

Meeting Notes

Meeting: Open Government Partnership EAP quarterly meeting

Date: 8 August 2022

Time: 12pm-1pm

Location: TKM and via Teams

Attendees

Te Kawa Mataaho (TKM): Dean Rosson (OGP team manager); Stephen Moore, Rachel Greer, Christine Lloyd, Arpita Das, Tula Garry (OGP team)

EAP: Suzanne Snively, Simon Wright, Sean Audain, Farib Sos, Rachel Roberts

Apologies: Jacqueline Paul, Sarah Colcord

Topics for discussion

- Outline of the session
- Recap on small group meeting for potential commitments
- Potential extension of EAP term
- Next steps

Outline of the session

- The team are progressing the commitments including having small group meetings with various stakeholders.
- The community engagement framework paper has been sent to the Risk and Audit Committee.
- Dean has met with Assistant Commissioner who is scheduled to meet System Leads from Inland Revenue and DIA to have some initial conversations on digital exclusion.
- Dean noted that CSOs like Network Waitangi Ōtautahi (NWO) and Katherine Peet have offered support to the OGP team.

Recap on small group meeting for potential commitments

The TKM leads for the potential commitments provided updates.

- **Public services multi-service channel** – small group meetings have been organised with Farib, Sean, Simon and Rachel (EAP) and Sacha (CAB). The wording has been developed and further work will be undertaken for a potential commitment and to identify stakeholders and role owners.
- **Increase community engagement in policy and service design** – In the process of identifying agencies and CSOs to progress developing guidance for the public service to improve the quality of its community engagement. **Enable participation**- suggestion from EAP to move this to the deliberative democracy space for better integration.
- **Publish evidence used to inform services and policy design**- working to develop what a potential commitment could look like from the inputs received at the workshop.

- **Implement a deliberative process** – likely to evolve over 2 years of the plan.
 - Meeting with Ngāti Toa Rangatira to see how we might work with them. Government agencies exploring the use of these processes are still in the early stages so will require more work to determine what might be able to be included in a potential commitment.
 - Need to have other local organisations and enabling them to do something in this space such as participatory budgeting, innovation, learning, local government NZ work.
 - Inspiring Communities have been approached by a district council to undertake work in this area.
 - Gareth Hughes, Wellbeing Economic Alliance is interested in participatory budgeting. Inclusive Aotearoa are interested in participatory democracy work.
 - May well be that this commitment is led outside of Government.
 - Communities of practice and learning by doing might be the best approach.
 - From OGP perspective a commitment would deliver great runs on board. However, needs funding to enable the activities.
 - Discussed Anne Bardsley's work with Watercare. Future of Governance challenges to be addressed.
 - How do we get people to join us and participate. Depends on who leads this commitment? Will it be CSO or an agency? Maybe a small agency needs to lead that? How do we create the awareness?
- **Scrutinise implications for NZ's accession Aarhus convention**- we have not yet identified a contact for this work but continuing to look. Keen to involve Simon and anyone else.
 - **Improve data.govt.nz website, establish a central govt info repository, Govt data protocols** – we are looking at potentially combining the 3 objectives and opportunities there may to align a potential commitment with DIA's work plan.
- **Developing monitoring framework about AI**- the Charter Year One review was published last week. The review highlights a number of issues and discusses some options, including establishing an oversight body. Many agencies have not yet signed up for the Charter and there are deficiencies,
 - Stats NZ are looking at how to tackle the issues and indicated they may not be in a position to enter into a specific commitment as the policy decisions are yet to be decided.

With the review of Stats Act it may not be the best time to do anything.

- The issue of algorithm use is far too important and dangerous for New Zealand/ Aotearoa to not commit to progress as there is significant concern about the lack of regulation and algorithms can be used for inappropriate or even unlawful purposes.
- If we have worked up a cooperative data arrangement across Government, need to talk to Minister.
- Other options include involving entities other than Stats in this work. University of Auckland has algorithm work happening, meeting with new CEO NZ Stats.

- Potential commitment needs to sit with the TKM. Dean to talk to Hugo with suggestion that they meet with Chief Statistician.
- All potential commitments need to be reviewed alongside the feedback from the Minister's summer reading response
- **Addressing misinformation- disinformation-** a public service lead is looking at broader policy considerations and is currently sitting in National Security space under DPMC.
 - Given the nature of the problem, that ranges from extreme, unlawful content to "lawful but awful", and the range of work that is happening already in different agencies, a future commitment could potentially be led by the CSOs (potentially an NGO).
 - DPMC expectation is that it be community- led since the lawful but awful aspects are about community norms. This area also can infringe on important human rights and freedoms and the community must lead those discussions.
 - Dealing with misinformation has a number of aspects, including ensuring regulation is fit for purpose and educating the public about the risks of mis and disinformation
 - We have discussed media regulation with DIA and a discussion document will be going out shortly. A large focus of the regulation review is on reducing harms, and there is good potential to develop an OGP NAP4 commitment
- **Review legislative policy for OIA exemptions-** Had conversation with MOJ and machinery of government team at TKM,
 - There is existing guidance which we may be able to strengthen. Could be a small discreet piece of work ensuring that we lift the profile of the existing guidance, so these issues are robustly considered when new legislation is being developed or when existing legislation is being reviewed.
 - Have had a look at a small sample of exemptions, in particular those regarding new entities. These have quasi-judicial status and judiciary are exempt from the OIA. A similar example is IPCA.
- **Increase transparency of govt procurement decisions** – positive response and feedback from MBIE, in addition to exploring support from Auckland Council and OAG for a potential commitment for New Zealand to adopt the Open Contracting Principles and the Open Data Contracting Standards
- **Increase measures to prevent fraud and corruption** - SFO are looking at a national counter fraud and corruption policy with support from TKM for executive training The initial focus is on Government agencies, then may move extend to the private sector at a later stage.
- Good support from Minister Hipkins who is the SFO and PSC Minister.
- **Legislating beneficial ownership-** Promising commitment with work underway by MBIE to legislate for a public register recording beneficial ownership of companies and partnerships. We are also exploring, with the Ministry of Justice, the possibility of this commitment including research into developing a register for Trusts, which would be a world first.

Potential extension of EAP term

- The Commission has re-considered the time frames for extending EAP terms, due to the current focus on plan development and the need for time to develop policy, in consultation with civil society, as to what a new MSF forum would look like and who or what entities would comprise this group.
- Views of EAP members sought.
- Discussed, extending current EAP members' term to end of June 2023 to undertake the work on the new MSF. EAP members can choose to finish the term earlier. In particular, if the work on the new MSF is completed earlier.
- EAP meetings need to a little longer (something like 90 mins),
- Need to ensure future members are remunerated appropriately and feel valued doing the role.

Next steps

- How do we involve CSOs in OGP areas they are experts in? Ensure that this is well balanced.
- How do we determine where? we best place people and discuss within EAP. TKM happy to receive thoughts from EAP via emails.
- Are we reaching out to TPK and MPP to bring in voices who are mandated to bring in Te Tiriti and unique perspectives to ensure we are not duplicating.