



17 August 2023

Peter Hughs CNZM
Public Service Commissioner
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Local Government Review taking apparent ‘vibes based’ approach to moderation of public consultation submissions

Dear Commissioner Hughs,

1. The Free Speech Union is a registered trade union with a mission to fight for, protect, and expand New Zealanders’ rights to freedom of speech, conscience, and intellectual inquiry. We believe in the importance of open democracy, in the ability for New Zealanders to make their voices heard, particularly to the Government, and in the ability for New Zealanders to know what others feel about the important issues of the day.
2. We write following an OIA response we received from the Department of Internal Affairs’ Review into the Future for Local Government. We requested the definitions of the terms they used to moderate submissions to the review from publication, and to provide more detail on moderation decisions, requesting that they link their reasons given to the offending answers in redacted submissions. In their response they revealed that they had no definitions further than their moderation statement, and refused to provide further clarity on how their moderation policies were implement.
3. The moderation practices of the review were used to remove 10% of all non-form submissions received by the review, and all submissions moderated out were dissenting from the recommendations of the review. The reasons given for redaction were as vague and nebulous as “insult of cultural practice”, “disrespect of culturally significant items”, and “misinformation”. It further appears the review took an entirely ‘vibes based’ approach to how they determined which submissions were acceptable for other New Zealanders to see.
4. The publishing of submissions on public consultations is important in allowing New Zealanders to see how their fellow Kiwis feel about the decisions and recommendations made by Government entities. It shows too that their submissions are accepted and valued by the Government and promotes transparency around these consultation processes.
5. In moderating out a substantial proportion of submission on their review, and being coy about how such decisions were made, the Review into the Future for Local Government is making a farce out of its consultation processes and the need for transparency. We believe Government departments should not be setting themselves up as the arbiters of what views are kosher for viewing by other Kiwis, and through these actions the Review is further eroding the trust Kiwis can have in their Government.

6. The Local Government Review itself made many exhortations and recommendations around promoting democratic processes and trust in Government. The Review even went so far as to make great statements about how Kiwis needed to be trusted as *informed participants* in these processes. Evidently, it seems they cannot hold to their own standards and instead are choosing to shun transparency and accountability.
7. We ask then whether you believe this is acceptable practice by a Government department in running a public consultation, and if not ask what you intend to do to ensure that Kiwis can trust that the Public Service values their input and views on the decisions that impact them.
8. I look forward to hearing back from you.

Yours faithfully,
Free Speech Union (New Zealand) Inc.



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