 - DATA DRIVEN

Shelly Farr Biswell reports from the 2021 UN climate change conference – COP26, which was held in Glasgow, 31 October to 12 November.

From 1992 to now

In 1992, world leaders met in Rio de Janeiro at the United Nations Conference on Environment and Development – the Earth Summit. The purpose of the summit was to consider the impact of human socioeconomic activities on the environment.

Among the achievements of that aspirational summit was the signing of the United Nations Framework Convention on Climate Change (UNFCCC) by 154 nations that went into force in 1994. The first Conference of Parties (COP) was held the following year.

In another defining moment in addressing climate change, world leaders signed the Paris Agreement at COP21 (2015), which calls for a reduction in “global greenhouse gas emissions to limit the global temperature increase in this century to 2°C while pursuing efforts to limit the increase even further to 1.5°C”.

Six years on, the Paris Agreement’s goal has been difficult to realise. For that reason, in the lead-up to COP26, which was delayed by a year due to COVID-19, all countries were under increasing pressure to set more ambitious nationally determined contributions (NDCs) and to show how they will deliver on their commitments.

UNFCCC Executive Secretary Patricia Espinosa was among the many voices at COP26 who sounded the alarm about the lack of progress that has been made on the Paris Agreement, saying in her opening speech, “We either choose to recognise that business as usual isn’t worth the devastating price we’re paying and make the necessary transition to a more sustainable future — or we accept that we’re investing in our own extinction.”

Where science and policy meet

On 4 November, the Intergovernmental Panel on Climate Change (IPCC) presented its findings from the most recent Working Group report – Climate Change 2021: The Physical Science Basis, which was published in August. The findings are stark, with IPCC experts warning that unless “immediate, rapid, and large-scale reductions in greenhouse gas emissions” are made, it will be impossible to stay under the Paris Agreement temperature limits. The report is the first part of the IPCC’s Sixth Assessment Report. The full report is expected to be published in 2022.

In September, UN Climate Change published a synthesis report on climate action plans based on the NDCs of each country. An update to the report was published just days before COP26. The update included NDCs representing all 192 parties to the Paris Agreement, including new and updated NDCs that were communicated by 143 parties by 12 October. The update notes that when just considering the new and updated NDCs for those 143 parties, total greenhouse gas emissions would be expected to drop about 9 percent below the 2010 level by 2030. However, when looking at the combined NDCs for all 192 parties, global greenhouse gas emissions are projected to increase by about 16 percent in 2030 over the 2010 level.

The update suggests that while progress has been made in those countries that set ambitious NDCs, further action is required. As COP26 President Alok Sharma noted, the G20 nations need “to come forward with stronger commitments if we are to keep 1.5°C in reach over this critical decade”.

> WE’RE INVESTING IN OUR OWN EXTINCTION.

Another publication that fed into discussions at COP26 was the 2021 Production Gap Report, which “tracks the discrepancy between governments’ planned fossil fuel production and global production levels consistent with limiting warming to 1.5°C or 2°C”. Prepared by experts from a number of research institutes and the UN Environment Programme, the report includes profiles of 15 major producer countries (Australia, Brazil, Canada, China, Germany, India, Indonesia, Mexico, Norway, Russia, Saudi Arabia, South Africa, the United Arab Emirates, the United Kingdom, and the United States).

As the report notes in its key findings: “According to our assessment of recent national energy plans and projections, governments are in aggregate planning to produce around 110 percent more fossil fuels in 2030 than would be consistent with limiting global warming to 1.5°C, and 45 percent more than would be consistent with limiting warming to 2°C, on a global level. By 2040, this excess grows to 190 percent and 89 percent, respectively.”

Taken as a whole, the science-based reports released in the lead up to COP26 suggest that while positive steps have been taken, and through ambitious and sustained effort those steps can be effective, more still needs to be done.

Global Innovation Hub

Reports and publications were not the only way that information was disseminated. A new digital resource was also launched this autumn – the Global Innovation Hub. The ambitious plans for the hub include providing a “global cross-disciplinary community of practice with a space – physical and virtual – to share ideas and design climate solutions in a spirit of radical collaboration”. The hub was available at COP26 to practitioners and decision makers.

Gender and climate change

In 2014, the COP established the first Lima work programme on gender, followed by the first gender action plan, which was developed at COP23. At COP25, parties then agreed to a five-year enhanced Lima work programme on gender and an associated gender action plan.

THIRTY
BLUE WHALES
TWENTY
SIX
MARATHONS
LONDON
JOHN O' GROATS
SLEEP
EASY
THREE
MILLION
5000
FIVE
MILLION

Opening Plenary of COP26. Photo credit: Kiara Worth, UNFCCC

On 14 October, a virtual workshop entitled “Update on Gender@ COP26” was held to present progress that has been made on the gender action plan. As part of the workshop, the findings of two new reports were discussed – the 2021 Gender Composition report and Progress in Integrating a Gender Perspective into Constituted Body Processes.

> LET OURS BE AN ERA DEFINED BY THE PROSPERITY OF THE MANY, RATHER THAN THE SHORT-TERM GAIN OF THE FEW.

The 2021 Gender Composition report findings show woman government delegates made up about one-third of constituted body positions in 2021 on average (the same percentage as 2019 and 2020). While the average across all constituted bodies hasn’t changed, the report noted that three constituted bodies did reach gender balance in 2021.

In terms of gender balance within party delegations, the report findings show that at COP25 (2019), 60 percent of government delegates and 73 percent of heads and deputy heads of delegations were men. Two years later, the sessions of the subsidiary bodies that were held online in May and June of this year showed nearly equal registrations of female and male government delegates. While there is reason for cautious optimism with the move towards greater gender balance, the report also includes two case studies that provide a more nuanced breakdown of gender involvement. Findings from one of these case studies shows that while men accounted for just over half of registered government delegates (51 percent), they made up 60 percent of active speakers.

In Progress in Integrating a Gender Perspective into Constituted Body Processes, 15 constituted bodies (technical groups under the UNFCCC) were included in the study. From 2017 to 2020 the number of constituted bodies that included references to gender in their regular reports to their respective governing bodies grew from 6 to 12. In addition, the number of constituted bodies that showed progress in integrating a gender perspective into their processes and work “grew from 3 to 7 between 2017 and 2018 and remained stable between 2019 and 2020”. Only one constituted body “regressed in its integration of a gender perspective into its processes”.

> NOW THE HARD PART BEGINS FOR THE PARTIES – ACTING ON ALL THE COMMITMENTS MADE.

World Leaders Summit

Using the information available, world leaders came together for a two-day summit at the beginning of COP26 and made significant commitments, including:

- 114 leaders made a commitment to halt deforestation by 2030
- 105 countries signed up to a Global Methane Pledge, which commits to a collective goal of reducing global methane emissions by at least 30 percent from 2020 levels by 2030
- over 80 countries backed a new Green Grids Initiative – One Sun One World One Grid
- leaders from South Africa, the United Kingdom, the United States, France, Germany, and the European Union announced a partnership to support South Africa with an accelerated just energy transition
- several countries made ambitious new and updated NDCs.

The hard part will be keeping these commitments. But as UNFCCC Executive Secretary Patricia Espinosa noted at the end of her opening speech, “Let ours be an era defined by the prosperity of the many, rather than the short-term gain of the few. Let ours be an era in which we have healthier relationships with nature. Let ours be an era in which we protect our land, oceans, and biodiversity. Let Glasgow be the starting point of this new era – this new Age of Resilience – and let COP26 mark its beginning.”

There were many signs of hope at the COP26, but now the difficult part begins for the parties – acting on all the commitments made. The question is, when future generations look back at COP26 will they see it as the beginning of a new era or a squandered opportunity?

A JUST TRANSITION

While the world is looking at what's happening in Glasgow and COP26, small changes with big possibilities are happening in Aotearoa. Peter McKenzie examines the world of dairying and a possible way out of the chronic emissions that dairying creates.

Over the last four decades, Aotearoa has become addicted to dairy. After successive governments eliminated agricultural subsidies and the global price of many agricultural products dropped or stagnated, thousands upon thousands of Kiwi farmers chose to transition their farms to industrialised dairying operations. The number of dairy cattle almost doubled from 3.4 million in 1990 to 6.3 million in 2019. To fund that transition, farmers took on enormous quantities of debt. Dairy farmers now owe approximately $40 billion.

This is a problem. By the end of 2019, dairy cattle emitted 17,700 kilotonnes of carbon dioxide equivalent – 21 percent of Aotearoa's emissions. According to the Climate Change Commission, for Aotearoa to meet its climate goals, we need to cut dairy herd numbers by 13 percent. But for farmers, any cut to dairy herd numbers would endanger their ability to service their huge debts.

An oat future

To solve this environmental and financial problem, some Kiwis have suggested a surprising solution: oat milk. Advocates propose that Aotearoa should construct a plant-based milk industry that produces a premium, environmentally friendly product that consumers will pay top dollar for. They hope this would make oat farming so profitable that dairy farmers would be able to cut some of their dairy herd and rebalance towards oats.

This is not yet a reality. According to internal figures provided by Dairy NZ (albeit not an unbiased stakeholder), dairy farmers make around $3,000 in profit per hectare, while oat farmers make just $1,500. But things are changing. The profitability of dairying will soon start to decline as the environmental damage of dairy farming is integrated into farmers' operational costs through policies like the Emissions Trading Scheme. Even Fonterra – whose logo is literally "Dairy for Life" – has signalled that Aotearoa has reached "peak milk" and is considering expanding into plant-based products. And Aotearoa in general, and Southland in particular, has a long history of growing oats.

In fact, one of the main obstacles to making oat farming sufficiently profitable is a lack of domestic processing capacity.

The challenge of local processing

To transform oats from a plant into a milk, the oats must first be combined with warm water and enzymes to create an "oat base". This mixture must be kept refrigerated, and it only keeps for a few days; it must rapidly be treated, homogenised, and put through ultra-high-temperature (UHT) processes to make it a shelf-ready product. It is a complex production process, which has stymied many Kiwi oat milk companies; only Boring has been able to domestically produce oat milk, and even then, it took Morgan Maw (Boring's founder) three years and an enormous research and development spend to do so. Other Kiwi oat milk companies export their oats to Sweden for processing, and then import the resulting oat milk back – incurring major costs, creating significant emissions, and depressing potential profitability.

> THE PROFITABILITY OF DAIRYING WILL SOON START TO DECLINE.

Innovations in the south

This is where Graham Budd stepped in. Budd is the chair of Great South – Southland's regional development agency. "We take a future-focused view of our region and identify the issues, challenges, and opportunities for the future. Then we try and identify pathways to that future," says Budd. "We identified market failure. While oat milk was rapidly growing internationally, and we were observing that, there was nobody stepping up either in our region or in New Zealand at the time [to invest in large-scale local processing].

"We're talking about a period of about 10 years. Nobody was saying this is something we need to invest in – there is a viable business here, let's do that. Nobody was doing that. So to unlock that opportunity for the region, Great South asked can we do this?"

Economic development agencies don't usually *directly* intervene in markets. They provide seed funding, training, networking, advice, connections – but setting up their own companies and making their own products is not usually part of the package. That, however, is exactly what Great South is doing. It founded a subsidiary called New Zealand Functional Foods and, alongside investors like Sir Stephen Tindall's K1W1, is constructing a large-scale oat milk processing plant in Makarewa. It is expected to be completed sometime within the next four years; once ready, it will be able to produce 40 million litres of oat milk each year. "It's a market intervention, in summary," says Budd. "We said, 'Nobody else is doing it, [so] we'd better'."

The construction of this processing plant may have a transformative impact on Aotearoa's oat milk industry by making large-scale local processing commercially viable. Morgan Maw's Boring oat milk company will continue to use its own processing facility, but as she explained to me, "It's going to be amazing when [the plant] is set up … it will really help with building up that New Zealand oat milk brand. We've built up this incredible dairy brand, and we need to do that for oats too."

Tindall compares the emergence of Aotearoa's oat industry, and the impact it might have on dairy farming, to the transition oil and gas companies are currently attempting. "The smart [oil and gas companies] are starting to put hundreds of millions into renewable technologies. They know that if they don't, in thirty to forty years' time, people won't be using oil and gas … if they want to survive they have to do that. I think that's what farmers and producers and processors in New Zealand need to start considering as well. If it's a fast transition, it could be devastating. But if it's a transition they can invest in and be part of, the transfer of wealth can change."

AOTEAROA IN GENERAL, AND SOUTHLAND IN PARTICULAR, HAS A LONG HISTORY OF GROWING OATS.

Transition in a just way

Private companies, angel investors, local farmers, and government agencies: this is the eclectic coalition that may be able to make oat farming a financially viable way for farmers to transition away from modern industrialised dairying, with all the associated environmental and climate benefits that has.

The lesson of Aotearoa's emerging oat milk industry is that, in the context of climate change, interventionist government policy and active private sector forces can – indeed, must – exist alongside one another.

In fact, the reason Aotearoa is so dependent on dairy today is in large part a result of government intervention in the first place. By establishing and then quickly eliminating a vast web of agricultural subsidies in the twentieth century, and giving dairy-associated entities like Fonterra a unique position in Aotearoa's economic and political life, successive governments pushed our country onto its current high-emitting intensive dairy pathway. A similar combination of government and markets will be required to push us off of it.

This melding of government intervention and market forces to maximise the impact of government interventions and minimise the harm to Kiwis dependent on established industries is part of what climate advocates call a "just transition".

Managing uncertainty

It is not an easy balance to strike. While an oat-enabled transition from intensive dairying may be a success in Southland, attempts to ensure a just transition away from oil and gas in Taranaki have been widely panned. According to a *Newsroom* report by Marc Daalder in 2020, "The Government followed up its 2018 decision to ban new permits for offshore oil and gas exploration with tens of millions of dollars in funding for a pivot to renewable energy. But the region's political and business leaders say the approach so far has lacked consultation and necessary planning, leaving both the fossil fuel producers and the region's dairy farmers in a state of uncertainty." Much of the problem, according to South Taranaki mayor Phil Nixon, was that the government hadn't identified or clearly explained what Taranaki would be transitioning to when it announced its ban on new oil and gas exploration.

SOME UNCERTAINTY WILL ALWAYS BE PRESENT.

According to academic David Hall, whom Daalder also spoke to for his *Newsroom* piece, some uncertainty will always be present. "You'll probably never get to the level of certainty that people are completely comfortable with … just transition is at its best when it's acknowledging that disruption, acknowledging the suffering, and acknowledging the discomfort that people have, and doing its best to recognise that and to adapt and to support those people who are suffering through the transition."

Managing that uncertainty while ensuring that an effective transition does occur is the defining public policy challenge of the climate era. How does the government intervene in a clear, creative, and ambitious way across the diverse, heavy-emitting sectors of Aotearoa's economy to ensure that this just transition takes place? As public policy professionals ponder that question, Southland's oats and Taranaki's oil should be front of mind.

VALUING PACIFIC TO BUILD A STRONGER AOTEAROA PUBLIC SERVICE

Romeo Tevaga explores what is holding the public service back from having better representation of Pacific staff. He explores the unique benefits that Pacific staff bring to organisations.

In 2020, Pacific peoples comprised 9.7 percent of staff in the public service. This seems very good representation when the Pacific population in Aotearoa is 8.1 percent. However, there's more to the picture. Te Kawa Mataaho pay data shows that Pacific staff are the lowest paid ethnic group. Pacific staff are well-represented as inspectors and regulatory officers; as social, health, and education workers; and as contact centre workers. But Pacific staff are under-represented in the top three tiers of management, and fewer than 3 percent of chief executives are Pacific.

This represents an ongoing challenge for the public service, but there are some signs the challenges are being taken up. As a Pacific public servant working in the policy space, a lot has happened. Five years ago, there were around 50 Pacific policy analysts. Now that has more than doubled. Intentional and targeted interventions such as internships play a significant role in this increase. However, the numbers are still small compared with other ethnic groups.

Understanding Pacific peoples and the value they bring to the public service

Pacific peoples bring special skills to public sector roles.

Strong interpersonal skills and a collective mindset that can help build a better working culture

Building and maintaining relationships are a central way of being for Pacific peoples. In many Pacific cultures, we have the concept of the vā. This is the "space in-between" that builds and links things, people, and worlds and is built and maintained through reciprocity of respect, kindness, and service. Every time I pass in front of someone, I slightly lower my head and shoulders and excuse myself as I walk past. When I talk to someone who is seated, I find the nearest chair and ensure we are speaking at equal eye level to show I am not above the person. If I give feedback or express critique, it is through respectful and kind language so as not to diminish the person's mana. The vā helps centre my relationships. When the vā weakens, I strengthen it through humility and hold myself accountable where I admit my shortcomings. These values are what keep connections with families and communities close and alive. This is how Pacific peoples build strong relationships with others and how they can influence a better work environment.

Cultural intelligence and competence to connect different worlds

Pacific peoples occupy and walk in many worlds and contexts. For example, Pālagi people (Europeans) tend to speak up and write formal complaints if they're upset with a service. Pacific peoples are more likely to persevere if something isn't up to standard as they accept that the system can only do so much. Demanding more may take away from others. This is where there is misalignment of cultural perspectives and expectations. Pacific professionals in the public service can mediate, reconcile, and speak the language of the two worlds to translate what the other needs and come from a connected perspective when delivering for the community.

Capability to lead and guide the relationship with Te Tiriti iwi partners

Pacific peoples are people of the ocean (Tangata o te Moana-Nui-a-Kiwa) and, some say, tuākana or older siblings of Māori who are the people of the land (Tangata Whenua). The connections between the two peoples are mostly accepted. When applying this to Te Tiriti contexts, the place of Pacific peoples is complex and uncertain as the whanaunga (relations) with Māori pre-dates the Crown's relationship. However, culturally, linguistically, and socially, Pacific peoples are better placed to understand the holistic and interconnectedness of tikanga and te ao Māori, making it easier to connect than for those from other cultures. Pacific peoples may find themselves able to confidently act as the bridge between the Tiriti partners to develop an open, mutually respectful relationship that will allow for a sustainable and enduring Tiriti relationship. I often found that I was in a better position to advocate and encourage non-Māori colleagues to assess their relationships with Māori and build their capability in te reo and tikanga.

How can the public service build Pacific capability and capacity?

Strengthen commitment by leadership in valuing the need for Pacific skills and worldview

Making space for Pacific representation takes time and deliberate effort. Even one manager advocating and believing in Pacific talent can open doors. Pacific participation will never improve unless leadership confronts issues such as systemic bias and the impacts it has on valuing what Pacific peoples offer.

Move away from rigid and individual-based models of recruitment

Interviews are intimidating for anyone. This is particularly an issue for Pacific candidates who are respectful and humble about their abilities and achievements. Perhaps adopting a model like talanoa (free, informal conversation) is a way to build trust and the vā so that it feels comfortable for the candidate to share their thoughts and abilities. The competencies that agencies look for should be critically evaluated to recognise other strengths a candidate can bring. These can include the candidate's ability to demonstrate their cultural perceptiveness and ability to see issues from their own cultural and Te Tiriti lens. It also requires managers who are willing to accept that work can be collectively driven rather than individually led and can see humility as a strength.

Agencies need to ask how much experience, skills, and technical competency weigh against cultural perspectives and capability, which we all know is sorely missing. Many candidates would say that developing the hard skills to do the job can be learnt, but the perspectives from someone's culture has to be lived and cannot be taught. I would also argue that there is not a lack of talent among Pacific peoples. There are a lot of able Pacific graduates who aren't landing jobs because they don't have relevant work experience and they don't perform well in a rigid and competitive selection process. Something has to give in the way we do recruitment.

Manage biases and generalisations about Pacific peoples and have a better understanding of those biases

There is a lack of nuance in understanding Pacific peoples. The term "Pacific" is a catch-all descriptor of diverse Pacific ethnic groups. All ethnic groups are different in their identities, languages, and cultures. Three in five Pacific peoples are New Zealand born, and of the 90 percent of Pacific migrants living in New Zealand for more than five years, over half have been here for 20 or more years. Pacific peoples have been a mainstay population of New Zealand since the 1950s, but the public service's understanding of the community has changed very little. Until Pacific peoples' citizenship and rights as New Zealanders are acknowledged, the challenge of addressing Pacific peoples' issues will persist. There are no better advocates to remind everyone of this than Pacific peoples in the public service.

Find ways to make opportunities for Pacific peoples

A majority of Pacific peoples live in Auckland. Moving to Wellington would be a big step for many, especially if their family and community networks are in Auckland. Opening up opportunities outside Wellington could definitely get more Pacific peoples into policy, for example. We have the technology and the resources to support people travelling and staying for bits at a time in Wellington, so having flexible and multi-location arrangements could be the way forward.

Offer and cater for a culturally safe space

It is difficult for those who haven't experienced being one of a handful, or the only one, of a distinct group to understand the issues others face. Agencies must make the effort to respond to the challenges minority groups experience in spaces that lack diversity and a friendly work culture. For Pacific peoples, the key is to remember that relationships matter. Their safety and confidence is co-dependent on the level of trust and interest you invest in them. Talanoa can help navigate Pacific staff's levels of comfort, especially when managing what they feel confident expressing views on and what the agency wants to consult on and learn about. Understanding how taxing and lonely it can be to carry the Pacific community voice reinforces the importance of being an ally so that Pacific staff do not have to persevere alone. Agencies' support for Pacific staff networks to operate with regular fono, and embracing Pacific cultures in the workplace, can make all the difference.

Tides of change

There is hope that the representation of Pacific peoples at all levels of the public service will increase as the tides of changes are starting to show. At one time, it would have been unimaginable to have 10 Pacific MPs, with three in Cabinet. However, there is much to do, especially in getting more Pacific leadership and to bring Pacific thinking into the public sector so we truly have an all-of-Aotearoa approach to service. Like many Pacific peoples who are "inside", I took my place in the public service to ensure Pacific peoples are counted because decisions made by the government matter for our communities.

Romeo Tevaga

Q&A

Before he heads off to the UK, Shenagh Gleisner talks with Privacy Commissioner John Edwards about the challenges he sees to having a good privacy system.

What is the biggest challenge to privacy that emerging technologies have created in the last few years?

The biggest challenge facing people working in the public sector is to make the most of emerging technologies, such as artificial intelligence, facial recognition technology, biometrics, encryption, and digital ID, without causing harm.

When implementing this sort of technology, there needs to be certainty that privacy concerns are factored in from the start. I am concerned about vendor-driven technologies that can be solutions looking for problems. New technologies should be subjected to rigorous privacy impact assessment before implementation, and if you are commissioning your own software builds, insist on privacy by design.

A good example of effective design is the Integrated Data Infrastructure run by Statistics NZ. The quality of the design shows the value of public datasets for research.

What other challenges are there, current or future?

There is an ongoing cycle of demand for more and better information sharing, but unfortunately, it is sometimes ill-disciplined and poorly thought through. The best way forward is to ensure you have a clearly articulated business case that spells out exactly what information you need to share, why you need to share it, and who will have access to it. With an increasing amount of data being recorded by the public sector, a good point for people to keep in mind is this: just because you can share information doesn't always mean you should.

Encryption is an essential, privacy protective technology, but it is also a growing challenge for law enforcement and the intelligence community. This is a worldwide problem, and New Zealand will ultimately be a "taker" of the solutions developed in other jurisdictions.

You have been very busy responding to privacy issues raised by COVID. Has COVID changed the game from a privacy perspective, or has it accentuated issues already present?

I think, in general, New Zealanders held a genuine respect for privacy as a starting point before COVID. Take the shared benefits of people using the COVID app, for example. We tend to trust that if we share our personal information, it will be used for the reason it was collected and nothing more. There is that sense of a social contract, and the community's trust is key. Likewise, the pandemic brought to light how the government's respect for people's privacy is crucial to winning their trust.

Our shared response to the disease has seen parts of the public sector come together to achieve an immediate shared goal, which is particularly seen in the public health service. It's been great to see that so many public servants have confidence that New Zealand's privacy framework is flexible enough to achieve their policy objectives. The general rule of thumb is that privacy rules set the framework for how personal information can be shared, rather than preventing sharing outright.

I think you are beginning a project on Te Tiriti cultural perspectives and what this means for privacy in Aotearoa. What do you think are some of these unique Māori perspectives that will shape approaches to privacy in the future?

We need to think about how the privacy framework can be used to help Māori achieve their objectives. There is a real challenge and opportunity to frame aspects of data protection through the communal, rather than individual, perspective te ao Māori brings.

> THE BIGGEST CHALLENGE FACING PEOPLE WORKING IN THE PUBLIC SECTOR IS TO MAKE THE MOST OF EMERGING TECHNOLOGIES.

There is a growing consciousness of Māori data sovereignty, which sees indigenous assertions of rights over data, with government in a kaitiakitanga role. There is room to recognise collective, as well as individual, rights, but we need to work through this carefully in full partnership with Māori so that we understand and properly discharge our Treaty obligations.

People, processes, and culture matter so much for privacy. A good data culture in the public service? Give us a mark out of 10!

I'd love to give us all 10 out of 10 when it comes to safeguarding people's data, but the truth is there are pockets of nine and pockets of three out there.

The public sector is constantly developing; technology is changing and advancing, and the best thing we can do is keep privacy front-of-mind. Protecting people's private information requires constant vigilance. We should think of it in the same way that we continually monitor health and safety in the workplace.

You have handled the Waikato DHB issue and, in particular, have expressed outrage at Radio New Zealand. What is your overriding message to public service leaders from this experience?

The hacking of sensitive patient data from Waikato DHB, which was then dumped on the dark web, was one of the biggest breaches of privacy ever in New Zealand. I was very disappointed that Radio New Zealand then saw that information as a legitimate source for news stories.

The lesson for the public service is to really prioritise cyber-security and a culture of respect for the information it holds. When things go wrong, you need to take steps to minimise the damage. In the case of the Waikato DHB, that would have involved seeking court orders preventing others accessing and using the stolen material as soon as they learned it was publicly available.

THERE IS A REAL CHALLENGE AND OPPORTUNITY TO FRAME ASPECTS OF DATA PROTECTION THROUGH THE COMMUNAL, RATHER THAN INDIVIDUAL, PERSPECTIVE TE AO MĀORI BRINGS.

The other message is not to underestimate the potential for harm. A cyber-attack that immobilises a large health provider is literally a matter of life and death. Recognising the gravity of the consequences should inform discussions about how security and a privacy culture are resourced.

The best solution is for privacy needs to be part of the planning of any new or updated product, service, system, or process. Privacy considerations should help drive the design from the start to help ensure broader protection rather than being loosely bolted.

Thinking about the performance that must improve in this area, what do you believe is the driver of the poor practices you see?

Apart from the underinvestment in IT I've referred to, I think that historically there has been too much of a compliance approach to privacy – a check-box culture.

We are really talking about values – of respecting the people we are serving and the information that has been entrusted to us. If we can succeed in internalising those values in the organisation, and in our staff, legal compliance is more likely to follow.

What is the area that attracts the biggest number of complaints and concerns about public service handling of private information?

The most common area of complaint is when people are not able to access their personal data because it is being blocked or delayed. The system has often been made to suit the organisation holding it, not the public wanting to access it.

What are the most common breaches and what is vital to put in place to reduce these breaches?

The most common types of privacy breaches come simply from carelessness with emails. Too often we hear about people putting the names of others in the CC (carbon copy) section on an email not the BCC (blind carbon copy) section, so everyone can see who got the email.

This sort of breach is both a human carelessness problem and a design problem. IT managers can configure systems to reduce privacy problems, perhaps by adjusting the layout of the software or by adding warning prompts. This is part of privacy by design.

In terms of numbers of breaches, in general, we have seen an increase since the Privacy Act 2020 made it mandatory to report any breaches. Mandatory reporting means telling our office as soon as practicable if there's been a serious privacy breach. It doesn't mean telling us after the dust has settled.

You are off to the UK – are there aspects of the privacy environment in New Zealand that you will be hoping to take with you?

I will listen carefully to understand the UK's experience of their privacy law. I have the impression that they feel that their privacy environment has been imposed on them by the European regulatory system. In that sense, it is an exciting time to be supporting them in deciding what will be the best system. I would always encourage openness and transparency, but I don't have preconceived ideas of how I will carry out the role in practice.

I hope I will be able to take the Antipodean pragmatism that responds proportionately to regulatory challenges.

LET THE PEOPLE DECIDE WHAT HAPPENS WITH THEIR PERSONAL DATA.

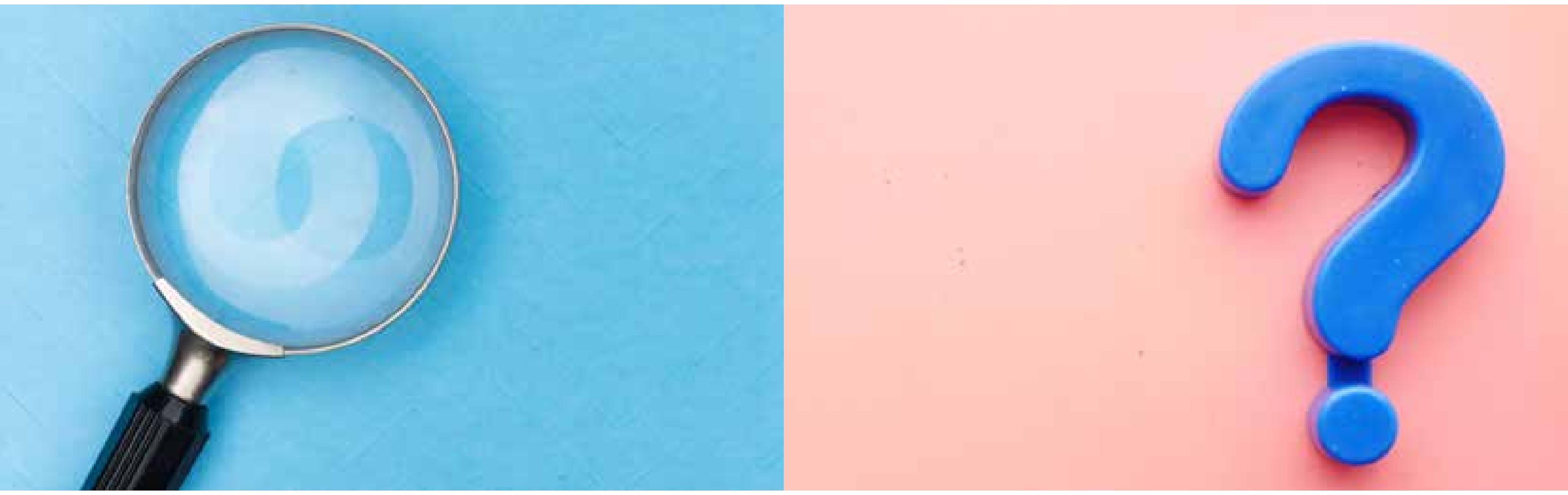
Imagine you come back to Aotearoa New Zealand in five years time and there is a dramatic improvement in the approach to privacy in that time. What would you see?

I know what I'd like to see: all data systems designed around the citizen, not around the organisation. Citizens should be in charge of their data, feel trust in it, understand how it is held, and feel empowered to make informed decisions about how it is shared.

Let the people decide what happens with their personal data and they might well give permission for it to be shared in ways that organisations too often try to prevent.

Do you have a personal message to New Zealand public servants before you go?

It's been an enormous privilege and pleasure to have been Privacy Commissioner for the last seven and a half years. I've had a lot of support from across the public service. I think we can be proud of our system of public administration. It is full of people really trying to change things for the better. I've found that things work best when the different agencies and actors understand and respect the different roles we all play, whether we are ministers, members of parliament, statutory officers, or public servants. We have really strong institutions, and that allows us to have difficult conversations and disagreements, without compromising or undermining the integrity of those institutions and systems.



EVALUATION CULTURE
AND PRACTICE IN THE PUBLIC SERVICE

Dr Jacqueline Cumming, Dr Janet McDonald, Dr Ausaga Fa'asalele Tanuvasa, Dr Lynne Russell, Dr Clive Aspin (including contributions from the late Dr Jenny Neale, and from Dr Sue Buckley) report on a major new research project on evaluation in the public sector.

The role of evaluation in policy-making cycles

Evaluation is recognised as a key component in policy-making cycles. It is particularly relevant in assessing the implementation and outcomes of chosen solutions to key policy problems and using these learnings to revise and improve policies and programmes. High-quality evaluations tell us whether services are being delivered effectively. Without them, we risk wasting millions of dollars on services that do not improve people's lives.

We know that the use of evaluation varies within the Aotearoa New Zealand public service, but we know little about why this is so. In this article, we look at what we know about the recent history of evaluation in the public sector and set out the details of a research project we are leading that explores the topic of evaluation in more depth.

Evaluation in the Aotearoa New Zealand public sector

Over the past 20 years, we have seen the establishment and disestablishment of evaluation units in various departments and ministries (for example, the Social Policy Evaluation and Research Unit – Superu), as well as the pepper potting of evaluators throughout organisations. Various agencies have provided guidance about good evaluation practice, such as the Public Service Commission, Superu, the Department of the Prime Minister and Cabinet, Treasury, and the Prime Minister's Chief Science Advisor. Recurrent issues include variable evaluation practice across government agencies, a focus on evaluating new services with limited evaluation of the performance of existing programmes, and questions of evaluation capability and capacity.

Māori evaluators have highlighted the importance of kaupapa Māori evaluation that seeks aspirational and transformative outcomes for Māori. Data sovereignty and the ownership of Māori evaluation data and the privileging of mātauranga Māori (Māori knowledge) and Māori worldviews are significant Te Tiriti o Waitangi considerations. Other voices also need to be heard in evaluation practice, including Pacific voices. Health Research Council guidelines on Pacific research are highly relevant to evaluation with Pacific peoples, emphasising that major social policies designed to improve Pacific peoples' wellbeing need to come from Pacific perspectives.

The Aotearoa New Zealand Evaluation Association (ANZEA) and the Australian Evaluation Society (AES) both support the professional development of evaluators through, for example, competency standards, regular conferences to share experiences, and publication of the *Evaluation Journal of Australasia*.

There are, however, key gaps in our knowledge about evaluation practice in Aotearoa New Zealand, including how decisions are made about what is – and is not – evaluated (both in terms of the types of policies or programmes that are evaluated and the populations they focus on); the reasoning behind choices of evaluation approach; how evaluations are considering the increasing diversity of our population and how policies affect different groups in practice; and, most crucially, the ways evaluations influence public policy decision making.

Aotearoa New Zealand's unique population make-up, in particular, the Māori population and the many Pacific migrants living here, alongside its unique institutional and policy settings, mean that local evaluations of key initiatives are essential. Many more scaled-up initiatives should develop from local experiences, but that is difficult where local evaluations have not been done.

Learning from other jurisdictions

Evaluation policy and practice has been a key focus in a number of other countries in the last few years. Recent Australian work noted strong support for the importance of evaluation throughout the policy process, alongside poor use of evaluation in practice. The authors concluded that the skills and capacity of public servants were not in doubt, but there was a lack of an institutional framework that embeds and values learning from evaluation. It was therefore recommended that there be stronger centralised prioritisation and oversight of evaluation. Similarly, a recent review of the Australian Public Service included a recommendation to embed evaluation within evidence-based policy and programmes.

A 2013 report by the UK National Audit Office focused on evaluation of impact and cost effectiveness across the 17 government departments, concluding there was variable coverage, quality, and use of evaluation while recommending greater transparency about what is evaluated, including publication of all reports and the actions planned in response. In parallel, in 2013, the UK government announced the establishment of a network of independent What Works centres (currently numbering 13 and covering a broad range of social policy areas) to "embed a culture of rigorous testing and evaluation in the design of policy and the delivery of services". The UK Treasury produces extensive guidance and resources for evaluation, including its Green and Magenta Books.

In 2016, the Canadian government published its *Policy on Results* and associated *Directive on Results*, setting out requirements for performance information and evaluation within federal departments. A variety of resources for evaluation is available.

In the United States, the Foundations for Evidence-Based Policymaking Act of 2018 mandates executive government agencies to have a designated Evaluation Officer and produce an annual evaluation plan. The 2021 memorandum for agencies producing evaluation plans noted the importance of learning from evaluation (including "negative" results) and using evaluation to drive improvement. It also highlighted the importance of understanding how context influences whether and how well something works and noted, therefore, that effectiveness may vary in different communities.

All these other countries highlight the usefulness of clear, central direction for evaluation with the provision of appropriate supports.

Understanding the "black box" of evaluation culture and practice in Aotearoa New Zealand

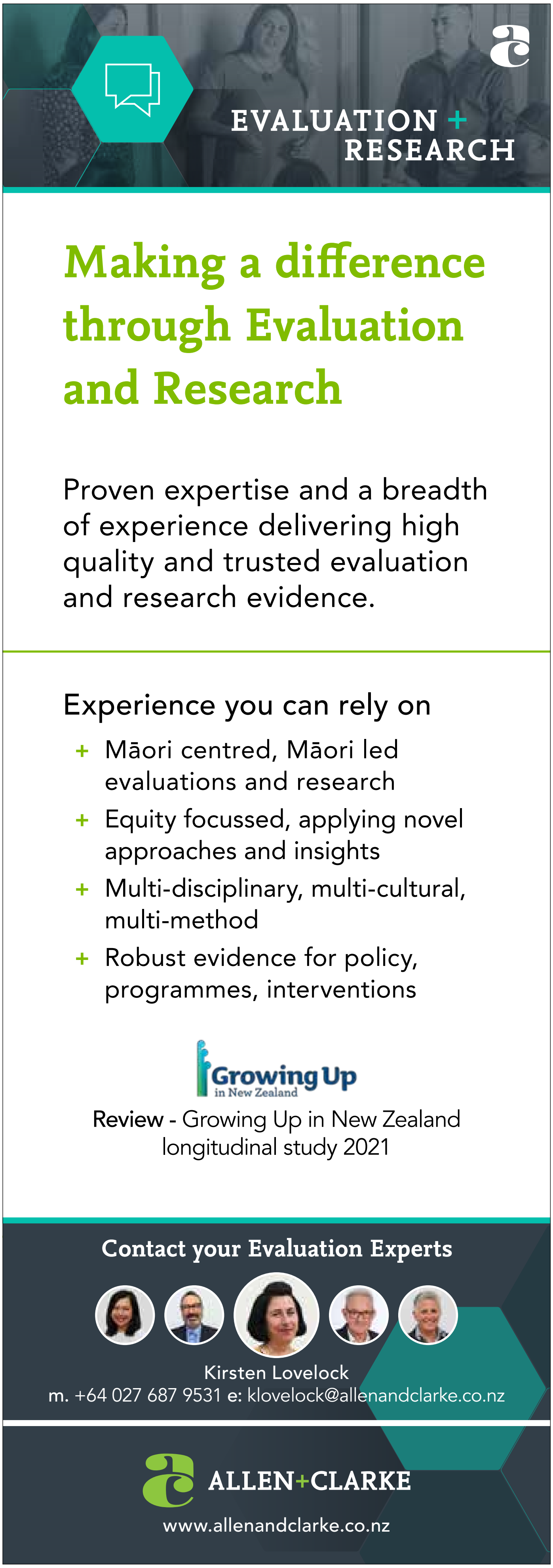
Given the lack of research into Aotearoa New Zealand's evaluation culture and practice, researchers from Te Hikuwai Rangahau Hauora Health Services Research Centre at Te Herenga Waka Victoria University of Wellington have set out to explore what is happening currently with respect to evaluation of key social policies.

The project is supported by the Marsden Fund and seeks to systematically describe what is happening with respect to evaluation culture and practice in the public service and to identify how evaluation culture and practice can be improved to better support policy making.

Ultimately, we are seeking to find what makes for a strong evaluation culture, with high quality evaluation practice and the systematic use of evaluation findings in policy work. Our focus is on health, education, social development, and housing, particularly where there have been many new initiatives and where the Aotearoa New Zealand environment is likely to be so different from that of other countries (for example, in population mix, beliefs, and behaviours), such that Aotearoa New Zealand-based evaluations are essential to understanding whether and how the policies and programmes work. A key focus of our research is on policies and programmes aimed at improving Māori wellbeing and Pacific wellbeing.

The team has started with interviews in central government agencies to get a broad understanding of current evaluation activity in social policy. Next, we will undertake some in-depth case studies with several social service agencies, focusing on the use of evaluation in policy making. We also want to talk with key evaluation practitioners about their experiences with evaluation.

Please get in touch with the authors if you would like to know more.



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DO THE RIGHT THING
BUY AUTHENTIC POUNAMU, URGES IWI LEADER

Lisa Tumahai

Ngāi Tahu board chair Lisa Tumahai is on a mission to raise awareness about the pounamu authentication scheme introduced in 2014. Jacqui Gibson catches up with Lisa at the Arahura Marae in Hokitika to find out what the scheme means for the public service.

Iwi leader Lisa Tumahai is urging public servants to do the right thing when it comes to the purchase of New Zealand pounamu by Crown agencies.

By that she means sourcing all pounamu taonga directly from Ngāi Tahu instead of buying products from unauthenticated traders working in markets, craft and souvenir shops, or online. "For one thing, no agency should be buying and gifting illegal or stolen stone," says Lisa. "Without proof, how do you know you're not buying junk stone, overseas jade, or stone that's been stolen from the West Coast and traded illegally? Truth is, you don't."

The ownership and care of all pounamu

In 1997, the Crown introduced the Ngāi Tahu Pounamu Vesting Act (1997), which gave back ownership and care of all New Zealand pounamu to Ngāi Tahu. It also made it illegal for anyone other than Ngāi Tahu to commercially mine and extract greenstone.

Five years later, Ngāi Tahu introduced a management plan setting out how New Zealand pounamu would be practically managed by four rūnanga. This was followed by a unique authentication scheme in 2014.

The scheme, says Lisa, has several important goals. It aims to give people a way to trace the authenticity of the pounamu they're working with as carvers, selling as store owners, or buying as consumers. It also aims to help crack down on the black market trade and sale of pounamu, reportedly selling for between $10 and $100 per half kilo, depending on the quality.

"Many of us don't realise it, but a lot of jade products marketed as being from New Zealand are actually made using raw stone from overseas. Often pieces are carved and manufactured overseas very cheaply, then sold in our gift shops as genuine New Zealand greenstone, giving the false assumption they're carved by local artisans," says Lisa.

In addition, some pounamu products are likely made from raw pounamu that's been stolen, then sold illegally to New Zealand carvers and jewellery makers, who then – either knowingly or unknowingly – onsell it to consumers as pounamu carvings and jewellery.

The black market

In 2006, an Otago helicopter pilot was found guilty on two charges of stealing 20 tonnes of pounamu over seven years. He was sentenced to 18 months in jail and ordered to pay fines of $300,000.

Three years later, a father and son, also commercial helicopter pilots, were sentenced to two years in prison and fined $300,000 for illegally mining and selling West Coast pounamu.

From recent communication with police and the iwi's ongoing monitoring of online shopping sites, Lisa believes the illegal trade of West Coast pounamu is on the rise. "Just last month, Canterbury police confiscated around $25,000 worth of illegal pounamu product from someone trying to peddle it online," says Lisa.

"We're seeing people trying to sell illegally sourced pounamu more regularly, especially in these COVID times. It's becoming much more prevalent. I think it cranked up with COVID because people are looking at different ways to bring in money. Anecdotally, we have been told people are trading pounamu for drugs. Last year, the police found pounamu during drug raids," she says.

Supporting authentication

Lisa, who became Ngāi Tahu's first female board chair in 2017, says there's a role for

Matiu Walters with Lisa Tumahai

business and political and cultural leaders – as well as the public service as a whole – to help stop the black market trade of pounamu by promoting and using Ngāi Tahu's authentication scheme.

She's urging people to support the tribe's kaupapa and do what they can to spread the word about the importance of the authentication scheme. This year, for example, New Zealand pop stars Six60 became formal ambassadors of Ngāi Tahu's authentication scheme at a kōhatu (stone) gifting ceremony held at Ngāti Waewae marae near Hokitika.

Lead singer Matiu Walters says, "It means the world, particularly as we're heading off overseas, going back on tour and leaving the place we love." The plan, he says, is to keep the pounamu kōhatu in the studio, as well as take it on tour to help keep members anchored and reminded of home.

During their three-hour visit, Six60 met with hapū members at Arahura Marae to learn about Ngāti Waewae's relationship with pounamu and visited the Ngāti Waewae Pounamu Centre in Hokitika for a lesson on the authentication scheme.

Today, the Dunedin band is kaitiaki of their own 7.8 kilogram kōhatu, complete with the authentication papers necessary to transport it around the world. All five members also have their own authenticated Ngāi Tahu pounamu carvings and pendants.

Be a kaitiaki

Lisa says, "Our strategy is to educate people about what it means to be a kaitiaki of pounamu. We want people to know we all have a role to play – as iwi, as hapū, but also as New Zealanders who want to do the right thing when it comes to wearing, buying, and gifting pounamu."

Ministry of Foreign Affairs and Trade (MFAT) Māori Policy Unit Director Martin Wikaira, of Ngāti Tūwharetoa, welcomes promotion of the scheme and believes it will help agencies better understand how to do the right thing.

In recent months, MFAT commissioned Ngāi Tahu to provide carved pounamu for 21 leaders attending APEC 2021 hosted by New Zealand. Every piece came with a unique code the recipient can use to track where in New Zealand the pounamu was sourced and who carved the piece.

"It's just so important for agencies to get this right," says Martin. "To me, it's vital to know the provenance of the raw stone, as well as the carvers and how they whakapapa back to Aotearoa New Zealand. As public servants, we really want to know that entire story."

He says the authentication scheme is exactly what's needed, especially for officials looking to buy and gift pounamu on behalf of the New Zealand government. Yet he also believes government officials don't know enough about the authentication system. "Perhaps the message needs to be sent through various channels to government departments and even other organisations and businesses. Social media notification or information at outlets where pounamu are traded could also help.

"As far as I know, there are few guidelines or policies guiding public servants on how and where to source pounamu authentically. Yet people are sourcing pounamu all the time. Sometimes, we might want something small to recognise the contribution of a valued team member. Other times, we might need something for more formal occasions such as a gift for a visiting dignitary. In all situations, it's important to know provenance."

Lisa says Ngāi Tahu has spent years creating the authentication system. Now it's time for people to use it.

"We've put a lot of time and resources into establishing the scheme and seeking carvers across Aotearoa to register in the scheme. But we still see people trading in black market pounamu. Just look at all the souvenir shops throughout the country selling pounamu without the Ngāi Tahu triangle. As buyers, you need to look for it. Use your power as consumers to question what you're about to purchase."

NGĀI TAHU POUNAMU
YOUR QUESTIONS ANSWERED

Who can take pounamu from the wild?

1. Pounamu found on Ngāi Tahu land belongs to Ngāi Tahu.
2. Pounamu extracted as a bi-product of gold mining operations is also owned by Ngāi Tahu (however, this pounamu is normally returned to Ngāi Tahu through "finder's fee" agreements).
3. Pounamu found as pebbles (small enough to carry) on public beaches is free to the public.

How can I tell if the pounamu I'm buying is authentic? Ngāi Tahu are the legal kaitiaki (guardians) of New Zealand pounamu and the only source of authentic pounamu. All genuine New Zealand pounamu comes with a Ngāi Tahu (triangle) mark of authenticity and an exclusive trace code.

What should I look for? Look for the triangle. Ngāi Tahu has two brands that use the Ngāi Tahu triangle and both are legitimate.

1. The Ngāi Tahu pounamu brand is a high-end brand (see: ngaitahupounamu.com)
2. The New Zealand pounamu brand is a cheaper-end brand (see: newzealandpounamu.com)

"We believe there's room for both ends of the market," says Lisa. "There's the really high-end product, made by New Zealand's carvers. That's the kind of product you'll find under Ngāi Tahu's pounamu brand. Our other brand is for our whānau who legitimately source pounamu from our rivers and who carve at home in the garage making product for the Saturday market. We want to give consumers a way to support that side of the market, too."

NGĀI TAHU POUNAMU
NGĀI TAHU POUNAMU

What will the authentication mark tell me?

It sets out:

- how the pounamu was extracted and processed
- who carved it
- the customary care received.

Who uses the mark? Only people and businesses who are licensed by Ngāi Tahu use the authentication (triangle) mark.

Where should I go to buy authentic New Zealand pounamu? Contact or visit the Ngāti Waewae Pounamu Centre in Hokitika or go online to:

- ngaitahupounamu.com/
- newzealandpounamu.com/

SIGNING THE WAY

Rachel Tate

Francesca Collins

COVID press conferences have brought sign language interpreters into the public eye. In fact, New Zealand Sign Language (NZSL) is one of our three official languages, and interpreters have been providing this essential service, across private and government agencies, for many years. Kathy Ombler spoke with two of them.

For Rachel Tate, even after 20 years of "signing", it's still a whole new challenge being thrown into the cauldron of live TV. She's one of several interpreters working at the COVID press conferences now beamed from parliament.

It's demanding, she says. "The pressure of working on live TV is a whole new level of challenge. It can be scary if I miss a question or if I'm not familiar with what's being said. We do get briefed beforehand, but the reporters' questions can be random," she explains.

On most days (not all), the interpreters are handed the official script about 30 minutes before the press conference starts. "If there is a term ('land border' is a recent example) or name or something we don't instinctively know how to sign, we can quickly confer," says Rachel. "With COVID, we are part of a larger team. We have two Deaf consultants, whom we can video call and discuss language choices with, plus we have a small WhatsApp group of COVID colleagues we can consult.

"Despite this, the reporters' questions can be challenging. Or there are times I might simply miss what's been said, and my teamer might have missed it as well (the interpreters work in pairs). They don't wait for us to catch up, you just have to move on."

Or think on your feet. Rachel recalls the time Health Ministry boss Dr Bloomfield was talking about a grading system she wasn't familiar with. "I was on live TV, so I just signed: 'he's talking scientific jargon and I don't understand'. Sometimes I get off the stage and think, great, I nailed it. Other times, it's agh!"

The great thing is that the Deaf community is so forgiving, she says. "It's a beautiful community to be a part of. They have shared with us this amazing, expressive language, full of grammar and visual tone and structure. We are constantly mindful of our Deaf audience. They have welcomed us in, and it's such an honour."

Becoming an interpreter

Ever since she was a young girl, Rachel was intrigued when she watched people using sign language. "I was always enthralled, so after working as a PA for many years, I started to learn sign language, initially at night school in England and then back in New Zealand. AUT in Auckland is the only place offering an NZSL interpreting qualification, and as I studied, I worked part-time to get myself through. Training for NZSL interpreting now involves a three-year degree," she adds.

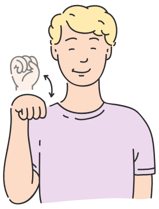
Once qualified, Rachel soon found work, initially in the Bay of Plenty, then Wellington. "There was a different demographic in the Bay of Plenty. Communities were more isolated, and sometimes a Deaf person might be the only one in their community."

For NZSL interpreters, there is plenty of work, especially in Wellington. "It is mostly part-time, perhaps 20 hours a week, although that's not a bad thing because the work can be tiring, with pressure on both the body and mind."

> WE ARE CONSTANTLY MINDFUL OF OUR DEAF AUDIENCE.

There are three key agencies in New Zealand that provide interpreters: ISign, which is aligned to Deaf Aotearoa; Connect Interpreting; and WordsWorth Interpreting.

Deaf people work through all government departments, at all levels, says Rachel. "We can be asked to interpret at seminars, special events, for WINZ appointments, job interviews, or staff meetings. Outside government, work might include interpreting for a doctor's appointment, parent–teacher interviews, weddings, or funerals – anywhere that requires access to information and involves both hearing and Deaf people."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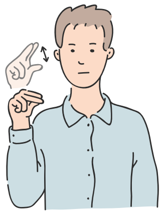
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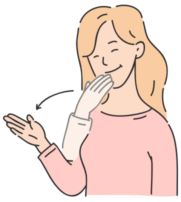
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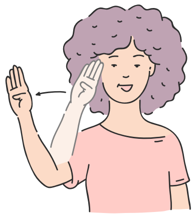
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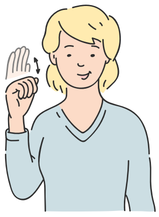
GOODBYE

Communicating both ways

Communication works both ways, and access to the language is needed for both the Deaf and the hearing person. For this, interpreters use "voice" as well as "sign".

"If I am signing for a client who is visiting their doctor, I will sign what the doctor is saying and then voice what the Deaf person is saying so the doctor understands. Interpreters are not there to 'help' either party; we are purely there to ensure that communication is achieved. According to New Zealand law, access to information in a language you understand is a human right."

Each interpreter has their own style, or "accent", she says. "We try to build a rapport with our Deaf community clients and often they get used to the way we sign. If I'm really familiar with a client, I'll do a better job. If I'm with someone new, it can take more time to fall into the groove."

Ethical interpreting

Live TV aside, there are other challenges.

Confidentiality and impartiality are critical. We are bound by a Code of Ethics, explains Rachel. "We need to be trusted. For example, I will only put across what is being said by the speaker or signer – there is none of my personal opinion in my interpretation. We might be internally shocked by something, but we can't show any personal emotional response or judgment. We also need to match the tone of the speaker.

"If the interpreter feels that they are unable to remain impartial for any given job, they will remove themselves from that assignment."

ACCESS TO THE LANGUAGE IS NEEDED FOR BOTH THE DEAF AND THE HEARING PERSON.

Support for interpreters

Support and guidance for signers is provided by the Sign Language Interpreters Association of New Zealand (SLIANZ), the professional membership association for interpreters.

SLIANZ co-president and fellow interpreter, Francesca Collins, says the association supports the development of NZSL interpreters and advocates for their rights.

"We advocate for the employment rights and safety of our members and provide them with ongoing professional development."

Francesca, who became a British Sign Language interpreter in 2016, was grateful to SLIANZ for supporting her when she moved to New Zealand in 2019.

"It was recommended I spend some time getting to know NZSL, the interpreter community, and the Deaf community. I was then accepted to become a SLIANZ member, and I began interpreting here in New Zealand. I had so much support and was made to feel incredibly welcome."

The Deaf community continues to support interpreters as language evolves, she says. "A key challenge for me is the emergence of new language. I find this a rewarding challenge for my colleagues, and we rely on the Deaf community to lead and support us in our development."

Francesca now works as a full-time interpreter for a national organisation. "These salaried positions are rare. The majority of our profession are self-employed freelancers."

International sign language

British and New Zealand Sign Language, along with "Auslan", Australia's sign language, are all similar. However, a huge part of interpreting is about understanding context, history, and community, says Francesca. "These are only things you can learn from the Deaf community."

Sign Language in the United States is very different, adds Rachel. "We sometimes have to finger-spell terms or words. Obviously that's more time-consuming – and not every interpreter knows how to finger-spell."

For international meetings and events, there is International Sign (IS), a pidgin sign language, says Francesca. "This is used in a variety of contexts, for example, international meetings and events such as the World Federation of the Deaf Congress, and informally, while travelling and socialising."

However, with international travel stymied in the current COVID environment, a lot of interpreting work has moved to online platforms.

"While this increases the availability of interpreters, who are now able to work from home, platforms such as Zoom or Skype are not always an ideal form of access," says Francesca.

"Caution, knowledge, and Deaf voice (ensuring the Deaf person in the interaction has a say on how they are getting access) is important when organising the provision of an NZSL interpreter. Whether the service would be better provided in person or online also needs to be considered."

Increasing awareness

On the plus side, general awareness of New Zealand Sign Language has definitely increased since the COVID press conferences began, says Rachel. "Awareness first began to pick up after the Christchurch earthquakes, and I think now people really do understand the importance of interpreters. What is so good is that it has become normal to consider the access needs of Deaf people."

IF PEOPLE UNDERSTAND THE IMPORTANCE OF ACCESS FOR ALL, THEN THEY WILL UNDERSTAND HOW IMPORTANT OUR ROLE IS.

We have become a more visually represented profession, echoes Francesca. "The importance of providing access has become more widely known and accepted and available for the Deaf community. However, I would encourage people to understand it is not about us, the interpreters, it is about access and the Deaf community."

For Francesca, the best aspects of interpreting are working every day with both colleagues and the Deaf community. "I feel privileged and extremely blessed to have such a wonderful community supporting all interpreters in Aotearoa. If people understand the importance of access for all, then they will understand how important our role is."

The Deaf community is a wonderful community to be part of, says Rachel. "I've had many memorable moments, at funerals for example. However, when your services go live, such as the parliament press conferences and National ANZAC Day services, they are always highlights.

"My hope is that when people observe the interpreters working, they are reminded of the access rights of all New Zealanders."

BUILDING TRUST

IPANZ would hope that the people of New Zealand can have a balanced appreciation of the work of public servants, in all its complexity. Shorter versions of these two IPANZ opinion pieces were posted on our LinkedIn page. They are intended to support public servants, better inform the public, and explore some challenges for public servants.

Survey data illustrates New Zealanders have high trust in the public sector. Our level of trust in the public sector is towards the top of international ratings – and higher than our trust. Contrary to many other countries, trust in public services, and by implication public servants, in New Zealand has been increasing, not decreasing – even before the pandemic.

Do you find this hard to believe, listening to the noise in the media? Our opinions are formed primarily through the media, and secondly, through friends and family. We sit within echo chambers on social media. Our attitudes towards public servants are shaped by what we hear or read each day, a cycle of reinforcement. We get "evidence" to support our preconceived position.

When asked if we trust "the public service", just over 60 percent say we do. However, when we directly use public services, over 80 percent of us report trust. So why do some of us fail to trust the public service when our actual experience of receiving the services is largely positive?

You will have noticed that everyone speaks well of the "frontline" workers such as nurses, teachers, customs officers, and many others. Yet these frontline workers could not function without public servants striving behind the scenes. The portrayal of public servants as "faceless bureaucrats" alienates New Zealanders from them, and yet we rely on these public servants. They ensure our food is safe to eat, they set up 111 lines, they organise for our rubbish to be collected, they deliver the benefit system, they organise student loan support, they regulate our airspace, they protect our native species – the list goes on.

Some public service staff receive bouquets of appreciation. Others do not; for example, the Wellington public servants who designed and delivered the wage subsidy in extraordinary timeframes are invisible. Perhaps the perceptions of Wellington-based public servants are negatively tainted by what is seen as a close association with politicians, particularly when those politicians are part of a government that commentators dislike.

However, the pandemic leaves no room for public servant complacency about trust. There are New Zealanders who do not trust public servants. They may have a poor experience of services, which failed to meet their needs; they may have an overall sense of alienation or disempowerment when they engage with public servants; they may not feel comfortable, listened to, or understood. Too many of these are Māori or Pasifika. It will be essential to learn from mistakes and show significant change in order to re-establish trust.

The public service is trying to earn trust, but it may sometimes mean stepping aside and enabling and supporting others to come forward to deliver the service. Being trusted is so important for the public service to be effective.

REDUCING FEAR AND BLAME

COMMUNITIES AND PUBLIC SERVICE TOGETHER

“Our leaders, whether political or within the public sector, are surrounded by a myriad of people who assert that, if they were in leadership positions, they would have managed the pandemic so much better.

There are groups of people who would go back to level 4, come down to level 2, build MIQ facilities, get rid of MIQ, open up borders, close down borders, allow vaccine passports or reject them – each group seems certain they are right.

Another country appears to be doing well, and we say, why didn’t we do that? (Until that country appears not to be doing so well, and then we fall silent.)

These views are sometimes expressed with an extraordinary level of vitriol, personally devasting criticism of individuals, and at times imagined and inaccurate description of motivations.

Our democracy and political system means that people opposed to the government will take opportunities to challenge ministers responsible for these decisions. Of course. This has sometimes spread to leaders in the public service who are also under pressure. It is fairness to these leaders and public sector staff that IPANZ wants.

Anger and blame like this often come from a base of fear and insecurity. When we feel a threat that we do not fully understand, we seek out someone to take responsibility – we want to apportion blame. When we feel uncertain or frightened, we want someone to reassure us, give us certainty again; this is particularly so from leaders – so we hit out at them when they cannot give it to us.

It is likely that leaders yearn to give this reassuring certainty. But there are simply no tried and trusted solutions to “solve” the problem of this pandemic. It is dynamic, much is unpredictable; answers that work one day do not work the next; experts have different views, no easy or simple formulas; trade-offs have to be made, which are ambiguous and often painful. There are mistakes – hindsight sheds light on what could or should have been done, a continual balancing act of risks for one group against risks for another group.

In grappling with complex problems such as the pandemic, resilience and adaptability matter as much as foresight. This is for the public sector as well as communities. We just cannot anticipate and plan for every single eventuality. There is no risk-free path, no leader who can make decisions that will assure security. We have to learn, show humility, innovate, explore, forgive, accept uncertainty – and build trust, public service, and community together.

Communities, whānau, and businesses have so often demonstrated extraordinary resilience, generosity, and fortitude. Maybe all these voices can quieten the clamour of fear and blame. If the public service and communities are going to work together to reduce fear and blame, the deepest possible mutual understanding of all our roles and capabilities will be needed – and trust must be built.”

EMPLOYEE PERFORMANCE MANAGEMENT IN THE PUBLIC SECTOR

DOES IT MEET EXPECTATIONS?

Performance management systems are a big part of the lives of all public servants. Using the findings from a recent master's study, Kendra Hill, master's student at Victoria University of Wellington and change manager in the public sector, and Geoff Plimmer, senior lecturer in the School of Government at Victoria University, examine how well current systems work and what can be done to make them work better.

The job performance of public servants is a concern both within the public sector and outside it, but the systems to manage that performance are rarely discussed. When they are, performance appraisal systems are often spoken of disparagingly as unfair or as pointless tick-the-box exercises. However, systems to manage performance, when done well, can develop and motivate staff, ensure fairness, identify talent, and help manage other systems such as reward and promotion.

The virtues of good performance management

Employee performance management has developed considerably in the last decade and is (or should be) considerably broader and more complex than traditional performance appraisals. Performance management is no longer a euphemism for trying to get rid of people. It commonly involves a set of practices that includes setting goals, providing feedback, allowing development opportunities, conducting formal assessment, having employee participation in the process, and specifying consequences such as rewards for good performance or sanctions for poor performance. The research indicates that organisations find these practices difficult, but when done well, they are effective at improving performance and commitment and lowering staff turnover. They also offer more transparency than processes that are entirely informal, such as discussions on the golf course.

Performance management, however, is challenging for both managers and organisations. In practice, goals are often difficult to set, development opportunities are expensive and take time, assessments are difficult, and consequences for good or bad performance are often hard to allocate. This article is based on some of the findings conducted as part of a master's project on how performance management actually works in the New Zealand public sector, including both its formal and informal aspects.

> THE FORMAL PART OF PERFORMANCE MANAGEMENT WAS SEEN LARGELY AS AN EMPTY RITUAL.

What the managers think

The views of line managers have been missing in the existing research, and this project entailed lengthy, detailed interviews, which gave a credible view of the strengths, weaknesses, and contradictions of performance management in the public sector.

Managers spoke of the compliance orientation of current systems. "Performance management" was still primarily seen as an annual appraisal and the management of difficult performance cases, rather than encompassing wider practices. Having good intentions around showing compassion when managing performance and putting "people before process" tend to fall away when job demands increase. In those times, a task focus is what counts.

Managers who had previously managed teams in the private sector had similar views to those who had spent their management career in government, but they expressed them more strongly. Overall, ex-private sector managers confirmed many public sector stereotypes: systems were slow, bureaucratic, and unrealistic; a small minority of public servants did not feel an obligation to work for their salaries, which was often accepted by organisations; rewards were hard to offer; and getting rid of poor performers was almost impossible.

A too-rigid system

Existing performance management systems generally require goals to be set annually. These systems were often described as too fixed and rigid, considering the highly dynamic public sector environments, where priorities often change rapidly. Pressure from ministers and other stakeholders meant staff often had to switch tasks and goals, so previously set goals quickly became obsolete. This made it harder to both demonstrate and assess performance.

MANAGING PERFORMANCE AND PUTTING "PEOPLE BEFORE PROCESS" TEND TO FALL AWAY WHEN JOB DEMANDS INCREASE.

Providing feedback is also difficult. The managers spoken to took this seriously, but it is nearly always a practice done in one direction – from the manager to the staff member. Managers, and their subordinates, often see feedback as being outside performance management because interactions are open and informal. Others were often too busy to give feedback. Many felt torn between being managers, leaders, and technical experts.

Because budgets are tight, there is limited opportunity to offer staff the chance of development. The best it got is that staff were moved across a range of tasks and treated like "Swiss army knives". While this had some developmental benefit, it was seen as unstructured and limited in effectiveness. Managers generally saw the growth and development of their teams as a priority, and secondments were a common example of this in practice. They also commented on the lack of formal development for managers, which limited the effectiveness of performance management systems.

An empty ritual

The formal part of performance management was seen largely as an empty ritual, with the goals and the processes being assessed as not being a reflection of how the work was actually done. Some participants said that assessment systems are often designed to facilitate a disciplinary or performance improvement process, rather than be developmental and forward looking. High performers consequently receive little attention in performance management and were a challenge to manage generally. With little link to meaningful rewards, it was merely a process to be followed with no consequences at the end of it.

Rewards for good performance were seen as very limited, with appraisals and pay decisions often regressing to the mean, which led to pay compression.

Overlooking poor performance

Difficulty in removing poor performers attracted considerable comment. The Public Service Association was seen as making it difficult to remove poor performers, but there were also comments that it had helped to improve some performance processes. Other barriers to addressing poor performance were a lack of accountability, walls of complexity in processes, the non-competitive environment in government, the existence of "different expectations" of government employees, and the poor management of a legally demanding process. These all created strong incentives to overlook poor performance.

What could be done to improve performance management?

Make performance part of a wider system

To improve performance management, a holistic rather than piecemeal approach would help. It is best seen as a system, within a wider organisational system that includes senior leader ownership and links to organisational values. It should include formal written processes, managerial capability, and wider climate issues. Performance management systems, and managers themselves, need to be managed. This includes tracking and reviewing patterns of behaviours, developing managers, and holding them accountable. Improvement requires managing both its formal aspects and also the informal social aspects. Many of these informal aspects, such as development and feedback, are close to good leadership generally.

Introduce better competencies

The study found specific areas for improvement. To address the changing and fluid nature of goals, the annual setting of goals could be replaced by more regular goal setting, review and assessment of those goals, and feedback. Good bosses do this naturally, but formalisation and accountability would help.

Task goals could be replaced or supplemented by better competencies – these are used in government but are often badly written and are too legalistic or high level for assessing an individual's performance. What we have seen is that they are often poorly developed, they are gamed, or they disengage people. Well-written competencies describe what good performance looks like and provide expertise on how to do it.

Train managers

Good performance management requires the effective development and training of managers and potential managers. A few participants commented that training for managers only happened once people were in the job or after they had made a managerial mistake, which meant it was often too late. This led to a poor performance management culture and an underlying fear of the process.

Include consequences

Consequences are one of the foundational components of a good performance management system. Meaningful rewards help fulfil an individual's sense of distributive justice and validate basic human needs for a sense of competence and autonomy – for instance, through being given more discretion to make decisions. They also help attract and retain good staff. The research on pay for performance is clear: it can be very effective if done well and disastrous if done badly. It is particularly fraught and risky in government. A sharpened performance–rewards link would require much closer attention to both system design and also managerial capability.

Public servants are often motivated by rewards other than money, and recognition and other forms of reward might provide some mitigation against limited personnel budgets and other constraints.

PERFORMANCE MATTERS, AND IT IS DONE BY EMPLOYEES.

Consequences for poor performance also matter. Low performers make lacklustre decisions, set poor examples for others, demotivate good performers, and can damage team culture. The reluctance to pay out poor performers was surprising, considering the comparative costs of paying salaries to people whose net effect is often harmful. One obstacle for dealing with poor performers is that rigid systems do not often provide a clear process to follow. Managers also need better support and training around how to deal with poor performance.

Making performance matter

Overall, this study identified many imperfections, but also found that there are many good managers doing well in difficult circumstances. Performance matters, and it is done by employees. Giving it the attention it deserves would be a good start to improvement.

COVID 19
FAIR CRITICS OR MOANERS AND COMPLAINERS?

The pandemic has brought out the best and the worst of New Zealand. Dave Armstrong takes a direct look at the extreme reactions he's seen to the public sector response to COVID.

As I write this, the number of COVID-19 cases in the country is increasing to record levels. Thousands are breaking rules and marching against vaccination mandates during Auckland's seemingly endless lockdown. Apparently, we are living in a North Korea-style dictatorship. References to Nazi Germany, with the unvaccinated as the innocent victims, are common. In Auckland, a vaccination clinic was vandalised, and a pro-vaccination city councillor needed security protection after threats from anti-vaxxers.

Meanwhile, some business leaders and politicians talk of a "woeful" government response to the vaccine roll-out, or "stroll-out" as some have called it. Some prominent leaders think we should never have been in lockdown in the first place. Commentators talk of our "botched" COVID response and look admiringly at other countries that seem to have done things so much better – and are now enjoying the sorts of freedoms that we enjoyed before the current Delta outbreak.

Public servants or government stooges?

And it's not just our government politicians who are coming in for a drubbing. Those public servants administering the vaccine roll-out, organising MIQ, modelling the numbers, and explaining the science are being widely criticised. Try to explain the government's strategy in scientific terms and you could be accused of being a political stooge.

Scientists with years of experience in their field tell of being shouted down at meetings, of receiving online abuse and, in some cases, even death threats for daring to explain scientific information simply and clearly. How on earth can a country that was internationally lauded for its 2020 COVID response attract so much flak? Have the wheels truly fallen off the bus, or are we a nation of moaners and complainers?

Learning to fly while flying

In the very early days of the 2017 government, I talked to a public servant working in a minister's office. How were things going? "Good," he explained, "though we are learning to fly the plane while we're flying it." The speed bumps in those days were caused by a new, inexperienced administration, surprised to be in power.

In comparison, dealing with the new Delta strain of COVID-19 is like learning to fly a different plane each day and fly it at a great speed. The science and technology changes daily, so it can be difficult to keep up. A new product becomes available, and suddenly politicians and the media want to know why it isn't being used immediately.

> TRY TO EXPLAIN THE GOVERNMENT'S STRATEGY IN SCIENTIFIC TERMS AND YOU COULD BE ACCUSED OF BEING A POLITICAL STOOGE.

"Are we there yet?"

Stuff journalist Jehan Casinder believes those leading the COVID-19 response deserve scrutiny, but not endless criticism. "We're like 5 million children squeezed into the backseat of a station wagon, chanting: 'Are we there yet?'"

As Casinder points out, during the Delta outbreak, the narrative has shifted. Some who lauded the government during the first outbreak have become critics, and it's not just the government they are blaming but the public service in general.

So, what went wrong? Or did anything go wrong? Yes, there have been mistakes, something likely to happen when you're driving a new plane every day, but are things really all bad?

Kim Jacinda Un?

Are we now a North-Korea-style dictatorship, as former Prime Minister John Key recently commented, or a Nazi-style regime, as many others have claimed? Not according to *Dominion Post* editor Anna Fifield, who visited North Korea 12 times and has written a book about its leader. "Kim Jong Un (recently) had his defence minister killed with an anti-aircraft gun … in front of a crowd of officials, after the minister fell asleep during a meeting ...," wrote Fifield.

"People go, 'It's like Nazi Germany, these lockdowns,'" said English comedian Bill Bailey. "Yes, that's what the Nazis are know for, isn't it? Mild inconvenience."

Elephant in the room

Yes, the COVID response has not been perfect. Vaccinations began slowly, and Māori commentators have rightly pointed out the slow rate of Māori vaccination, much of it because their population skews much younger than Pākehā, so many Māori have had more obstacles to being vaccinated. Despite this, our vaccination rates are now very close to Australia's, are only just behind the UK's, and are ahead of the US's.

For the critics, the elephant in the room is the New Zealand COVID death rate. It is outstandingly good. At the time of writing, New Zealand had only 28 deaths. That compares with nearly 750,000 in the US and over 140,000 in the UK. Even the countries that get mentioned favourably by media here for successfully "living with COVID", such as Denmark (2,713) and Ireland (5,436), have an astronomical number of COVID deaths compared with New Zealand.

Sweden's "miracle"

Earlier in the year, some local academics lauded the efforts of Sweden and their non-lockdown approach to dealing with COVID. Yet this Scandinavian nation, with roughly double our population, had seen over 15,000 deaths by the end of October. The epidemiologist in charge, as well as the country's prime minister and king, have admitted grave mistakes. Yet those in New Zealand supporting Sweden's approach haven't been held to account and have certainly not received the kind of flak that our public servants and experts fronting the COVID response have seen.

"Saint" Ashley?

This time last year, Ashley Bloomfield was being deified by parts of the media, winning awards and being sent flowers. Bloomfield is a reluctant celebrity and took any adulation good-naturedly, but he has certainly not tried to take advantage of his new-found status.

Yet recently, Newstalk ZB host Kate Hawkesby, in a largely fact-free opinion column, described Bloomfield as a "recidivist underperformer". Hawkesby reckons that "in the private sector, he'd be toast". This in a country where private companies – Fonterra springs to mind – have often made massive payouts to executives who many believe have underperformed. Hawkesby draws on the old "private good, public bad" credo that dates from before 1984. I suspect it was never true, and today, very few in either sector seem to believe it.

Rare response

State Service Commissioner Peter Hughes made the rare move of responding to media criticism and stated that Bloomfield is a "dedicated public servant who works hard every day to make a difference for New Zealanders".

But it has not only been the "Fox News-style" commentator, as one commentator described Hawkesby, criticising public servants. *Stuff* columnist Ben Thomas believes that public service neutrality has been eroding for many years. He was unimpressed with the way the prime minister announced that she had "accepted the director-general's advice" to move Auckland from alert level 4 to 3. I would hardly call that advice political or non-neutral.

Drowning out science

But if high-level health bureaucrats have copped some flak, the scientific experts involved in the COVID response have fared far worse.

Michael Baker, an epidemiologist at Otago University Medical School, has been openly critical of some government COVID strategies, yet at other times supportive. A big supporter of the elimination strategy and of vaccines, he was recently drowned out by a small group of anti-vaxxers when he was speaking about vaccination at a community meeting in Kāpiti.

"Bogus maths"?

The work of mathematical modeller Professor Shaun Hendy, of the highly regarded Te Pūnaha Matatini at Auckland University, was crucial to the government's highly successful March 2020 lockdown. However, he has also disagreed with some government decisions, sometimes calling for stricter controls. Yet even a mathematical modeller can attract flak in today's polarised environment. In a tweet that was meant to be a private message, senior *New Zealand Herald* journalist Fran O'Sullivan complained that "the inexplicable refusal [of the government] to apply math to decision-making and rely on bogus modellers like Hendy is extraordinary".

O'Sullivan later apologised for the tweet, but one wonders how many business journalists and other media commentators think they know more about mathematics than mathematical modellers and more about epidemics than epidemiologists.

"Lock up the experts!"

Another journalist urged the government to look beyond the "epidemiological echo chamber" while seasoned journalist Bill Ralston suggested it was time to "lock up the epidemiologists, microbiologists, and COVID modellers who continually sound like prophets of doom".

Microbiologist Siouxsie Wiles is a gifted communicator and 2020 New Zealander of the Year who has been crucial in explaining the science of COVID and vaccinations. When she was covertly filmed sitting on a beach when Auckland was in Level 4, opposition leader Judith Collins branded her a "big fat hypocrite", even though Wiles was not breaking any lockdown rules and had cycled to the beach – entirely allowable under the rules. Wiles is one of many female experts who have been targeted with online abuse, simply for discussing the science of COVID.

> FOR THE CRITICS, THE ELEPHANT IN THE ROOM IS THE NEW ZEALAND COVID DEATH RATE. IT IS OUTSTANDINGLY GOOD.

Moaners and complainers

The politics of COVID can be difficult. As numbers climb, we feel frustrated at the government and furious at rule breakers, especially if we are suffering under lockdown. But if scientists and public servants are simply trying to explain facts in a logical manner, we should pay them the courtesy of listening. To dismiss them as having a secret agenda or a pro-government bias or calling for them to be locked up, even if we are only joking, puts us in the same category as the real "moaners and complainers" – the anti-science anti-vaxxers, the online abusers, and the extreme fringe political groups to which many of them belong.

A VICTIM OF ITS OWN SUCCESS – TE KĀHUI TĀTARI TURE | CRIMINAL CASES REVIEW COMMISSION

Te Kāhui Tātari Ture (Te Kāhui) is in its second year of operation. It reflects on an unexpectedly active first year as a new Crown entity in the Aotearoa criminal justice sector.

Parekawhia McLean

The services of Te Kāhui have been in high demand during its first year. Chief executive Parekawhia McLean explains that it's been a challenging but important time.

"There are a number of reasons why this work is really important. Not only is the Commission the first of its kind in the southern hemisphere, it's also clear the demand has shown we are an organisation that has been long needed in Aotearoa," she says.

Huge volume of applications

An applicant approaches Te Kāhui when they feel they have suffered a miscarriage of justice in relation to a criminal conviction or sentence. The Criminal Cases Review Act 2019 largely replaced the Royal Prerogative of Mercy (RPM) referral process.

The sheer volume of applications has been challenging for the independent Crown entity, which has a relatively small investigation team. Te Kāhui is governed and led by a panel of seven commissioners, headed by Colin Carruthers QC.

Spreading the message

Te Kāhui wants its role of reviewing convictions and sentences to be understood more widely. Its role has also been challenging for some government and public sector agencies in terms of accessing information and assisting in its role to identify and investigate potential miscarriages.

"We've progressed several cases to a Section 25 investigation. This is the step where we can use our powers to obtain information," Parekawhia says.

"There are some applications that have either not been accepted or a decision has yet to be made on whether to proceed to an investigation, and we have a number in our triage process to determine the best course of action."

The Commission's role is to determine if it is in the interests of justice to refer a conviction or sentence back to the relevant appeal court – it does not determine guilt or innocence.

> WE ARE AN ORGANISATION THAT HAS BEEN LONG NEEDED IN AOTEAROA.

A busy first year

Te Kāhui may have been a victim of its own success. The hope was that after an initial rush of applications, demand would ease off, but that has not happened.

"The initial policy assumptions expected up to 125 applications in the first year. However, we've received 221 applications in our first year, which has required us to be innovative in the way we conduct our operations," Parekawhia says.

By comparison, fewer than 170 applications were made for an RPM in over 23 years.

A service that's geared to Aotearoa

Current data indicates that around 38 percent of applications are from Māori applicants, with 6 percent coming from people who identify as Pasifika. Ninety-three per cent of applications are from males. Some of the now 250 applications are decades-old cases.

Te Kāhui operates in a similar way to the Scottish Criminal Cases Review Commission, set up in 1995, but with some elements changed to suit Aotearoa, such as mana-enhancing practices and working with collectives and whānau, not just with individuals.

> THE HOPE WAS THAT AFTER AN INITIAL RUSH OF APPLICATIONS, DEMAND WOULD EASE OFF, BUT THAT HAS NOT HAPPENED.

"Key to our mahi is our ability to be accessible. We engage directly with applicants where possible and work to identify the issues that can be prevalent and often not picked up or generally noted elsewhere in the justice sector," she says.

"We've used our values, which are central to the organisation, and are guided by our Act. We've made very deliberate choices about how we work and how we serve the intent of why we were set up. It takes a lot of courage to set up something new and different, especially one that is Aotearoa-specific, so I acknowledge the government with its intent and our commissioners, who advocate continually for our work.

"Te Kāhui has an important role in Aotearoa – we apply our expertise so that wrongful convictions can be addressed and communities can continue to have confidence in our justice system," she says.

Most of those seeking to have their cases reviewed will have exhausted all other avenues of appeal. Te Kāhui is the last resort with a statutory power to refer cases to a court of appeal.

IMMIGRATION AND THE FUTURE

The Productivity Commission has released its preliminary recommendations in a major new report – *Immigration: Fit for the Future*. The Commission welcomes feedback on its proposals. Submissions are open until 24 December 2021.

To read the full report, go to productivity.govt.nz/immigration-dr

Key points

- New Zealand's immigration system is highly adaptive and able to respond promptly to emerging needs and opportunities. Currently, immigration policy does not undergo the same level of transparency, public scrutiny, or robust policy assessment requirements as other public policies.
- High resident numbers, largely uncapped temporary migration programmes, and reductions in departures by New Zealanders have contributed to New Zealand's comparatively rapid population growth over the past decade.
- Immigration policy's disconnection from other policy areas has meant that migration and population numbers have grown ahead of the stock and flow of public infrastructure, contributing to burdens for the wider community. It also means the education and training system is less responsive to generating the skills New Zealand businesses need.
- Overall, impacts of migration on the average earnings and employment of local workers are very minor and mostly positive, though overall outcomes can mask impacts in some regions and on some workers. The immigration system endeavours to manage the risk of New Zealanders being displaced by migrant workers; however, there are known deficiencies with the current Labour Market Test and skills shortage lists.
- The years immediately preceding the pandemic saw large and unprecedented increases in net migration, driven in part by large growth in migrants on temporary visas. In addition to putting pressure on the country's "absorptive capacity", this growth also saw a notable shift towards temporary migrants filling vacancies in lower-skilled occupations.

Key actions

- Governments should be required to issue regular policy statements on immigration, outlining short-term and long-term priorities for immigration and how performance will be measured. The government should be required to give explicit consideration to how well New Zealand can successfully accommodate and settle new arrivals.
- The Treaty interest should be reflected in immigration policy and institutions. The Treaty was developed and signed in response to immigration and directly refers to immigration. The Crown also has a duty to actively protect Māori interests.
- The number of temporary migrant visas with potential residence pathways should be linked to the number of residence visas on offer. Large increases in the number of temporary migrant visas have contributed to uncertainty and mismatched expectations of an actual path to residence.
- Governments should better utilise tools for prioritising migrants when there is high demand. This includes being more selective and transparent with the points system and developing more data-informed and dynamic skills shortage lists.
- Visa conditions that tie migrant workers to a specific employer should be removed. Allowing migrants to move reduces the risk of exploitation and permits them to find jobs that better match their skills and experience.
- The Commission is exploring options for managing volume pressures. These include making greater use of data, evidence, and evaluation in designing visa categories and identifying skills shortages, and possibly managing overall numbers of inward migration.
- The Commission is considering options for how to promote migrants' commitment to New Zealand. Options include recognising efforts to learn te reo in decisions about residence or permanent residence and limiting rights of return for permanent residents who re-migrate.

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