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Kia ora Jim Palmer

On behalf of Trust Democracy, I am writing to you and your committee to introduce ourselves and briefly outline some key directions the committee might think to explore in relation to improving local government democracy in Aotearoa New Zealand as directed by the Terms of Reference of the Local Government Review.

Trust Democracy was established in 2020. It is a nationwide organisation with a growing membership committed to 'strengthen(ing) public discourse, education, and research on the state of democracy in Aotearoa New Zealand'. Trust Democracy is excited by the prospect of helping to reimagine local democracy and is ready to assist the committee in any way that can advance local democracy.

As Minister for Local Government Hon. Nania Mahuta expressed in her media release: "Local government plays an important role in our democratic system, giving people a voice in the leadership of their communities and in the governance of services and publicly owned assets". Trust Democracy wholeheartedly endorses this statement, and the rest of our letter/submission offers a brief overview of some innovative ideas and mechanisms that may help the members of the Local Government Review achieve their goal of improving local democracy.

Trust Democracy is not the only organisation that is calling for a rethinking of democracy at the local level. The Productivity Commission in its *Local government insights report* noted: "Overall, much better engagement with citizens is needed across the local government sector [...] much engagement does not reach or engage the range of affected people and interests (p.23). [...] Councils' approaches to engagement and consultation often do not encourage broad participation (p.16) [...] those bearing the negative outcomes of councils' planning and funding decisions are not well represented in either community engagement or local elections (p.16)".¹

Local Government New Zealand (LGNZ) has also been advocating for more and better local democracy for a number of years through its "localism project". "Put very simply, localism involves shifting power and decision-making back to citizens and their communities"².

Whilst organisations such as the Productivity Commission and LGNZ recognise that 'some councils are doing a good job using a variety of innovative engagement techniques and providing clear, accessible material', many are failing to overcome the 'democratic deficit'. Trust Democracy believes there are many proven examples and models already in existence which, if implemented, would better meet the democratic needs and challenges facing local government.

¹ New Zealand Productivity Commission. NZPC (2020) *Local government insights*.

² We are LGNZ and The New Zealand Initiative. *Local Government position statement on Localism*. P3.

Electoral representative democracy, the mechanism by which governments, both local and central, are chosen in Aotearoa New Zealand has been under increased scrutiny and criticism by academics and civil society organisations worldwide for failing to deliver a satisfactory representation of the public's views, aspirations, and needs. This has engendered a crisis of democracy that, in some cases, has led populations to elect divisive populist leaders.

Trust Democracy believes that the electoral representative model of government does not live up to the ideals of democracy: many people are excluded from participating in decision-making processes. This is particularly true for marginalised individuals and communities who are unable to have a significant impact on public life while, conversely, powerful vested interests are able to lobby and promote agendas that favours them. Climate change, biodiversity loss, poverty, transport and housing issues are all problems that a narrow representative model based on short election cycles cannot adequately address. In light of these shortcomings, it is critical that a reformed governance model utilises the talents and knowledge of a broader set of the population and empowers citizens from all backgrounds.

In order to achieve a more representative and participatory democratic model, Trust Democracy believes there is a need to move to a much greater emphasis on participation, inclusion, and equality in local government agenda setting and decision making through the use of deliberative democracy approaches.

Deliberative democracy emphasises the importance of public participation through the creation of randomly selected samples of the population. These samples create a microcosm of society and enable citizens to consider relevant facts and evidence from multiple points of view, talk with each other, and think critically about a variety of options to enlarge their perspectives, opinions, and understandings of a particular issue. The preferences of the participants following this deliberative process of learning and exchanging ideas is then used to inform political decisions. Unlike electoral representative democracy, this deliberative approach is inclusive and fair: everyone has an equal chance of participating and influencing political decisions regardless of their social or economic capital.

Deliberative mechanisms have been used in many instances overseas to tackle complex decisions related to policy making and New Zealand is currently lagging behind. Below are a few examples of deliberative initiatives overseas:

- South Australia (Australia): 328 randomly selected citizens deliberating over three weekends to discuss the contentious issue of nuclear waste storage.
- Utrecht (Netherlands): 165 randomly selected citizens deliberating over three (non-consecutive) days to discuss the city's future energy plans.
- British Columbia (Canada): 161 randomly selected citizens deliberating over a year to discuss the electoral reform and voting system of the province.

These processes have been replicated in many places around the world: Ireland, Iceland, Denmark, the United States, Brazil, Colombia, Mexico, Japan, and many other countries.

The Brussels (pop. 1.2 million) and German-speaking (pop. 80,000) regions of the small European federal state of Belgium have even begun to embed randomly selected assemblies within their political institutions. The German-speaking Community is an interesting example of democratic innovation: their assembly of 24 randomly selected citizens is part of the German-speaking parliament, has agenda-setting power, and works on a rotational basis with eight members being

replaced every six months to increase the number of citizens participating in the process while avoiding the creation of new form of full-time politicians.

Finally, Trust Democracy would also like to highlight to the Review Committee the need to update at least parts of the Local Government and Official Information and Meetings Act 1987 (LGOIMA).³ Updating section 4 of the Act should both give greater effect to Te Tiriti and further the ability of the public to participate in local government, increase the transparency of decision making and encourage greater trust in elected officials.

Ngā mihi

John Pennington
Committee member

³ The Act can be accessed at: <https://www.legislation.govt.nz/act/public/1987/0174/latest/whole.html>