

Open Government and Democracy Policy

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Vision

The Green Party envisions an Aotearoa New Zealand in which:

- The government operates in a relationship with tangata whenua in accordance with the articles of Te Tiriti o Waitangi.
- We have a proportional electoral system that is transparent and fair.
- The country is governed by a parliament where a broad range of viewpoints are represented.
- We are actively engaged in our democracy and are able to meaningfully participate in government decision-making.
- Parliamentarians uphold high ethical standards and fulfill their public role in the best interests of New Zealand.

Key Principles

1. Key decisions on the shape of the nation's electoral system belong to the people, not political parties.
2. The votes of all electors are of equal weight in influencing election results.
3. Local and central government should have a Te Tiriti based relationship with manawhenua hapū as the foundation for decision making.
4. Membership of Parliament will ideally reflect significant characteristics of the voting population, such as gender, ethnicity, socio-economic class, locality and age.
5. The number of seats gained by a political party should be generally proportional to the number of voters who support that party.
6. The electoral system should encourage close links and accountability between individual MPs and their constituents or constituencies.
7. Freedom of information and openness of government and its procedures are essential elements of a democracy.
8. Active democratic processes require more than periodic elections and stronger mechanisms are needed for the ongoing engagement of informed citizens in the development and enactment of key national and local policies.
9. The principle of subsidiary will guide the devolution of decision-making so that it takes place as close as possible to the communities more affected by the decisions.
10. The separation of the legislative, judiciary and the executive functions of government must be upheld, and the independence of the judicial system and the civil service strengthened.

Specific Policy Points

1. Guaranteed Māori Representation

The Green Party supports:

1. Māori and Māori points of view being fairly and effectively represented in Parliament through guaranteed representation.

2. Preferred Electoral System: MMP

For general elections, the Green Party supports:

1. The Mixed Member Proportional (MMP) electoral system, which is characterised by having MPs elected to represent local electorates, plus additional MPs, such that each party's total share of MPs is proportional to the share of the vote it received in the election.

3. Process for changes to the Electoral System

A. Changing the existing system

The Green Party will only consider supporting changes to the Electoral Act if:

1. The only effect of the change is to grant the right to vote to some group of citizens and permanent residents of Aotearoa New Zealand, who were previously ineligible to vote; or
2. The changes are adjustments to the existing electoral system that have been recommended by an independent commission, and that are consistent with our Key Principles. Changes the Green Party supports include abolishing the one electorate seat threshold for the allocation of list seats (the 'coat-tailing' provision) and lowering the party vote threshold to 4%, as recommended by the Electoral Commission in 2012.

B. Changing to a new system

The Green Party will consider supporting changing to a new electoral system only if:

1. The new electoral system is approved by a free and fair referendum of all people in Aotearoa New Zealand eligible to vote under the existing laws. The referendum should have the following characteristics:
 - a) The referendum process is determined by an independent commission not by members of parliament; and
 - b) There are clear spending limits and transparency for all campaigners in any referendum campaign to ensure a healthy and fair referendum process.

4. Code of Conduct

The Green Party and other MMP parties have previously proposed and signed up to a Code of Conduct for Members of Parliament. The principle of this code is that the New Zealand electorate expects members of Parliament to act ethically and with integrity, and that an MMP Parliament demands a standard of behaviour that allows all voices to be heard. The Green Party will:

1. Support having the Code of Conduct incorporated into the Standing Orders.

5. Fixed Election Date

Using the election date as a tool for political game playing serves no democratic purpose and leaves the public and other political parties in the dark. The Green party will:

1. Support a fixed election date, the date to be determined by consultation with

the public.

6. Election financing

The influence of money on politics is one of the greatest threats to democracy. Political parties need money to run election campaigns but that money can be a source of undue influence on the democratic process. The Green Party believes it is of paramount importance for the public to know who is funding political parties, as an assurance that political donations are not buying policy.

The Green Party will:

1. Initiate a review of the overall operation of campaign finance rules, including:
 - a) The rules around donations and spending caps;
 - b) Non-political party election activities;
 - c) The partial public funding of political parties; and
 - d) Whether the current electoral agencies are properly able to enforce the campaign finance rules, and if not, how they should be reorganised.

A. Donations

The Green Party will:

1. Introduce tighter limits on anonymous donations.
2. Introduce a ban on overseas donations, with the exception of New Zealand citizens or residents living overseas who are entitled to vote.
3. Seek to simplify and tighten the current rolling disclosure system to ensure that the public know who is funding the parties when they go to vote.
4. Place an annual limit of \$35,000 on total donations to a political party from any single person or entity.

B. Maintain spending caps

Spending caps are essential to ensuring that the election is a contest of ideas and policies rather than which party has more money to influence voters by advertising.

The Green Party will:

1. Maintain the current campaign spending caps on political parties but be open to having them indexed to inflation.

C. Non political party election activities

The involvement of non-political parties in election activities is an important part of democracy, but their activity needs to be regulated to ensure fairness and transparency. The Green Party will:

1. Review the current rules for non-political parties in election activities.
2. Continue to support spending limits and transparency on non-party actors involved in electioneering.

D. Partial public funding of parties

The current rules around broadcasting help level the playing field between parties with greater and lesser financial resources, and there is a case for further partial public funding of parties. The Green Party will:

1. Maintain the status quo on broadcast funding and time allocation.
2. Investigate whether parties should be able to use the broadcast allocation for purposes other than broadcasting if they so wish.
3. Appoint an independent commission of inquiry and a citizens' assembly to investigate increasing public funding of political parties during election campaigns.

7. Lobbyists

While lobbying is an important part of the political process, there is a strong public interest in knowing more about what happens so that citizens can have confidence in the decisions made by Government and Parliament. Currently access and influence is uneven, and most of the time the public does not know who is influencing decision makers on key decisions. To address this, the Green Party will:

1. Introduce a statutory register of lobbyists to publicly identify those seeking to influence public policy decisions, as well as providing a framework for holding those engaged in lobbying accountable.
2. Introduce guidelines for MPs on handling lobbying communications.
3. Amend the Cabinet Manual to require Ministers to include in the regulatory impact statements and explanatory notes of parliamentary bills the names of any non-departmental organisations consulted during the development of legislation.
4. Remove lobbyists' access cards to parliament.

8. Cabinet decisions to be published

People have a right to know what has been decided by Government, not just when it is announced, but soon after Cabinet has signed it off. The Green Party will:

1. Ensure that Cabinet minutes and decisions are published on the internet within one month of each Cabinet meeting unless there is a pressing and valid reason not to publish.
2. Publicise when decisions or minutes are withheld, including the reasons why, and ensure the ability to request a judicial review of such decisions. Further ensure that withheld information is published as soon as the risk subsides.

9. Changes to the Official Information Act (OIA)

It is vital that the political system is more open and accountable. The OIA needs to be more effective so that people can access the information they want without lengthy delays or censorship. The Green Party will:

1. Support legal responsibilities and penalties for public servants to keep good records, and make sure staff have training in the proper implementation of the OIA.
2. Require agencies to respond promptly to OIA requests and narrow the exclusion provisions to withhold important information. Ensure the security exclusion is only available where the issue has been reported to, and the exclusion approved by, the responsible Minister, and review the use of the commercial sensitivity exception in light of concerns that public organisations have become more market oriented.
3. Require all OIA and Local Government Official Information and Meetings Act request responses to be published on a designated website seven days after they have been sent to the requester, operating similarly to the Parliamentary questions for written answer (QWA) system. All information will be published unless the requester asks that the information not be and the Ombudsman agrees, or it is not in the public interest to do so. This includes where privacy would be compromised.
4. Ensure the Ombudsman has the resources needed to respond to all OIA complaints in a reasonable timeframe, and greater powers to censure agencies for non-compliance or lack of co-operation.
5. Investigate removing the Cabinet and local government 'veto' power over an Ombudsman's recommendations.

6. Stop the practice of excluding application of the OIA to certain agencies, and bring Parliamentary Service under the OIA (while keeping in mind the resourcing constraints for opposition parties), with an exemption to protect communication between constituents and MPs and to protect opposition parties from government intervention.
7. Remove charging for OIA requests and require costs to be met out of Departmental baselines with an exception for vexatious, excessive and frivolous requests.
8. Ensure that, where information relates to a decision being made by a public body, the information is released as soon as possible, with consultation deadlines amended to facilitate maximum public participation wherever possible.
9. Apply the changes above to the Local Government Official Information and Meetings Act as well.

10. Local Government

Local Government is responsible for environmental and social decision making that has enormous implications for communities. We believe people should be able to find out what is going on in their own backyards.

To achieve greater transparency the Green Party will require Local Government to:

1. Publish in a timely manner the following information on the internet:
 - a) All resource consent applications and decisions, and details of consent monitoring, compliance and enforcement action and outcomes.
 - b) A pecuniary interests register for councillors similar to that used in Parliament, including disclosure of all contracts in which councillors have a pecuniary interest.
 - c) All Council minutes and Order papers, including a statement on the nature of, and reasons for, any business considered with the public excluded.
 - d) A list of all people, consultants and organisations engaged to provide services to Council and the service provided.
 - e) The source of all campaign donations over \$500.
2. Publish video of all council and committee meetings, except for publicly excluded sessions.