

Open Government Partnership
State Services Commission
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WELLINGTON

Submissions and Publications
RE: David Dunsheath

17 October 2018

**RE: OGP NAP3: TRANSPARENCY INTERNATIONAL NEW ZEALAND
SUBMISSION**

Introduction

Transparency International New Zealand (TINZ) is the recognised New Zealand representative of Transparency International, the global civil society organisation against corruption. We are a not-for-profit incorporated society with charitable status. We are non-political and non-partisan.

TINZ's Vision: A world with trusted integrity systems in which government, politics, business, civil society and the daily lives of people are free of corruption.

We Are

- A caretaker of New Zealand's high trust, high integrity society
- Author of the "[2013 New Zealand Integrity Plus National Integrity System Assessment](#)"
- The local chapter of Transparency International, the world leading anti-corruption agency and publisher of the [Corruption Perceptions Index](#)

Submission overview comment

It is good to observe the evolving substance of commitments within the drafted new Open Government Partnership National Action Plan 2018-2020 (OGP-NAP3).

We applaud the escalated range of consultation that has taken place in recent months to identify the plan's three themes and 12 commitments.

However, there is a great need to further improve engagement by the public of New Zealand, and to identify what the NAP is not achieving (in addition to commitment successes).

Wider engagement

The significant increase in public engagement achieved during development of NAP3, still results in only a miniscule engagement of the NZ public. The vast majority of New Zealanders remain completely unaware of the OGP initiative and the NAP3 commitments in particular.

TINZ would welcome the opportunity for additional increase in public engagement during the implementation process for this plan, to be explored. It is by this means only, that the NAP3 can claim that its Open Government Partnership is more accurately claimed to be 'Open'.

To this end, TINZ recommends that SSC establish a process to ramp up its stakeholder engagement throughout implementation of the plan, including regular engagement with not only the commitment coordinating agencies, but also:

- a broad range of other central government agencies
- local government (which is close to the coal face of communities and local civil society needs)
- more meetings with the OGP Expert Advisory Panel to enable exploration of a range of engagement approaches.

There is much leverage to be gained from encouraging such bodies to promote OGP matters within their wider networks, for wider understanding and engagement in the NAP3, and to pave the way for such outcomes for its successor NAP4 (2020-22).

TINZ urges adoption of the recommendation from the IRM researcher (ref IRM Progress Report 2016-2018, p57) that the EAP membership be expanded with nominations from Civil Society organisations as well as those selected by the SSC). By this means a broader civil society voice will be provided than at present, and wider broadcasting of government's public engagement commitment.

Identifying missed opportunities

With the very limited extent of public consultation referred to above, TINZ recognises the need for SSC to identify in addition to NAP successes, what is not happening and not achieved when compared against aspirational goals of public engagement.

Measurability of Commitments

TINZ is concerned that many of the Verifiable and Measurable Milestones that are intended to fulfil specific commitments, are not too vague and loosely worded to fulfil their intended purpose.

TINZ recommends that the Verifiable and Measurable Milestones each include where relevant:

- an aspirational quantitative target.
- Inclusion of a verb(s) to indicate the proposed action.

Commitment 1 Engage with Parliament

TINZ recommends

- That the objective (para 24) includes mention of enhanced democracy/ democratic responsibilities
- That a Communications strategy and implementation programme be developed for distance delivery to, and event participation by, key demographic audiences
- That the Parliament TV channel target audience of 'once every year' is properly clarified, such as the average for the whole population (age xx

and above) or other clearly measurable means.

- The target quantities of audience engagement are specified for each respective communications channel.

Commitment 3 School Leavers Toolkit

TINZ recommends

- That each milestone contains a verb that refers to what is actually being undertaken (proposed and may be also achieved-to-date). The use of “completion” is unhelpful, given that End Dates are separately indicated.
- That the “co-design” phase clearly indicates target quantities of participatory groupings, by which to measure progress/success.
- That the toolkit aims to cater for broadly diverse ethnicities (existing and migrants).
- Reference be made to teacher training to support knowledge and promotion of the toolkit.
- That these competencies and literacies (para 34) are clearly defined and measurable.
- That a method of measuring these competencies or literacies be developed that could be used internationally.

Commitment 4 Making NZ’s Secondary Legislation readily Accessible

TINZ recommends

- That the resultant secondary legislation database be designed to accommodate future linking to, or integration with, a readily-accessible database of Court judgments (that form a key part of NZ law).
- That the Government initiates planning to provide publicly accessible summaries (commentary) on the law that is necessary for effective understanding of the law, to those who cannot afford the cost of access to basic private commentary.

Commitment 5 Public Participation in policy Development

TINZ applauds the transition in the role of the citizen from “customer” to “co-creator” for the design of policy and services, in the government’s drive for improved public participation.

TINZ recommends

- That for the milestones overall, there are clear intentions to take specific account of multiple linguistic, geographic and socio-demographic communities
- That the setting of target quantities of communities and agencies which will be engaged in the process
- That the purpose of the ‘live’ policy issue trial includes reference to testing and refining the new Toolbox.

Commitment 6 Inclusive Service Design

TINZ recommends

- That criteria be provided for the successful identification of ‘assessment (conformance) models’.
- That target quantities be provided for anticipated public engagement (local government agencies, community organisations/groups, etc.)

Commitment 7 Official Information

TINZ recommends

- That target measures be provided for “a measurable increase” in proactive publication of requests
- That safeguards against abuse of the OIA are developed after wide community consultation, requiring non-partisan judgement before their implementation.
- That a framework of “good reasons” for withholding Cabinet Papers, is developed with wide community consultation.

Commitment 8 Govt’s Use of Algorithms

TINZ recommends

- That engagement of community groups in the algorithm review be clearly identified.
- That a framework of risk management be established to ensure appropriate use of algorithms.

Commitment 9 Govt Data Stewardship Practices

TINZ recommends

- That the period of ‘engagement with citizens on data stewardship’, be extended to allow a generous actual-consultation period, beyond typical tight timings sometimes offered.
- That the ‘engage with citizens and government’ intention is made “periodically on-going”, rather than a one-off activity currently indicated.

Commitment 11 Open Data about Govt Agencies

TINZ recommends

- That a commitment is provided to having this data available for Application Programming Interface ([API](#)) for commercial or mass use.

Please contact us if you have any questions or queries regarding this submission. TINZ would be delighted to make a presentation to SSC or advisory groups to further describe the nature of our recommendations and key drivers that determine the benefits of these..

Yours faithfully

TRANSPARENCY INTERNATIONAL NEW ZEALAND

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