

OPEN GOVERNMENT

Transparency and engagement with Kiwis

Our Vision

Government is a significant influence in the day to day lives of many New Zealanders. People rightly expect that it should behave in a predictable, open and transparent way wherever it can. In a democracy, public confidence relies on citizens knowing what government is doing and why, and being able to take part in debates knowing that the government is listening. Greater public confidence in government through more open government is Labour's goal.

Achieving this goal requires improvements in the transparency and openness of government. It also requires public pressure to demand it: the institutions of government and politics would otherwise continue behaving as they have always done.

New Zealanders also need to have confidence that there is sound democratic process in law-making and the parliamentary process.

They need to have confidence in the public sector being more open and transparent; and that the political parties are committed to engaging with the public in a more open and transparent way.

Labour is committed to more open and transparent government to take us into the future. Governments have to be able to understand the issues and debates and acknowledge that old ways are being replaced by new ones.

In 2010 Labour trialled OpenLabourNZ, a new way of Labour engaging with communities to seek their input by using new technologies and methods to increase participation, drawing on similar processes used in Australia, the US and the UK. This policy is the distilled outcome of OpenLabourNZ.

Labour is committed to trying new ways of engaging with the public that are aligned to our values and strengthen our democracy. OpenLabourNZ is about involving and evolving public participation in policy discussions.

While the technology is new, OpenLabourNZ is a natural progression of Labour's values of democracy, a fair go for everyone, and governing for the many not the few.

Open Government: draft principles

Draft principles underpinning open government policy are set out below, with some detail under each. In adopting such principles there is a balance to be struck between transparency and accountability, on the one hand, and the need for the provision of "free and frank advice" to the government to guide effective government and to protect the security and commercially sensitive aspects of advice as set out in the Official Information Act, on the other.

Transparency in political offices

- Government works better when the public is involved and informed
- Government is more effective and efficient when its operations are open and accountable
- People have a right to be informed about the operations of their government

Open public sector data and information

- Any works funded through government should be released in a timely manner with minimal possible restrictions, under Creative Commons licences allowing use, reuse and repurposing for commercial and non-commercial purposes and in a manner and with systems in place that allow citizen scrutiny and feedback.
- Exceptions to open access should be made for private data provided by third parties and data that could cause possible injury to New Zealand, create issues of privacy, or where premature release could cause damage to the New Zealand economy.

Opening up the public sector

- Online engagement by public servants should be enabled and encouraged. Robust professional engagement with the public benefits government agencies, public servants' own professional development, and the New Zealand public.
- Public servants should be able to use social media in their professional role, and the government should provide protection and guidance/advice around how to do so effectively.

Collaborative and participative policy development

- More consultative, participatory and transparent processes for making policy will contribute to more representative and higher quality policy. It will also help the public collaborate on policy, and then hold their elected representatives accountable for its implementation.
- Government practice needs to respond to both the changing expectations of greater openness, and the changing technology landscape which allows such openness.
- Collaborative and participative policy development requires resources and leadership, but it is an important investment in better policy outcomes, more efficient and effective decision making in the future, and efficiencies in service design and delivery.
- Engaging citizens directly in policy development will assist in establishing both legitimacy and adoption of new policy.

Citizen-centric services

- Government should develop online services that make it easy for citizens to engage with government on day to day tasks, in a way that cuts across the internal complexities of government.

Open infrastructure

- Affordable access to broadband needs to be expanded, so all citizens can equitably access online government services. (Labour's ICT policy expands on this point.)
- Commitments to openness need to apply to the tools being used and the way they are funded, purchased and produced.

Open Government: implementation

The draft principles set out above are an ideal-world and ambitious charter for driving change in the practices of government at all levels.

Implementing policy that gives effect to such principles can only happen incrementally over time. Even so, Labour acknowledges that the changes this policy sets out are challenging to some parts of government, and to the existing operational approach of the public sector.

That is why a carefully considered implementation is important, with ample time for public debate on the principles, and consultation and reflection before any changes are made.

The balance that needs to be struck in advancing the open government agenda is a balance between principles like those set out here, and the realities and constraints of day to day political and public service activity.

This balance must be arrived at through the sort of open debate and discussion the whole Open Government approach is designed to create.

Labour will produce a comprehensive “Open Government Charter”, based on the draft principles set out above, and seek public consultation and discussion to inform future decisions about how to open up government.

The Charter will include as matters for consultation the following specific suggestions, most of which emerged from the OpenLabourNZ process:

Transparency in political offices

- Establish as default practice Ministers and government agencies releasing all Cabinet papers and other relevant papers onto a dedicated website, in line with the Official Information Act (the Act), once a decision is announced by government. Exceptions will apply for security or commercially sensitive information and other areas already set out in the Act, with the usual request and appeal processes continuing to apply where the government does not release papers by default.

Open public sector data and information

- Publish the Hansard in a standard, open, parsable, format, so that it can easily be re-used and republished by anybody for any purpose.
- Release appropriate public sector data and information free of charge, in line with the current Declaration on Open and Transparent Government and NZ Data and Information Management Principles.
- Consider developing Public Information legislation that creates positive obligations on the public service to make information available in an accessible and timely manner. Government information and data releases will occur under licenses that allow people to reuse and profit from it without charge.

Opening up the public sector

- Allow and encourage public servants to use social media in connection with their role as public servants.

- Work towards publishing or broadcasting all public Parliamentary proceedings (such as Select Committees) over the Internet and digital television.
- Explore ways to expand the use that government makes of the Internet in engaging the public to feed into policy discussion and government direction.
- Consider the regular use of formal citizen assemblies to help develop policy in areas where public input and consideration can assist in tackling very difficult and complex problems and building public support for long term, credible ways of tackling them.

Citizen-centric services

- Strengthen civics programmes as part of the New Zealand Curriculum, giving our young people the tools to participate as citizens.
- Develop a trial of online voting in local government and general elections.
- Consider the degree to which other public services can be made available online through an easy-to-use one stop website.

Open infrastructure

- Procurement reform – looking at the impact of procurement rules on the costs of software change in Government to systems that enable openness.
- Strengthen the focus on using free and open source software (FLOSS) in all areas of Government (central and local).

Improving the Quality of the Work of the House of Representatives

Under the Fourth Labour Government, both the Standing Orders of the House of Representatives and the statutory and other provisions affecting the work of the House were re-written and modernised. The House was required to sit within a specified time after a general election; sitting hours were regularised, and a range of standing committees, to which nearly every bill is now sent for public input, were established.

This is the essential framework under which the House operates today, but the system needs better protection, especially when urgency is used to deprive the House of public input into important legislation. It can function more effectively, in light of the experience of the past 25 years, and given new technologies.

Labour will initiate a review of the Standing Orders of the House of Representatives, and of associated statutory and other provisions. Specifically, the Review will:

- Strengthen the requirement for a robust, publicly-available regulatory impact statement to be published by way of justification for a legislative intervention
- Provide for better consideration by the House of reports from the Law Commission that contain draft bills
- Promote the use of plain language in legislative and other public documents
- Consider ways in which the time of the House can be used more effectively

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- Examine the number, terms of reference, powers, and resourcing of parliamentary committees, with a view to ensuring they work more effectively to assist the House to scrutinise legislation and the performance of the Executive
- End the practice of Ministers sitting on or chairing subject committees
- Consider more effective means to obtain public input into the legislative process, including through the use of new technologies; and
- Restrict recourse to urgency.