



THE BUZZ

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PREPARED BY

Public Policy Club

The University of Auckland

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EDITORS' NOTE

Kia Ora Koutou,

The Buzz is a compilation of student articles produced throughout the semester displaying the collective work of our Written Content team. This report discusses a variety of different topics, such as Democracy and AI, with a diverse range of political perspectives.

The work does not provide the opinion of the Public Policy Club itself, but is part of our wider mahi of promoting civic engagement and making public policy accessible to students on campus.

As you read through this third edition of The Buzz, we're confident that the time, effort and detail of thought our student writers had invested in their work will be made clear. Thank you to the students who got involved and for the enthusiasm they brought to every aspect of the article writing process.

It has been an honour to co-lead the Written Content Team, we hope you like the articles as much as we do!

Ngā Mini.

Co-Leads Stephanie Austin and Elizabeth Kimber



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BEST ARTICLE 2024

WHATS THE RUSH? THE USE OF URGENCY IN PARLIAMENT

BY RILEY PARNWELL

Fair pay agreements: gone. Te Aka Whai Ora: out by the end of June. Three Waters: not happening. The Acts behind each policy have been repealed by the government under urgency at all stages of the legislative process. And yet, they represent only a few of the bills considered under urgency so far—most also at every stage.

The changes mentioned above were campaigned on. They were also part of the government's 100-day plan. But are those good reasons to violate democratic principles? Putting aside the validity of each policy, we need to confront how urgency is used.



What is Urgency?

There are multiple steps for a bill to pass through the House of Representatives and become law with the Governor-General's assent. After introduction it goes to a first reading. If it passes, the bill often goes to a select committee where MPs from multiple parties may receive public submissions and amend the draft legislation. It then returns to the House for the second reading, committee of the whole House and third reading stages. Here, parliamentarians debate the bill's pros and cons and may propose changes. The Standing Orders—the rulebook dictating Parliament's procedure—impose “breathing periods” after each step to allow MPs and the public the chance to be aware of any changes to a bill.

Motions for urgency have two forms. They can simply extend the House's sitting to allow longer debate, or they can be used to eliminate the select committee stage and remove turnaround periods. The latter is problematic. By March 25th, thirteen pieces of legislation were passed “entirely under urgency”.

Effects on Democracy:

The government overtook the average for bills passed entirely under urgency in a full term of Parliament “with more than 90 per cent” of this term left. That was a choice. The 100-day plan and their electoral mandate have both been claimed as justifications for these bills although there are no criteria under the Standing Orders to invoke urgency as long as the House is notified

One of the responsibilities of the House is providing a check on the government's power. MPs need to hear testimony from experts and the general public at select committees. Only then can they provide adequate scrutiny of bills. The importance of scrutiny goes beyond the balance of powers: practical problems in legislation may go uncovered as a consequence of urgency. An arbitrary 100-day rush to get through a set of objectives may be effective political marketing, but it fails to account for the lack of scrutiny. The government is giving itself an incentive to ignore proper process and make their 100-day plan the priority. Our lack of other functions for scrutiny, like an upper house, makes this point more important.

The argument that an electoral mandate legitimises urgency is also unconvincing. Parties often sell ideas: during campaigns they present policies, not draft legislation. There are good reasons for the difference between campaigning and governing. For the government to suggest a majority voted for the policies they campaigned on allows them to be passed under urgency is also to suggest those who did not should be prevented from expressing their dissent by getting involved in the law-making process. Electoral mandates cannot extend to unnecessarily fast legislating. Our Prime Minister recognises his government's actions are problematic, saying that for their next priority list, the "right method through Parliament" will be followed.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

Is This Just a Problem for the Right-Wing?

Opposition leader Chris Hipkins has said the government's election win cannot allow them "to act like a dictatorship". While opposition parties have a duty to hold the government accountable, his comments seem hypocritical. The Labour government passed five bills under urgency at every step in its first hundred days—fewer, but still problematic. Governments may use urgency for fear of letting issues be exposed, because they want to get through their agenda before an election, or because they think it signals to their supporters that they are getting things done. Even if used just to extend the hours of the House and allow for more consideration or debate, the use of urgency by governments of any persuasion creates the perception that the House is ignoring its own rules. In doing so they undermine trust in our institutions. What stops the view that Parliament is not worthy of trust if governments keep bending its rules? Especially if National and Labour continue to make accusations they are guilty of themselves.

Where to for Urgency?

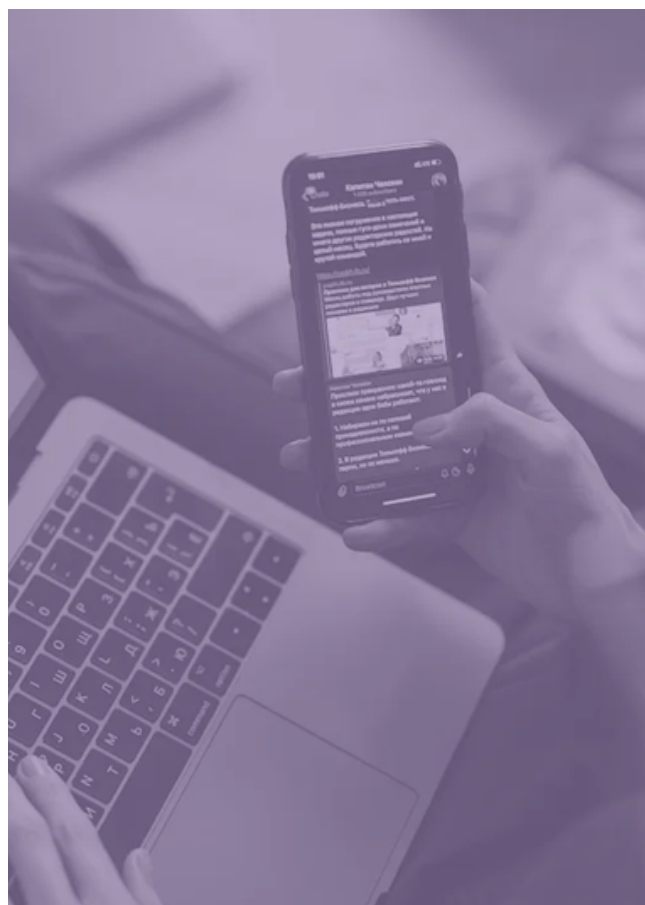
It seems clear political motivations will rarely justify the use of urgency. Governments may not need good reason, but democratic principles indicate that it would be best kept for emergencies or where loopholes in existing laws need to be covered. To his credit, former Greens co-leader James Shaw has said "there has to be a point at which we're able to debate whether it's appropriate" for such extreme uses of urgency. The time has come for discussions about reform. Imposing a clear standard for urgency might be a good start.

THE GOVERNMENT SHOULD NOT BAN CELL PHONES IN SCHOOLS

BY MAGGIE LONG

There is a stereotype that adults have a hatred towards teenagers and their phones. Whilst previously exaggerated, this stereotype is increasingly becoming a reality. Parenting blogs about ‘the dangers of screens’ and ‘how to get children off social media’ are becoming more prominent. Our society is at a crossroads with social media. People do not know whether to embrace it or see social media as the enemy. In New Zealand, the government has made that decision for us. In April, the Government officially banned children and adolescents from using cell phones in schools. This Bill was a long-standing policy of the National Party. They campaigned on it during the 2023 General Election, arguing that the ban would “help lift student achievement (National Party).” School results in New Zealand have been dropping, with NCEA results back to pre-COVID levels (Plummer, 2024). Literacy and numeracy rates have also been falling. In 2022, 19% of students were behind in literacy, and 22% were below in maths (Pacheco, 2023). It is indisputable that something must be done about this issue, as New Zealanders benefit significantly from a well-educated population. Will banning phones significantly improve students’ education, as claimed by National?

National’s main argument for banning cell phones is that they have a negative impact on students’ learning. A few months before National announced this policy,



the United Nations Education, Scientific and Cultural Organisation (UNESCO) released a report explaining how technology is invasive to class environments when not used for educational purposes. Looking at non-academic material takes time out of learning and requires effort to refocus after looking at the screen. It can be challenging for teachers to manage a classroom if children look at different websites and are unengaged in their work (UNESCO, 2023). This supports Luxon’s statement that “we want teachers to get on with teaching and students to concentrate on learning” (Clent, 2024). If the report is correct, then a phone ban may achieve Luxon’s goal of getting students to concentrate.

However, there are costs of having this phone ban. A phone ban disregards the idea that phones can also help students learn. Phones enable students to take pictures of slideshows and quickly research information. Many educational apps, such as Quizlet, Blooket, Kahoot, and news apps, can be used on students' phones. Furthermore, the government should also consider that students must learn to manage their behaviour around phones. When students leave school, they will always have access to their phones. If their usage has constantly been policed, they will not have developed techniques to manage their screen time independently.

Although the government has implemented the phone ban, it is school teachers who will be enforcing it. One principal said a ban created a poor relationship between staff and students (Gerritsen, 2024). Another explained that if it takes him one minute to take a phone off each student, he will waste three thousand minutes of teacher resources (RNZ, 2023). The UNESCO report explains, "the design and delivery of education technology interventions need to be tailored to local contexts" (UNESCO, 2023). This suggests that banning technology is not a black-and-white issue but instead relies upon the specific way the phones are being used and the conditions of the ban itself. The government's phone policy ignores these nuances and enforces a universal ban that all schools must constantly follow.

Luxon is right that our school results must increase, and he is correct that phones can distract students. However, the total phone ban the government has proposed ignores the nuances of the relationship between technology and education. Students can innovatively use phones in classrooms in many ways, but a phone ban will not allow teachers to explore these tools. The ban also ignores the high workload that enforcing a phone ban will put on teachers. Although there should be an evaluation of how constructively technology is used in the classroom, going straight to a phone ban is not the answer.

"The total phone ban the Government has proposed ignores the nuances of the relationship between technology and education... Although there should be an evaluation of how constructively technology is used in the classroom, going straight to a phone ban is not the answer."

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.



COLONISATION IN THE PACIFIC



BY THOMAS LI

Colonialism is an aggressive doctrine that derives its inherent roots from imperialism. The purpose of colonialism is geostrategic, as it involves establishing control of a country, invading and occupying it with settlers, and exploiting its resources for the benefit of colonisers. It has been argued that colonisation in the Pacific did not significantly tamper with the region's development. However, colonialism played an integral role in changing Pacific people's lifestyle culturally, economically, politically and socially.

Throughout the colonisation process, colonisers heavily relied upon an appalling worldview that encompassed racial ideologies to undermine Pacific peoples. Colonisers utilised a colonial binary that exercised biased and unethical assumptions to position themselves as 'modern' and 'intelligent' whilst branding Pacific peoples as 'savage' and 'barbarian'.

In this manner, colonisers infected Pacific society with their epistemological perspectives, particularly through the practice of Eurocentrism. Consequently, hegemonic European values drastically altered Pacific peoples' social and cultural experience. This drastic change is evident in the way that colonisers dictated gender roles within society. Colonisers asserted that women should undertake domestic roles, a practice that significantly mirrored their own patriarchal society in which women were not emancipated. In 1899, European women embarked on a 'hygiene' mission in Fiji; the result of this mission was the indoctrination of Indigenous women and girls in institutions promoting motherhood and childcare. The Spanish Influenza crisis in Samoa in 1918 is another example of the devastating societal consequences of racial ideologies employed by colonisers.

The influenza virus was a foreign disease in Samoan society, introduced through contact with New Zealand. The virus resulted in the death of a staggering 22 per cent of the overall Samoan population, a fatal statistic that could have been prevented by medical assistance. However, New Zealand, as the coloniser, ignored the needs of this population. This injustice led to political developments within society, such as the foundation of the Mau Movement, which aimed to achieve Pacific recognition and self-sovereignty. Overall, racial ideologies had extensive social and political ramifications. The well-being of Pacific peoples was marginalised in favour of European interests, a form of cultural hegemony.

Colonialism in the Pacific was undoubtedly an act of violence against the territorial integrity of Pacific peoples. In the 18th and 19th centuries, colonisation was used as a form of economic aggrandisement to extract and exploit indigenous resources, including human resources. In addition to prioritising European welfare, colonial rule also protected European economic and political interests. In the early decades of the twentieth century, the First World War occurred amidst volatile global tensions. Colonisation remained prominent despite the outbreak of war, and a turbulent new wave of colonial activity occurred, characterised by global violence. This turbulent period of colonisation was evident within the Pacific. For example, prior to World War I, Samoa had been controlled by Germany. However, in 1914, New Zealand invaded German Samoa and reaffirmed imperial superiority through anti-German eradication.

This counter-invasion dramatically transformed Samoans' lives. Not only did they experience another annexation, but they were also unwillingly involved in a war caused by European statesmen. The era of Nuclear colonialism further exacerbated changes to the Pacific political landscape, surpassing the brutality of orthodox colonialism. Colonial tensions thickened, particularly within the drastically varied nature of the Cold War and the nuclear arms race. The nuclear arms race was positioned as a means of preserving national security at the expense of Pacific national interests. Essentially, the Pacific became a scapegoat for nuclear testing endeavours by nations unconcerned about the well-being of the region and its inhabitants. In 1957 and 1958, the British carried out Operation Grapple, testing the development of atomic bombs as a countermeasure against Russian activity. This campaign had devastating consequences on the lives of Pacific people. For example, individuals such as Paul Ah Poy and Tere Tahi experienced lingering psychological trauma, genetic malfunction and disease in the years following. In summation, colonisation was used to violate the state integrity of Pacific nations throughout a range of contexts, such as global warfare and nuclear tensions. This had devastating impacts on the well-being of Pacific people's quality of life.

Colonisation also drove cultural developments, spreading Eurocentral religious and literary idealisms within Pacific society. Europeans justified colonialism by arguing that traditional religious beliefs were heathen and that the colonised themselves were 'savages' who needed to be 'cleansed.'

Pacific peoples believed in an otherworldly spiritual realm that held polytheistic beliefs and values. Missionaries sought to instil Christian theology within society to alter these traditional customs, driving cultural change. Missionary schools and faith were employed as tools through which missionaries attempted to indoctrinate and permeate Christianity within society. Missionaries asserted the abolition of war, theft, adultery, infanticide and suicide. As George Lawes, a European missionary, detailed in an empirical anecdote regarding the religious environment of Niue in 1861, there was “not an outward vestige of heathenism remaining” (Chapman, 1982, p. 117).

It has been argued that an increase in Christian-based morals did reduce instances of crime within society. Furthermore, the global demand for literary skills meant that many individuals benefitted from learning to read and write.

“Colonialism is an aggressive doctrine that derives its inherent roots from imperialism. The purpose of colonialism is geostrategic, as it involves establishing control of a country, invading and occupying it with settlers, and exploiting its resources for the benefit of colonisers.”

However, the colonial campaign asserted written language and Christianity as dominant at the expense of traditional practices and customs, such as orally recorded history. This campaign drove widespread societal acceptance of these European values, causing a drastic alteration in Pacific culture. The implementation of literacy skills fundamentally transformed local knowledge systems. Despite this, traditional methods of language and literature have not been entirely displaced.

Overall, colonialism played an integral role in changing Pacific society. Colonising nations employed racial ideologies to severely inflict prejudice upon Indigenous populations, with disastrous societal consequences. Colonisers also infringed on colonised nations’ environmental and spatial territories, exploiting their natural and economic resources to benefit their own states. These acts further altered the economic and political landscapes of the Pacific region. Although it has traditionally been argued that the introduction of Christianity and literacy were acts of ‘goodwill’ that carried societal benefits, these were developed at the expense of, and positioned as superior to, existing literacy and religious practices. Overall, the changes in Pacific society have inevitably and inexorably altered the region’s social, economic, political and cultural landscape.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

FUNDING SCRAPPED FOR SECTION 27 CULTURAL REPORTS: AN INEFFECTIVE SOLUTION?

BY LAURA OH

In a move that has generated widespread concern, the Government's decision to remove funding for section 27 cultural reports has the potential to unravel the progress made in ensuring fair and equitable access to justice for all. This action, part of National's 100-day plan, is posited as a crucial step towards effective spending of taxpayer funds and restoring law and order to Aotearoa New Zealand.

But who will be impacted most by this decision? And is this act of urgency an effective way to achieve these objectives?

What are “Cultural Reports”?

Cultural reports, ordered under section 27 of the Sentencing Act 2002, allow an offender to provide background information relevant to their offending for consideration during sentencing. The reports are about finding “equitable, effective and tailored” outcomes in sentencing and can lead to between a 7% to 45% reduction in an offender's sentence. National's Legal Services Amendment Bill, which removes legal aid funding for these reports, passed in Parliament on March 6th as a matter of urgency.

A Public Misconception - “Cultural Reports are Only for Specific Groups”

A common misconception is that Section 27 reports can only be requested by offenders from specific cultural backgrounds. This is incorrect.



Under the Sentencing Act 2002, any offender can request a cultural report [9]. While Māori have factors that are unique to them, such as the impact of colonisation, other cultural backgrounds also have specific factors that help a court better understand an offender's background.

Why the Removal?

Whilst cultural reports have been around since 2002, they only recently came under fire with their surge in use from 2019. In 2022, 2,429 reports were funded through legal aid and the Public Defence Service at a cost of \$6.45 million. By comparison, just nine reports were funded in 2017, at a cost of \$17,164. ACT Party Leader David Seymour states cultural reports have allowed for a “cottage industry” of “getting criminals softer sentences”.

Furthermore, some judges are concerned about the content of the reports being based on the self-reporting of an offender.

But is removing legal aid funding the solution?

Who Will be Impacted the Most?

Excluding Section 27 reports from legal aid funding has significant implications, particularly for individuals of low socioeconomic status and Māori.

Prime Minister Christopher Luxon points out that the legislation only removes funding and does not ban the use of the reports in sentencing [16]. Whilst technically true, the lack of legal aid funding will likely mean those from low socioeconomic backgrounds will no longer have this option. The Labour Party's Justice spokesperson, Duncan Webb, has criticised National and its coalition partners' approach as "one dimensional", arguing that it disregards the diverse circumstances and financial abilities of those navigating the justice system.

It is well known that Māori are overrepresented in the justice system [19]. Removing funding could worsen this disparity, as current Minister of Justice Paul Goldsmith identified. The Cabinet document Goldsmith prepared identified that Māori and Pacific individuals make up a higher proportion of offenders requesting the legally funded report (14% and 11%) compared to individuals of Pākehā and other descent (7%). However, the full implications of the legislation for Māori are unknown.

Removing legal aid funding for Section 27 reports also undermines the right to a fair trial. Being able to use the reports in sentencing ensures a judge has all the relevant information to impose the most appropriate sentence. The legislation change disadvantages offenders who require financial support to present their circumstances fully.. The option of a cultural report for all offenders is essential, as according to Judge Timothy Brewer, the reports "help me to understand the journey that brought [offenders] to the courtroom today".

Will the Legislation Achieve its Initial Objectives?

While legal aid funding has been removed partly to reduce taxpayer costs, experts argue it will do the opposite. Criminal barrister Emma Priest believes the legislation will increase taxpayer costs and make it harder for judges and lawyers to obtain crucial information, which they have an obligation to do. Others have weighed the cost to taxpayers from funding cultural reports against the cost of putting more people in prison and argue the latter will cost significantly more.

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As experienced lawyer Kingi Sneglar phrased the issue, “We spend a billion dollars a year building prisons and incarcerating Māori . . . and a few million to look at why people offend. There’s no comparison in terms of the amount that we are investing”.

Furthermore, legal experts have suggested that better solutions may be available. Law Society President Frazer Barton stated that concerns surrounding the cultural report “appear to be largely financial concerns and concerns relating to the perceived impact of these reports on sentencing outcomes”. Khylee Quince, Dean of the AUT School of Law, felt that “parameters” could be put into place to reduce the variation across reports without “throwing the baby out with the bathwater”. Furthermore, the Second Reading of the Bill in Parliament highlighted that the Cabinet document provided alternatives to defunding,

such as imposing a cap on report writer’s fees and introducing an accreditation scheme for Section 27 report writers.

Concluding Thoughts

The decision to defund section 27 cultural reports may cut taxpayer costs in the short term but risks potentially high costs to the justice system’s fairness and inclusivity. The Government’s move could disproportionately impact Māori and those of low-income backgrounds, exacerbating existing inequities through the absence of crucial information in sentencing. Whilst intended to save taxpayer funds, experts caution it may ultimately increase long-term expenses where more effective alternatives could be used.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

THE NEW ZEALAND-EU FREE TRADE AGREEMENT

BY LEWIS MUGONYI

Introduction:

On the 9th of July 2023, New Zealand and the European Union signed a lucrative Free Trade Agreement (FTA) in Brussels, marking a significant milestone in Aotearoa's international trade relations. The agreement has been in negotiation for several years with the aim of bolstering the economic ties of both parties, enhancing market access, and fostering closer cooperation between New Zealand and the 27 EU member states. Both sides have completed the necessary international and domestic procedures and requirements that saw it materialise on the 1st of May 2024 (NZTE, 2024).

Reasons For the New Zealand-EU Free Trade Agreement

In conception, this agreement bears a myriad of ambitious goals for all the parties involved. The most significant goals are analysed below.

One of the primary motivations for embarking on this trade endeavour with the European Union is to promote economic growth and development through market access and opening venues for newer markets (Bounds, 2022). The European Union has a population of over 450 million people, which illustrates a significant market for New Zealand's exports; approximately, NZ exports to the EU will increase by \$1.8 billion annually. (Mcclay, 2024).

By eliminating tariffs and barriers to trade, New Zealand can increase its export volumes, particularly in the agricultural sector, through cheese, milk, and beef. The two-way trade of goods and services is estimated at \$20.2 billion. (Service, 2024).

Secondly, closer economic ties with the European Union would facilitate the transfer and sharing of innovation and technology. Particularly for New Zealand businesses, exposure to state-of-the-art European technologies and techniques can be advantageous in fields like manufacturing, renewable energy, and biotechnology. Initiatives for joint research and development have the potential to bolster New Zealand's innovation even further.

In addition, the FTA will support compliance with sustainable practices. Since both parties to this agreement emphasise practices that conserve the environment, the FTA is expected to include provisions that promulgate sustainable agriculture, encourage the adoption of green technologies, and minimise carbon footprints. Consequently, the FTA will act as an example of environmental sustainability to the wider global community, bettering New Zealand's reputation as a manufacturer and producer of eco-friendly goods (Trade, 2024).

The FTA is projected to enhance diplomatic relations, creating benefits that extend beyond the economy. It will also serve as a platform to form and strengthen bilateral diplomatic relations between New Zealand and the EU. This will then increase the likelihood of collaborating and forming partnerships in areas such as research and development, sports and recreational activities, education, healthcare, human rights initiatives, and tourism and hospitality.

Moreover, the FTA has the potential to foster the harmonisation of legal standards or judicial cooperation, which will facilitate smoother resolution of cross-border disputes and grievances. In the event of cyber threats or transnational crime, this agreement will enable the sharing of insights and diffusion of ideas on how to combat such crime.

Another relevant benefit of the Free-Trade Agreement is its ability to strengthen governance principles. This FTA will be poised to encourage the transfer of good governance strategies, including transparency, accountability, efficiency, and anti-corruption measures.

Finally, the agreement is likely to promote consumer benefits. Due to the FTA, New Zealand and EU consumers will have a great variety of choices. They will benefit from a broader range of goods and services at competitive prices. This could mean imports of high-quality goods that enhance consumer choices, hence driving competition in the domestic markets.

A relevant example is access to European luxury products and services that can serve a niche market in New Zealand (Mcclay, 2024).

Reasons Against the New Zealand-EU Free Trade Agreement

Although this Free Trade Agreement promises a lot of positive change, it is imperative to recognise that there is no light without darkness, and the agreement also has its shortcomings. These shortcomings are examined below.

To begin with, the trade agreement could cause a loss of political autonomy. Joining an FTA often comes at the cost of compromising national sovereignty on certain decisions that may affect the working relationship of the agreement. Critics fear this FTA could limit or undermine New Zealand's ability to implement independent policies in specific areas, such as labour standards or environmental protection (Alvarez, 2015).



The trade agreement may also inhibit infant industries. Analysts argue that the agreement could negatively affect domestic industries in Aotearoa, especially those that may struggle to compete with advanced European imports. Sectors, including manufacturing and services, might face increased competition, and the consequences may be job losses and, ultimately, business closures.

Furthermore, The Free Trade Agreement raises agricultural concerns. While Free Trade Agreements offer endless opportunities for New Zealand's agricultural sector, there are concerns about impending impacts on local farmers. Increased competition from European farming goods and products could pressure New Zealand farmers to lower prices or adopt unsustainable or unfeasible practices.

Finally, the FTA requires strict regulatory and alignment standards.



The Free Trade Agreement may require New Zealand to align itself with European Union standards and regulations that may be complex and ultimately stringent.

“Policymakers ought to carefully balance these factors to ascertain that the FTA delivers on its promises of tangible benefits for New Zealand while simultaneously safeguarding national interests.”

This alignment may impose additional costs for New Zealand businesses, specifically small and medium-sized enterprises that lack the resources to adapt effectively.

Conclusion

The New Zealand-EU Free Trade Agreement conveys both possibilities and challenges. While it comes equipped with the potency and promises of economic development, consumer benefits, and technological transfer, it also raises alerts and concerns about infant industry impacts and political sovereignty. Policymakers ought to carefully balance these factors to ascertain that the FTA delivers on its promises of tangible benefits for New Zealand while simultaneously safeguarding national interests. As the agreement progresses, its success will rely on its ability to create a sustainable, fair, and mutually beneficial trade partnership between New Zealand and the European Union.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

THE FAST-TRACK BILL - A PATH TO ECONOMIC PROSPERITY OR DEMOCRATIC DOWNFALL?



BY AAMY ROSHAN

Just last month, thousands of Aucklanders marched down Queen Street to protest the Fast-Track Approvals Bill, which was created to accelerate economic growth through development. Introduced in March, the Bill would essentially give three Ministers, Chris Bishop, Simeon Brown and Shane Jones, the unchecked power to consent to major development projects. Despite public outcry, polling has indicated that 44 per cent of respondents support the Bill. However, the Bill's current form poses concerns about its ability to balance economic objectives with matters of impartiality and sustainability.

The Fast-Track Approvals Bill was included as part of National's 100-Day Action plan to replace the Resource Management Act changes introduced by the Labour government in their previous term. Luxon announced the bill with the hopes of cutting through heavy regulations to speed up infrastructure development.

If approved, the Bill will streamline the process of infrastructure development, as any projects listed in Schedule 2A will automatically qualify for consideration by the ministers. Additionally, it will also allow any projects that present "significant regional or national benefits" to be considered. From the developer's perspective, the Fast Track Bill shortens the complicated consent process to approve economically beneficial projects. For example, OceanaGold's Waihi underground mine project could be approved as it would generate billions and create 350 additional jobs for New Zealanders.

On the other end of the debate, many believe that the Fast-Track Approvals Bill concentrates power in the hands of the few. Political analyst Dr Bryce Edwards voiced concerns, stating that this Bill would allow select ministers to bypass the protection mechanisms outlined in the Resource Management Act in order to "get things done."

Although expert panels will be held to discuss consent, the three ministers have the ultimate power to grant exemptions and limit public participation in the process. This gives rise to a separate debate around potential corruption scandals that may arise during the fast-track process, as there is a lack of regulations to address possible conflicts of interest.

The Ministry for the Environment believes that a fast-track bill would be beneficial to achieve development objectives but argues that the current bill “was neither the cheapest nor the fastest.” Other issues brought forth by the Ministry include whether the bill upholds Treaty of Waitangi principles and whether it will undermine the diplomatic, legislative process by creating “an unprecedented back door.” Labour has even termed the bill “Muldoonist” due to the overarching powers that it awards Ministers.

Although previous legislation, such as the COVID-19 Recovery (Fast-track Consenting) Act 2020, stated the need to promote “sustainable management”, the purpose statement of the Fast-Track Approvals Bill, in its current form, makes no mention of sustainability. As a result, many believe that environmental and sustainability concerns have taken a back seat. Furthermore, the Parliamentary Commissioner for the Environment has advised that “the risks and trade-offs will not be well understood, and the benefits are largely private in nature.” The tight time constraints for analysis and public submissions regarding the legislation have made it especially difficult to understand the potential risks and spill-over effects of the Bill.

A select committee is due to report on the Fast-Track Approvals Bill in September. Currently, the Bill holds potentially significant issues that need to be rectified. Firstly, a comprehensive analysis should be undertaken to understand the implications and flow of the bill’s effects, which has yet to occur in the legislative process. Furthermore, the role of the Minister for the Environment within the fast track should be strengthened to ensure greater importance is given to environmental concerns. The Bill holds promise, but more regulations and analysis are required to ensure that it lives up to its promises.

“Currently, the Bill holds potentially significant issues that need to be rectified... The Bill holds promise, but more regulations and analysis are required in order to ensure that it lives up to its promises.”

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.



OLYMPICS: A DREAM SHATTERING BUREAUCRACY

BY OSCAR LIN

Olympics. For many athletes, participating in this rare, once-every-four-year event is a dream. Achieving the world ranking necessary to qualify requires years of relentless training and dedication. But for New Zealand athletes, there's an additional hurdle: nomination by the New Zealand Olympic Committee (NZOC).

The NZOC holds the final authority over the composition of New Zealand's Olympic Team, imposing an extra rule that goes beyond the qualification standards set by international federations. This secondary selection criterion requires athletes to demonstrate the capability to achieve a top-16 placing, with the potential to win an Olympic Diploma (awarded to those finishing in the top eight).



This rule was introduced after the Sydney 2000 Olympics when a team of 151 athletes returned with only four medals, placing sports leaders under tremendous public pressure.

To appease the public, the NZOC introduced the rule of top-16.

However, the strict criteria have had significant repercussions for many athletes. Despite qualifying through international rankings, some were left out of the Tokyo Olympics. Notably:

- Abhinav Manota: He qualified for the Tokyo Olympics by the standard of the Badminton World Federation and was nominated by Badminton New Zealand.
- Zoe Hobbs: She was the first New Zealand woman sprinter in nearly 50 years to qualify for the Olympics in the 100 meters.
- Eddie Osei-Nketia: At age 21, he became New Zealand's fastest man, breaking a 28-year-old national record set by his father.

A blanket top-16 policy seems unreasonable. Not all sports are created equal, and the reality is that some are far more competitive than others. While the rule aims to push athletes towards high performance, it may have the opposite effect. Denying an athlete the opportunity to compete when they have qualified is a huge blow to their morale and to the generations that follow. The presence of athletes at the Olympic Games can inspire countless children to take up the sport, and without representation, the opportunity for future generations to compete becomes more challenging.

Notably, New Zealand has not had a badminton representative in five successive games, impacting the sport's visibility and inspiration for young athletes.

Eliza McCartney, a star of this year's Olympic team for Paris, has voiced serious concerns about New Zealand's tough selection policy. She stated, "I disagree with denying qualified athletes entry to the Olympics. My main concern is the impact on individual athletes, including lost opportunities: experience, sponsorship, funding, longevity in high-performance sport [and] ability to medal at subsequent Games. And the human element: grief, erosion of self-confidence, loss of identity, [and] distrust in the system."

Eliza McCartney further highlighted that "the top-16 philosophy is often justified with the idea of inspiring a nation by sending a 'successful' team. Yet this overlooks the fact that medals aren't the only source of inspiration. Every athlete has a story and these stories can inspire even in the absence of medals. The media have a role to play here too."

"It's true that on paper, the results seem to have improved. But if that improvement comes from throwing a bunch of money at the issue, this band-aid solution will inevitably become unsustainable in the long run."



Since implementing this selection criteria, New Zealand's team size and medal count have grown. But in that same period, funding for high-performance sport has increased significantly, from \$10 million for the Sydney Games to around 25 times that amount for the Tokyo Games.

So yes, it's true that on paper, the results seem to have improved. But if that improvement comes from throwing a bunch of money at the issue, this band-aid solution will inevitably become unsustainable in the long run.

While the NZOC's additional selection criteria aim to send a successful team, they may inadvertently harm the broader athletic community and future Olympic hopefuls. Medals are important, but so are the stories and journeys of athletes who qualify for the Olympics. A re-evaluation of the criteria is necessary to balance excellence with inclusivity, ensuring that all qualified athletes have the opportunity to inspire the nation.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

ENHANCING NEW ZEALAND'S DEMOCRACY? THE INDEPENDENT ELECTORAL REVIEW

BY RILEY PARNWELL

The final He Arotake Pōtitanga Motuhake Independent Electoral Review report was published last November. Experts comprising its panel made over 140 recommendations for change covering almost all of our electoral system. Some of the recommendations overlap with commitments between coalition parties. The panel, for example, recommended increasing the length of the parliamentary term to four years and the National-Act agreement promises to hold a referendum on that question at the next election. Action the Government could take on implementing parts of the report may define its agenda in Parliament. This article contextualises some of the major recommendations ahead of the Government's official response.

The term of Parliament

Recommendation 11 encourages a “referendum on the parliamentary term”, with an independent information campaign and engagement with Māori as te Tiriti o Waitangi partners. New Zealand is one of only three countries with a single chamber of Parliament that has a 3-year term. In theory, an extra year to legislate allows for better thought and consultation on government agendas, creating “better laws and more effective governments” by needing fewer campaigns.

But the panel notes the obvious counterargument that more considered legislation cannot be guaranteed. We also cannot be sure governments will not resort to urgency at the end of a 4-year term to complete their longer program(s).

The National Party will support David Seymour's Constitution (Enabling a 4-Year Term) Amendment Bill through its first reading by March 2025. The Bill recognises the risks of giving more power to governments without “improving parliamentary oversight”. It does so by sketching a longer term conditioned on letting opposition MPs chair select committees—where legislation goes for scrutiny. But that is just one approach, with alternatives ranging from a reform of urgency to systemic changes like a second chamber of Parliament as discussed in the Matike Mai report. The Minister of Justice has anticipated “a number of other issues” will be included in the Bill that will schedule the referendum, regardless of which oversight measure gets locked in.

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Prisoner voting

Giving the right to vote to all prisoners was rejected out of hand, before the government's formal response. The Electoral Act 1993 banned those sentenced to more than 3 years from voting. The National Party removed the vote from all prisoners in 2010, before Labour reinstated the 1993 law on the basis those with short sentences deserve a say since the incoming government will impact them upon reintegration. Some submitters to the review noted this means almost 90 per cent of prisoners are allowed to vote. Others said voting is a right, not a privilege, and that it should be part of rehabilitation with prisoners getting input on decisions that will always affect them in some way. On that basis the Review concluded the right to vote is absolute, something that becomes an entitlement from a certain age. Our courts have also reached this conclusion.

The panel also observed the current ban as arbitrary and violating te Tiriti o Waitangi. Emphasis on individual circumstances at sentencing means some prisoners will be prohibited from voting for committing the same crime as others who will retain the right to vote. Māori receiving longer prison sentences as a consequence of "systemic bias", thus being disproportionately banned from voting, breaches Article Three. The Waitangi Tribunal has separately reached that conclusion. Despite the rulings and expert opinion, rejection means the status quo remains.

Māori electorates

Also connected to Māori rights is the panel's view on Māori electorates. There are currently seven electorates for voters on the Māori roll. The panel recommended the electorates join the other provisions in the Electoral Act that are entrenched. In practice, that means any change in their nature would need support from 75 per cent of MPs or a majority in a referendum. The Māori electorates may already be entrenched by implication, but the panel recommends making that explicit. Their support is founded on the principle of fairness: entrenchment would give those seats protection already granted to general electorates. Equality, of course, is an obligation under te Tiriti.



The New Zealand Law Society suggested broadly that entrenching sections of legislation makes it harder to “respond to changing societal expectations” of the law. But many would see the partnership between Māori and the Crown, on which New Zealand was founded, as being beyond that concern. In the current climate, the requirement that an entrenched provision be passed with the same level of support it would need to be changed makes a shift on this issue inconceivable.

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Securing our future democracy

The final section of the Review deals with changes to protect our electoral system from disinformation and foreign interference. On disinformation, preventive measures like better civic education were endorsed. Multiple agencies are concerned about the risks of electoral interference, with the NZSIS reporting multiple states act “persistently” and carry a threat of “significant harm”. Chinese groups in New Zealand, for example, have been targeted by the intelligence wing of the People’s Republic of China. The panel recommended banning international funding for election promoters and they endorsed work on regulating the lobbying sector to make the influence of special interest groups more transparent.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.



AI ACTIVATOR AND GOVGPT POLICY IMPLICATIONS IN NEW ZEALAND

BY LEWIS MUGONYI

Introduction

Artificial intelligence (AI) is rapidly evolving globally, and its incorporation in various sectors of the economy makes it a pertinent policy issue for governments today and for the foreseeable future. Aotearoa New Zealand unequivocally illustrated this on the 11th of September when The Science, Innovation, and Technology Minister Judith Collins unveiled the AI Activator program focused on enhancing the espousal of Artificial Intelligence amongst New Zealand businesses. (Collins, 2024)

Automating cumbersome tasks in businesses through AI has the potential to ramp up efficiency in New Zealand's primary sectors, particularly banking, agriculture, retail, and manufacturing. AI is predicted to contribute \$76 billion to Aotearoa's GDP by 2038 (Maasland & Parker, 2024). Will this next programme make the cut in maximising the value AI can have for New Zealand's economy?

AI Activator

The AI Activator program was introduced by Callaghan Innovation (Te Pokapū Auaha), a government agency founded on the ideology that New Zealand's success and welfare will not emerge out of traditional business models.

The program will also be led in partnership with New Zealand Trade and Enterprise (NZTE).

The AI Activator program is championed on the premise of providing support and assistance to all growth-focused Kiwi businesses based on the current scale of their AI journey. It is also based on a highly impactful "activator" model developed by Callaghan's Innovation for ecosystem-wide support. (Innovation, 2024)

Additionally, the initiative aims to achieve this goal by delivering access to research and development resources, rapid adoption of AI to boost productivity, AI expertise, AI tools for businesses, and interactive learning modules. Callaghan is eager to work hand in hand with New Zealand businesses that are interested in understanding the opportunities and risk mitigations for AI solutions. Sarah Sun, head of Digital and AI Whare at Callaghan, emphasised that "there is something for everyone." (Lynch, 2024)

"Artificial intelligence (AI) is rapidly evolving globally, and its incorporation in various sectors of the economy makes it a pertinent policy issue for governments today and for the foreseeable future."

GovGPT

Simultaneously, the Honourable Judith Collins introduced another new pilot program, GovGPT. GovGPT will act as a 'digital front door' in New Zealand, where people can conveniently and promptly access answers to their government-related inquiries online. This initiative will also simplify the process of obtaining reliable government information and assistance for businesses and individuals seeking to engage with government agencies.

Callaghan Innovation will run both GovGPT and the AI Activator Programme. These initiatives represent New Zealand's strategic approach to AI, demonstrating the government's commitment to cautiously maximising AI's potential value for the economy and all New Zealanders.

Environmental Scan

According to the latest available data, the Global Artificial Intelligence Market is worth approximately \$196.63 billion today, an increase of around \$60 billion since 2022.



This stark increase is primarily due to the growing real-world applications of AI technology, ranging from self-driving autonomous vehicles to content creation. New Zealand must jump on the trend of AI to compete on the global stage. (Howarth, 2024)

Notably, China currently leads the world in the adoption of generative AI. It is predicted that the most significant economic gains from AI will be in China through an estimated 26% boost to their GDP in 2030, equivalent to a total of \$10.7 trillion. This significant boost will account for nearly 70% of the global economic impact of generative AI. (PwC, 2024)

The People's Republic of China has a bold ambition of becoming the world's AI leader by 2030. This is reflected in state-level plans that commenced in 2015, given AI's prominence in China's 14th Five-Year Plan (2021-2025), where it is prioritised as the leading 'frontier industry'. (Kuo, 2024). Chinese companies have the highest adoption rate of AI. 58% of companies are already utilising AI, and 30% are exploring its integration, positioning the country as a global leader in AI implementation. (Haan & Watts, 2024)

China's AI advancement thus far started through the state's notices as a catalyst for brain science only. Subsequently, the interest has dispersed to other sectors through international AI alliances, recruitment of AI specialists, and co-authored research as the state looks abroad for inspiration in science and technology.

New Zealand's introduction of the above two initiatives is a step in the right direction. The New Zealand Government ought to use China's case as a template as it illustrates that the gems of AI are hiding in plain sight.

Policy Implications of the AI Activator & GovGPT

Recent research by the AI forum and Victoria University of Wellington on the impact of AI in New Zealand uncovered that currently, 67% of New Zealand businesses use AI. In addition, 96% stated that the use of AI has led to the efficiency of workers, with 62% declaring operational savings of between \$1,000 – \$50,000. With the above in mind, the following are the projected policy implications of these initiatives:

Economic Growth, Innovation, and Improved Access to Govt Services: AI is projected to bolster New Zealand's GDP by \$76 billion. Furthermore, both programs discussed above are set to scale up AI adoption immensely. The AI Activator gives firms access to research, expertise, technical support, and AI technologies, and the GovGPT allows citizens and businesses to quickly locate accurate, reliable government information, lowering administrative obstacles and improving public access to necessary data and services. This will establish New Zealand as a leader in AI innovation and competitiveness in international marketplaces.

Increased Trade and Productivity: By providing support for businesses in the form of grants, funds, and tools, the AI Activator program will make AI more accessible to businesses, particularly those in the export industry.

This will allow companies to incorporate AI into their daily operations, increasing productivity, creativity, efficiency, and inevitably boosting trade.

Strengthened Public Services: The AI Activator program supplements the introduction of GovGPT, an AI-powered platform meant to facilitate better access to public services and information. This will result in a widespread dedication to utilising AI to improve the availability of public services.

Development of regulatory approaches for AI: Both programs will solicit the development or alteration of current New Zealand legal frameworks, such as copyright laws, to cope with the uncertainty of difficulties posed by AI (Flitter, 2024). New Zealand will have a crucial opportunity to harmonise its laws with those of other leading nations, such as China, the United States, and a majority of European nation-states, to promote the smooth diffusion of artificial intelligence. (Treasury, 2024)

Impact on New Zealand's employment and labour market: The AI Activator programme and GovGPT will both ultimately affect the labour market in New Zealand, challenging policymakers through the weighing of job creation with job destruction. However, whether AI will disproportionately affect jobs requiring more skills remains uncertain. It will be crucial to emphasise supporting people in adjusting to a labour market where technology is widely utilised.

AI integration Across Government Agencies: New Zealand's commitment to incorporating AI into government operations is seen through both programs, particularly in the GovGPT program. This program integrates AI into public administration by setting the stage for more extensive AI applications in public policy, governance, and service delivery. (Franchise, 2024)

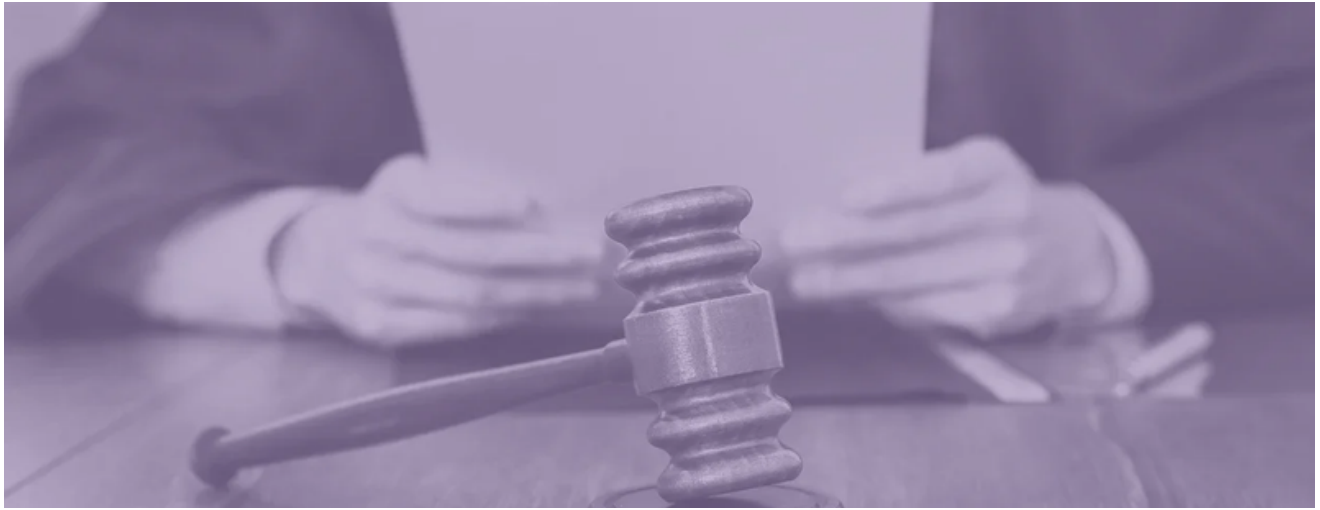
AI Ethics Considerations: With the advent of AI systems like GovGPT, the New Zealand government brings up important considerations around data privacy and the ethical use of AI in public services. When implementing AI, the government must ensure that strong data security protocols and moral standards are in place to preserve public trust.

Conclusion

In conclusion, the New Zealand Government's recent AI initiatives, such as GovGPT and AI Activator, demonstrate the country's progressive attitude toward incorporating AI into the public and private spheres. Through the provision of access to resources, these programs enable businesses to adopt AI, which has the potential to increase productivity, innovation, and trade, benefitting the country in the long run. With the creation of such programs, New Zealand is strategically positioned to become a global leader in AI innovation and maintain its competitive edge.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.

WICKED CURVEBALLS: THE REINTRODUCTION OF THE THREE STRIKES LAW IN AOTEAROA NEW ZEALAND



BY STEVIE HOESEL

In baseball, a curveball refers to a pitch that appears to be heading in a straight line toward a point but deviates from its path just before the batter takes a shot at it. It is a strategic move in the game, where, after three strikes, you are out — similarly, political parties pitch policy strategically when it's their turn. In April 2024, Aotearoa New Zealand's National Government announced its intention to reinstate the three-strikes sentencing law, previously repealed by the Labour government in 2022. After several years of data overseas and domestically showing three strikes to be ineffective at achieving its policy goals of deterring crime by reducing reoffending, its reintroduction by this government is emblematic of a curveball from the sport its namesake was for. Using theoretical and analytical frameworks in public policy, we can begin to unpack the physics of this curveball.

Criminal reoffending is a classic wicked problem because there is a strong correlation between social inequity and crime. However, it is not enough to say that crime statistics improve only by alleviating social inequity. This may be true, but it does not fully account for all possible crime catalysts. By understanding that recidivism is a wicked problem that cannot be fully solved, we can look at various policy options to tackle the issue.

This piece comes at the same time the Government announced an 810-bed extension to Waikeria Prison and raised funding to the Department of Corrections by \$1.9 billion to increase prison capacity (National Budget 2024, New Zealand Treasury). We evaluate the three strikes' previous policy evaluations as they are placed at the beginning of another policy cycle. The question at the centre of this article is, despite the substantial cost of the policy and several analytical pitfalls, why is this policy being put back on the table, and is there a better way of addressing its core issue?

National and ACT introduced the three strikes law to New Zealand in 2010, initially under the Sentencing and Parole Reform Act. The law's inspiration was largely imported from the United States upon an ACT MP's return home after a trip to California (Wang 2021). The law imposed sentencing requirements on judges, including requiring the mandatory sentencing of the maximum penalty for 40 qualifying offences. Titled after the baseball rule, 'three strikes and you're out,' this law required increasing the severity of punishment for each qualifying offence until the third strike, whereby a person would be charged the maximum penalty. The Ministry of Justice, under the Labour government, repealed the law and raised several concerns: there was little evidence that the law had reduced serious offending; it restricted the judiciary's ability to consider the individual circumstances and context of the offending when determining sentences; Māori were overrepresented in the group of offenders who had received a strike; the High Court, Court of Appeal, and Supreme Court had found that sentences imposed under the regime contravened the Bill of Rights Act; and the Courts can already impose sentences equivalent to those under the three strikes law when it is considered appropriate. (Ministry of Justice, 2021).

The concerns of this report are echoed by overseas data, which does not show any relationship between three strikes and reduced reoffending. Instead, this data shows that the three strikes law increases prison populations and demands more resources to maintain (Wang, 2021).

By 2018, the then-Labour government was making moves to overturn the law but was ultimately only successful in 2022 (Stuff NZ, 2018). Now, in 2024, despite having over a decade to prove the three strikes as a productive policy, the National Government is seeking to bring back the law with a few modifications to make it more "workable" (Beehive, 2024). According to a press release from the Beehive, the new three strikes will cover the same 40 serious violent and sexual offences as the former legislation, with the addition of the new strangulation and suffocation offence; introduce a new requirement that the three strikes law will only apply to sentences above 24 months; extend the use of the "manifestly unjust" exception to allow some judicial discretion to avoid very harsh outcomes and address outlier cases; provide a limited benefit for guilty pleas to avoid re-traumatisation of victims, and to improve court delays; and see that people who commit murder at second or third strike receive an appropriately lengthy non-parole period. (Beehive, 2024)

"The three strikes legislation is not an effective tool for reducing reoffending. What's most productive now in this policy space is to invest in the research and development of frameworks specific to Aotearoa..."

The revision makes minor adjustments, such as allowing for exceptions and increased discretion of the manifestly unjust principle in court. This revision, however, does not directly address the previous concerns regarding efficacy, efficiency, and equity.

There is no evidence that these changes will make the policy any more effective than it previously was in deterring crime. The legislation still fails all five phases of a social impact assessment. It did not go through public consultation with all stakeholders, no alternatives were proposed other than minor revisions to the previous law with little consideration of earlier failures, the differential impacts were not addressed, and there remains no mitigation plan or expressed evaluative data.

The assumption that underlies the three strikes law is that people will be less likely to reoffend when they know that punishment will increase. The policy objective, then, is to reduce reoffending, with the theory of change behind it being that if the government imposes increasingly punitive sentences, people will be less likely to reoffend.



The policy tools necessary are increasing the budget for police, corrections, and courts to increase sentencing. To measure success, we would then look to reduce recidivism overall. What is being proposed as the new status quo is the “making New Zealand great again” approach by returning to an imagined ideal past where crime was significantly lower. This temporal framing is a large part of the justification for the series of policies from a tough-on-crime approach, including returning the past three strikes largely in its original form. The status quo before the change in government was arguably doing well from an incrementalist perspective; crime, on average, was at a plateau. Regardless, any incrementalist approach will be subject to tweaks of each government. Arguments for more significant system overhauls are also on the table.

The three strikes legislation is not an effective tool for reducing reoffending. The nature of its reintegration and recycling is evidence that we must look at issues like this from a different perspective. What’s most productive now in this policy space is to invest in the research and development of frameworks specific to Aotearoa, so we do not have to bring back cheap shots and ground balls but instead continue to innovate in the justice reform space.

SEE ORIGINAL ARTICLE FOR THE FULL REFERENCES.



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