



Hon. Chris Hipkins
Minister for the Public Service
Parliament Buildings
Wellington 6160

15 March 2021

Tēnā koe Minister,

We are writing to you about the co-creation of New Zealand's fourth national action plan (NAP4) as a member of the Open Government Partnership (OGP). We ask for a meeting with you to discuss delaying the Action Plan, so that it can be developed in collaboration with civil society, aligned with the budget, and stand a chance of being legitimate and meaningful.

We applaud your government's success in passing the Public Service Act 2020, which requires Chief Executives to uphold the principle of fostering '**a culture of open government**'. The development of NAP4, containing commitments to action, provides an excellent opportunity to operationalise this principle and embed it in the Public Service.

However, without a change to the process for developing NAP4, we have serious concerns about the value of engaging with the work to develop the plan, and believe that - counter to its intentions - OGP work in New Zealand will continue to feed cynicism about 'co-creation'.

We are leaders of Civil Society organisations in Aotearoa united by our concern for open government and a healthy participatory democracy. Many of us have participated in the development of the first three national action plans. We have found the outcomes from our participation fell well short of the statements included in the [Open Government Declaration](#) that New Zealand has signed up to.

We support your interest in NAP4 being an ambitious plan for open government, and we believe a step change over previous efforts is vitally important. Sadly, we believe that the current planned process will only deliver more of the same. We see three main reasons for change:

- The current plan is being developed without any budget for the commitments. Achieving ambitious goals requires funded projects, which can only happen if the development of the plan is integrated into the annual budget cycle. Previous commitments have been constrained in ambition and delivery by lack of funding.
- The process does not involve co-creation, being a traditional consultation with insufficient time for substantive engagement. This is counter to the recommendations for better methods of public participation in both the DPMC Policy Project guidance and the Royal Commission of Inquiry report into the Christchurch terrorist attack, as well as the OGP's own standards.
- The work to co-create the action plan is insufficiently resourced to achieve high quality public participation, so it is unlikely to lead to an inspiring or effective plan that government agencies and civil society can commit to with enthusiasm.

Without a change to the process, we have serious concerns about the value of engaging with the consultation.

We are pleased that Te Kawa Mataaho has set up an online platform to gather inputs from the public, but this is not co-creation, simply consultation. The online platform needs to be complemented with deep and effective engagement with the public and civil society organisations. This should lead to co-created commitments that are drafted **with** the government, not **by** the government. We would also like to see NAP4 emulate the practice in UK Action Plans, that specify not only the lead government department but also the partner civil society organisations ([Current UK Action Plan](#)).

Based on our experience, and our deep concerns, we **recommend** that the Government extend the period for co-creation of NAP4, to enable the commitments in the plan to be included in Budget 2022, and defer submitting the plan to the OGP until June 2022. The need for budget-cycle alignment becomes even more imperative if the government decides that NAP4 should be a four-year plan (2022-2026).

We would like to meet with you urgently to discuss these issues and our recommendation, and agree how government and civil society can better work together to operationalise the spirit of both the Public Service Act and the Open Government Partnership.

We look forward to your reply.

Ngā mihi

 Thomas Beagle Chairperson NZ Council for Civil Liberties	 Julie Haggie Chief Executive Officer Transparency International NZ	 Rochelle Stewart-Allen Pou Kaiārahi (General Manager) Huie E! Community Aotearoa
 Cath Wallace Co-chair, ECO Environment and Conservation Organisations of NZ	 Jordan Carter Group Chief Executive Internet NZ	 Lisa Woods Campaigns Director Amnesty International
 Katherine Peet Network Waitangi Otautahi	 Maureen Gillon Chair Trust Democracy, NZ	 Erin Polaczuk National Secretary PSA Public Services Association
 Laura Bond, Executive Director, Child Poverty Action Group		