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Date 27th February 1986
THE EFFECTIVENESS OF
PARLIAMENTARY PETITIONING IN NEW ZEALAND
1969-1983

A thesis
submitted in partial fulfilment
of the requirements for the Degree
of
Master of Arts in Political Science
in the
University of Canterbury
by
Stephen Neil Griffith

University of Canterbury
1984-1985
## CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>i</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>ii</td>
</tr>
<tr>
<td>LIST OF ILLUSTRATIONS</td>
<td>iii</td>
</tr>
<tr>
<td><strong>I.</strong> INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>1.1 Thesis Structure</td>
<td>1</td>
</tr>
<tr>
<td>1.2 Objectives</td>
<td>2</td>
</tr>
<tr>
<td>1.3 Choosing a Research Approach</td>
<td>4</td>
</tr>
<tr>
<td>1.4 An Outline of the Petitioning Process</td>
<td>7</td>
</tr>
<tr>
<td>1.5 Modifying the Existing Definition of Petitioning</td>
<td>10</td>
</tr>
<tr>
<td>1.6 Study Parameters</td>
<td>13</td>
</tr>
<tr>
<td>1.7 Miscellaneous</td>
<td>14</td>
</tr>
<tr>
<td>Endnotes to the Introduction</td>
<td>16</td>
</tr>
<tr>
<td><strong>II.</strong> A REVIEW OF THE LITERATURE</td>
<td>19</td>
</tr>
<tr>
<td>PETITIONING IN CONTEXT:</td>
<td></td>
</tr>
<tr>
<td>2.1 As a Form of Participation</td>
<td>19</td>
</tr>
<tr>
<td>2.2 Compared to Similar Forms of Participation in New Zealand</td>
<td>22</td>
</tr>
<tr>
<td>PREVIOUS ASSESSMENTS OF THEIR EFFECTIVENESS</td>
<td></td>
</tr>
<tr>
<td>2.3 An Introduction</td>
<td>26</td>
</tr>
<tr>
<td>2.4 Assessments of the Effectiveness of Petitioning the Commons Since 1945</td>
<td>28</td>
</tr>
<tr>
<td>2.5 A Critical Evaluation of the British Assessments</td>
<td>29</td>
</tr>
<tr>
<td>2.6 Assessments of the Effectiveness of Petitioning the New Zealand House of Representatives Since 1945</td>
<td>32</td>
</tr>
<tr>
<td>CHAPTER</td>
<td>PAGE</td>
</tr>
<tr>
<td>---------</td>
<td>------</td>
</tr>
<tr>
<td>2.7</td>
<td>A Critical Evaluation of the New Zealand Assessments</td>
</tr>
<tr>
<td>2.8</td>
<td>Deciding on Hypotheses for this Study</td>
</tr>
<tr>
<td></td>
<td>Literature Review Endnotes</td>
</tr>
<tr>
<td>III.</td>
<td>METHODOLOGY</td>
</tr>
<tr>
<td>3.1</td>
<td>Linking the Process Approach Diagrammatically to this Study</td>
</tr>
<tr>
<td>3.2</td>
<td>Data Sources</td>
</tr>
<tr>
<td>3.3</td>
<td>Coding Techniques</td>
</tr>
<tr>
<td>3.4</td>
<td>Computing</td>
</tr>
<tr>
<td>3.5</td>
<td>Strengths and Weaknesses of the Data and Methodology</td>
</tr>
<tr>
<td></td>
<td>Endnotes to the Methodology</td>
</tr>
<tr>
<td>IV.</td>
<td>THE OUTCOME OF PETITION CAMPAIGNS</td>
</tr>
<tr>
<td>4.1</td>
<td>Chapter Objectives</td>
</tr>
<tr>
<td>4.2</td>
<td>Petition Failure</td>
</tr>
<tr>
<td>4.2.1</td>
<td>At Parliamentary Reception</td>
</tr>
<tr>
<td>4.2.2</td>
<td>Petitions Allowed to Lapse</td>
</tr>
<tr>
<td>4.2.3</td>
<td>After Receiving a 'No Recommendation'</td>
</tr>
<tr>
<td>4.2.4</td>
<td>After Receiving a More Favourable Recommendation</td>
</tr>
<tr>
<td>4.2.5</td>
<td>Disappearance While Still 'Under Consideration by Cabinet</td>
</tr>
<tr>
<td>4.2.6</td>
<td>Failure After an Inquiry</td>
</tr>
<tr>
<td>CHAPTER</td>
<td>PAGE</td>
</tr>
<tr>
<td>---------</td>
<td>------</td>
</tr>
<tr>
<td>4.3 Petition Success</td>
<td>73</td>
</tr>
<tr>
<td>4.3.1 The Aggregate Picture</td>
<td>73</td>
</tr>
<tr>
<td>4.3.2 The Types of Action Associated with Petitions</td>
<td>73</td>
</tr>
<tr>
<td>4.3.3 Developing the Aggregate Finding</td>
<td>76</td>
</tr>
<tr>
<td>4.3.4 In Comparison to the Ombudsman</td>
<td>79</td>
</tr>
<tr>
<td>Endnotes to the Outcomes Chapter</td>
<td>82</td>
</tr>
<tr>
<td>V. THE CORRELATES OF SUCCESS</td>
<td>86</td>
</tr>
<tr>
<td>5.1 Chapter Objectives</td>
<td>86</td>
</tr>
<tr>
<td>5.2 Levels of Association</td>
<td>86</td>
</tr>
<tr>
<td>5.2.1 'Substantial' to 'Moderate' Associations</td>
<td>86</td>
</tr>
<tr>
<td>5.2.2 'Low' to 'Negligible' Associations</td>
<td>91</td>
</tr>
<tr>
<td>5.2.3 'Non'-Associations</td>
<td>93</td>
</tr>
<tr>
<td>5.3 The Relative Effectiveness of Petitions in Each Topic Category</td>
<td>96</td>
</tr>
<tr>
<td>5.4 Changes over Time</td>
<td>101</td>
</tr>
<tr>
<td>5.5 The Opinions of Participants in the Process and Outcome</td>
<td>104</td>
</tr>
<tr>
<td>Endnotes to the Correlates Chapter</td>
<td>109</td>
</tr>
<tr>
<td>VI. CONCLUSION</td>
<td>114</td>
</tr>
<tr>
<td>6.1 A Summary of the Findings</td>
<td>114</td>
</tr>
<tr>
<td>6.2 Study Limitations</td>
<td>116</td>
</tr>
<tr>
<td>6.3 Questions for Further Research</td>
<td>118</td>
</tr>
</tbody>
</table>
VI. contd...

6.3.1 Factors which may contribute  
   to petition ineffectiveness . . 119

6.3.2 Factors which may contribute  
   to the continued popularity  
   of petition organization . . 121

Endnotes to the Conclusion . . . . 123

APPENDICES

Appendix one: More detailed . . . . 124  
   information on successful  
   petitions

Appendix two: The sources of Data  
   Used in Quantitative Analysis . . 142

SELECTED BIBLIOGRAPHY . . . . . . 146
ABSTRACT

Among commentators and Parliamentarians in both Britain and New Zealand, petitioning has been viewed as an ineffective means of influencing Government. Yet this opinion has never been verified with data on the outcome of petition campaigns. Such data was available to this study for petitions considered in New Zealand between 1969 and 1983. It was analysed and revealed that less than one in twelve petitions were actioned in any way. In addition it was found that none of the petition characteristics tested were significantly associated with the success of petitions. Similarly it was found that a petition's chances of success were not significantly affected by the way it was considered. Few variables changed appreciably over time.

These findings are laid out in detail in chapters four and five, and are summarized at the start of the conclusion. The conclusion also contains a discussion of this study's limitations and a tentative exploration of two questions suggested by this study. Specifically, factors which may contribute to petition ineffectiveness, and to the continued popularity of petition organization despite their ineffectiveness, are suggested.
I wish to thank my supervisors, Professor Keith Jackson and Dr Martin Holland, for their constructive criticisms of drafts of this thesis. I would especially like to thank Mr James Willowby of the Legislative Department for taking the time to discuss the petitioning process, and for locating the Parliamentary documents which proved to be the foundation of this study. I would like to acknowledge the assistance of the staff of the University of Canterbury and General Assembly Library's, and the thorough professionalism of my typist, Mrs Karilyn Smith.

Above all I am indebted to my parents, friends and colleagues for all their encouragement.
# LIST OF ILLUSTRATIONS

1. Cartoon: The 'Petitioning Filter System' ........................................ 8
2. Pie chart: Petitioners Objectives ........................................... 12
3. Table: Cabinet's Compliance with Standing Order 413 (the 28 day rule) ........................................... 16
4. Pie chart: The Scale of Issues in Petitions ........................................... 18
5. Pie chart: The Distribution of Petitions Among Select Committees ........................................... 39
6. Flow chart: The Petitioning Process ........................................... 52 (fold out)
7. Table: Coding Techniques ........................................... 54
8. Table: Suggested Verbal Interpretations of Correlation Coefficients ........................................... 56
9. Filter diagram: The Filtering of Petitions ........................................... 68
10. Table: Guidelines Used to Distinguish Between Petitions Which Helped Provoke a 'Minor', 'Moderate' or 'Major' Government Action ........................................... 76
11. Table: Level of Action by Met or Partly Met ........................................... 77
12. The Decisions of the Ombudsman 1969-83 ........................................... 81
13. Correlation Table: The Correlates of Select Committee Recommendation ........................................... 87
14. Correlation Table: The Correlates of Cabinet Decision ........................................... 88
15. Bar graph: Select Committee Recommendation by MP in or out of Power ........................................... 94
16. Bar graph: Cabinet Decision by MP in or out of Power . . . . . . . . . . . . . . . 95
17. Pie Chart: The Number of Petitions in each Topic Category 1969-83 . . . . . . . . . 96
18. Pie Chart: The Number of Signatories (in 000's) in each Topic Category 1969-83 . . 97
19. Table: Petition Topic and success . . . . 98
20. Bar graph: The % of Petitions Presented each Year Which Were Partisan . . . . . . . 101
21. Correlation Table: Changes over Time . . 102
22. Diagram: The Impact of Departmental Opinion and Submissions, on Select Committee Recommendations and Cabinet Decisions . . 105
23. Pie chart: Numbers of Petitions Sponsored by each Party . . . . . . . . . . . . . . 110
24. Pie chart: Attitudes to Legislation in Petitions . . . . . . . . . . . . . . . . . . . 111
25. Bar graph: Select committee recommendation by attitude of department to the petition . 112
26. Bar graph: Cabinet decision by attitude of departments to the petition . . . . . . . 112
CHAPTER I

INTRODUCTION

1.1 THESIS STRUCTURE

In his book The Graduate Student's Guide to Theses and Dissertations George Allen recommends that "a report for academic research" should have five components. First an introduction; this involves a statement of objectives, an outline of the way the question will be approached, and the definition of key terms. As fulfilled in this section, the introduction should also include a note on the way the whole study has been ordered.

Secondly the existing literature on the topic should be reviewed. This involves assessing the current state of knowledge on the topic and critically evaluating the literature. The value of recognising the strengths and weaknesses of the literature is that any questions which require further investigation will become evident.

The third component is the formulation of the hypotheses which have been suggested by the literature review. Then a methodology should be developed to test the validity of these hypotheses. At this point the strengths and weaknesses of the data which will be used to test the hypotheses should be recognised. This gives the reader some idea of how much confidence can be placed in the accuracy of the study's conclusions.

Fourthly the data is analysed and any findings presented. Finally conclusions are drawn, with particular emphasis on whether the data has been found to support or oppose the hypotheses.
This structure is not peculiar to Allen. He is recommending the experimental design approach to research, which originated in the 'hard' sciences.\(^2\) It has also proved useful in the 'social' sciences, particularly in studies which, like this one, aim to quantitatively analyse data. The chapter structure of this thesis corresponds to that just outlined except that the findings are presented in two chapters; in chapter four the main findings are presented and chapter five deals with secondary findings.

1.2 OBJECTIVES

The main objective of this thesis is to determine how effective Parliamentary petitions have been as a technique for persuading the New Zealand Government to act. To this end the requests of petitioners over a fifteen year period (1969-1983) have been followed through the process in which Parliamentary select committees and Cabinet determine their fate. Under Standing Order 413 the Government is required to report to the House on the actions it took on petitions the previous year within 28 days of the commencement of the new session.\(^3\) These reports constituted the main source of information on petition success used in this thesis.

In pursuing this objective it must be recognised that the outcome is not always clearcut. Sometimes the petitioners' requests were only partly actioned. For instance the Government agreed with only one of the six conservation 'principles' contained in the Maruia Declaration petition.\(^4\) On other occasions the Government went some way towards meeting a whole petition, but not as far as the petitioners desired. In 1969,
for example, the Government responded to a petition calling for the lowering of the voting age from twenty-one to eighteen with a commitment to bring it down to twenty.\textsuperscript{5} It was also necessary to investigate the outcome of the inquirys to which some petitions were referred to determine if they had been actioned.

As will be outlined in section 1.4 all the other ways petitions were dealt with in the consideration process amounted to the rejection of the petitioners' requests.

Besides determining how often petitions secure responsive action two secondary issues have been investigated. Firstly, did any characteristics of petitions, or features of the way they were considered, affect their chances of being acted upon? Secondly, which of the groups involved in the consideration process influenced the decisions taken on petitions? To investigate this question the opinions of the following groups were compared to the recommendations made by select committees and the decisions made by Cabinet: the petitioners', those interest groups and individuals who wrote submissions to select committees and Government departments, who were required to report on petitions. The impact of select committee recommendations on Cabinet was also assessed.

It should be noted at the outset that in this study no attempt has been made to judge the merits of any of the petitioners cases. Such judgements would merely reflect this writer's opinions, and could have stood in the way of objective investigation. This, and the constraints of space, are the reasons why so few petitions are discussed
individually. Such discussion has only been undertaken where it illustrates something about the petitioning process as a whole.

1.3 CHOOSING A RESEARCH APPROACH

Two prominent students of representation in democracies, Heinz Eulau and John Wahlke, have argued that legislatures are commonly studied in one of three ways. These alternatives they call the 'institutional', 'process orientated' and 'behavioural' approaches. Although Eulau and Wahlke discuss the merits of these approaches in terms of legislative studies generally this discussion is equally relevant to this study, which concentrates on only one form of Parliamentary decision-making.

The process approach was chosen as the most appropriate way to investigate the effectiveness of Parliamentary petitions. The Random House Dictionary provides a useful definition of a process: "a series of progressive and interdependent steps by which an end is attained". Six steps have been distinguished in the process whereby petitions are considered and these will be introduced in the next section (1.4). As already discussed, the end which this process is designed to attain is a decision on whether Government will or will not act on each petition. At this point the three approaches distinguished by Eulau and Wahlke will be compared to clarify why the process approach alone was selected.

According to these scholars, for the first fifty (unspecified) years of legislative research the institutional approach was dominant. It is characterised, they believe, by
a "preoccupation with rather formalistic depiction and
evaluation of the structures and functions of legislative bodies". When this approach is taken to select committee business then the "powers and duties" of the committees are emphasised, and the procedures used to make decisions are "minutely and painstakingly examined". The descriptive information provided by this approach undoubtedly provides a useful foundation for any study of legislative decision-making, but Eulau and Wahlke identify an important shortcoming. Specifically, those who use the institutional approach often only describe the 'shape' of the legislative arena and fail to go on and analyse the activities that occur within it. Thus, conclusions about the results of these activities have to be based on the assumption that "official behaviour naturally or automatically conforms with the formal rules "which they have just described.

If the institutional approach had been employed by this study then nothing conclusive could have been said about the success rate of petitions, only that the rules of the House or the procedures by which petitions are considered suggest petitions succeed or fail. Some British studies have based their conclusions on this sort of inadequate evidence. It has been argued, for instance, that the standing orders governing petitions sent to the Commons make it difficult for them to be acted on, and therefore they are unsuccessful. As Eulau and Wahlke point out this may be a logical conclusion to draw, but because it has not been tested against the Government's actual responses it remains little more than a "subjective insight".
During the 1950s, legislative research evolved in two directions, at least in part to get beyond the weaknesses of the pure institutional approach. Firstly the process approach developed. Typically this approach involves the gathering of empirical information in the field of 'representative linkage'. This involves observing a flow of communication from a constituency and (most commonly) the legislative pattern of response. The impact of the opinions of any other participants in the decision-making process are also often examined. To find out where in the process any influence is exerted, considerable emphasis is also placed on "observing and describing accurately what transpires throughout a legislative process".13

The process approach's reliance on empirical data immediately recommended it for use in this study because it is known that many hundreds of petitions have been considered by Parliament in recent times. The only conclusive way to find out how many of these requests were actioned seemed to be to compare each to the Government's response. The process approach's emphasis on determining who influences the decisions made also ties in with one of this study's secondary objectives. An effort will be made in this study to avoid a major weakness of many process studies identified by Bulau and Wahlke. They state that process studies often fail to analyse the "final product" or outcome of the deliberations. Instead they assume that legislative decisions are "essentially passive (or) neutral reactions to demands".14 It may be assumed for example that pressure group demands always produce a certain response. No such assumptions will be made in this
study. The influence of such groups will be compared to the
known outcome of petition campaigns.

The behavioural approach is developed a little later
in the process approach. The focus of these studies was the
individual legislator; Members of Parliament in New Zealand's
case, and the factors which influence the decisions each made.
Far more emphasis is placed on gathering data on legislators'
attitudes in this approach than in the process approach. The
strongest methodology which could be developed from these
approaches would be a combination of the process and behaviour-
al approaches. This would facilitate a comparison between the
outcome of petition campaigns and the participants perceptions
of what happened to petitions.

In this study it was decided to adopt the process
approach because the more basic question, what happens to
petitions, had not been answered. It was hoped that once
this question had been answered there would be time to
gather 'perceptual' data as well. Unfortunately the volume
of Parliamentary documentation which had to be read, coded
and computed prevented this from occurring.

1.4 AN OUTLINE OF THE PETITIONING PROCESS

In this study the process by which petitions are consi-
dered has been divided into six stages; the 'pre-presentation',
'presentation', 'pre-select committee consideration', 'select
committee consideration', 'reporting back' (to Parliament
from select committees) and 'Cabinet decision' stages. These
titles are not used officially although they were developed
from official sources such as standing orders and task sheets used by the Legislative Department to deal with petitions. In three of the six stages a decision can be made which results in a petition not being actioned. A useful analogy for understanding what happens in these three stages is to view each as a 'funnel' which filters out some of the petitions passing through it. The other three intermediate stages contain no filters.

In chapter four the reasons why petitions are filtered-out of the process will be discussed in detail. The number of petitions affected by each filter will also be reported. At this point each stage will be briefly introduced.

During the 'pre-presentation' stage of the process petitions are formulated and signatures gathered. Petitions are presented to Parliament in the second stage by MP's; a formality which only involves them checking the validity of
signatures and introducing the petition to the House. Sponsorship does not usually imply a commitment by the MP to the petitioners' objectives. There are at least five reasons why petitions do not reach the third stage. Firstly, it may be determined that a petition should be dealt with outside Parliament. Secondly, that a petition brings no fresh evidence on a previously petitioned issue. Thirdly, that a petition does not meet the standards of presentation required under Standing Orders. Fourthly, it is not permitted for one person to be the prime petitioner more than once in a session on the same topic. Such petitions can be refused further consideration. Lastly, the petitioners may choose to withdraw their petition before it reaches a select committee.

The third stage, 'pre-select committee consideration', has no filters. At this stage preparation is made for the select committee hearing. This involves the Legislative Department calling for reports from Government departments and submissions from the petition organisers and other interested parties. A time and place for the hearing and travel arrangements for those taking part in the hearing are also arranged.

The fourth stage is 'select committee consideration'. Select committees are made up of around ten MP's, the majority being Government members. One of their tasks is to decide what recommendation, if any, should be made to Cabinet on each petition. Those petitions which are allowed to lapse from the select committee's agenda do not reach Cabinet, neither do the majority of petitions which are held over for possible consideration by a committee in the next parliamentary session.
Like petition presentation the reporting of select committee recommendations to the House (the fifth stage) is a formality. One author has claimed that petitions were blocked at this stage during the 1930's, but this appears not to have happened during the study period. For this reason the report back stage of the process has not been considered to include a filter.

In the sixth and final stage of the process Cabinet decides whether each petition will be actioned or not actioned. These decisions are tabled in the House, although before 1983 they were not publicly available. No level of select committee recommendation guarantees that a petition will not be filtered out at this stage.

1.5 MODIFYING THE EXISTING DEFINITION OF PETITIONING

Up to this point no definition of petitioning itself has been provided. The Shorter Oxford English Dictionary provides a useful starting point. In the political context it defines a petition as a "formally drawn up request . . . addressed to a person or body in authority (a sovereign or legislature) soliciting some favour, right, or mercy, or the redress of some grievance". Like other dictionary definitions this one concludes with a statement about the objectives of the petitioners. Many writers on Parliamentary practice in Britain and New Zealand also commonly describe petitions as attempts to have grievances resolved. Given that the impetus for petitions comes from their organisers it seems reasonable that some statement of their objectives should be included in the definition. But in the course of considering many hundreds
of petitioners' requests for this study it became evident that, in the New Zealand context at least, previous definitions were not adequate.

There were two reasons for this inadequacy. The first is that terms like "favour", "mercy", and "grievance" incorrectly imply that petitions still predominantly represent the appeals of individuals. Such an emphasis was appropriate up to the late 1950's; during these years Larry B. Hill calculated "65% of petitions bore but a single signature". But, as Hill also notes, when the office of the Ombudsman was created in 1962:

"it was planned that the new institution would take over the [Petitions-Select] Committee's role of hearing the grievances of individual citizens against the government. This intention was formalised in the 1967 Standing Order which required citizens whose complaint lay within the Ombudsman's jurisdiction to appeal to him before petitioning Parliament, and its achievement of the intended effect is indicated by the subsequent decline of individual grievance type of petitions".

Indeed this decline was so marked that from 1969 to 1983 only 5% of all petitions sought the redress of individual grievances.

The second, more fundamental, reason why terms like "grievance" do not adequately describe the objectives of petitioners is that only some can be accurately categorised as complaints. As can be seen diagrammatically below just over 40% of the 1040 petitions presented between 1969 and 1983 were based on the assumption that something undesirable was occurring, and should be stopped. These petitioners used terms such as "opposing", "reversing", and "restricting" to describe what they believed needed to be done. But there was a range of other attitudes expressed also.
Just over 5% agreed with the first segment that something undesirable was occurring, but only wanted it investigated, not immediately halted. Another 7% wanted compensation for a wrong done to themselves, or those they represented. A few, 2%, wanted a decision suspended until more information was provided or a broader public debate had taken place.

The second largest segment, 31%, took the opposite position to the first mentioned. These petitions were framed in terms of promoting what they saw as desirable. They used such terms as "establishing", "funding", "improving" and "legalising" to describe what they believed needed to be done. A final segment, just under 7%, gathered a petition because they believed something desirable was under threat. These petitioners aimed to prevent the closure of a service or structure, and used such terms as "preserving" and "restoring" to describe their objectives.

Figure 2

**PETITIONERS' OBJECTIVES**

- **PREVENT UNDESIRABLE**
  - 427
  - 41.1%

- **INVESTIGATE**
  - 67
  - 6.4%

- **COMPENSATE**
  - 78
  - 7.5%

- **SUSPEND ACTION UNTIL**
  - 24
  - 2.3%

- **UNKNOWN**
  - 94
  - 8.1%

- **DEFEND DESIRABLE FROM**
  - 70
  - 6.7%

- **PROMOTE DESIRABLE**
  - 918
  - 83.4%
What these petitions have in common is that they all express an attitude to change. The largest group believed the wrong sort of change had occurred, the second largest that not enough of the right sort of change had occurred. Smaller groups wanted changes underway investigated or suspended. Only those petitions which sought compensation seemed to be outside this schema.

In light of the above discussion the dictionary definition has been broadened to take account of the variety of petitioners' objectives, and the fact that they now only rarely have one signatory. The revised definition, more appropriate to New Zealand reads: 'a petition is a formally drawn up request, normally bearing the names of a number of people, which has been addressed to a body in authority (the New Zealand Parliament), expressing an attitude to change, and which seeks a responsive action (from Government).'

1.6 STUDY PARAMETERS

This study only includes those petitions received by the House from the 1969 to the 1983 sessions. The absence of Cabinet reports of their actions on petitions among Parliamentary records prevented the study extending any further into the past. These reports are stored amongst a large volume of Parliamentary documents; such as reports and submissions relating to each bill processed by the House since about 1970, and the signatory forms attached to the petitions processed in these years. There seemed to be no alternative source of information, for example, newspapers seldom reported what happened to petitions.
Looking at the question the other way, the study goes back to 1969 not only to include all the available data, but also the landmark 'Save Manapouri' petition of 1970. It is well known that this petition contributed to the preservation of the lake's shoreline environment, in the face of a hydroelectric scheme which would have in its original form raised its level by fifty feet. A question which arises from this success is: did it set a precedent or was this petition exceptional?

This study goes only as far as the 1983 session because the data on Cabinet decisions was available only up to this point when quantitative analysis was undertaken in late 1984. The integration of the 1984-85 data during 1985 was judged to be impractical because this would have required fresh computing and the re-graphing of the findings.

1.7 MISCELLANEOUS

In The Journals of the House of Representatives every petition is assigned a number which is derived from the year the petition is received by the House, and the order in which it was received. For instance petition 70/102 was the one hundred and second received in the 1970 session. This numbering system has been used to refer to specific petitions in the text and endnotes. It was also used to distinguish between petitions when they were coded for computer analysis.

At the time of writing, the Standing Orders Committee's proposal that The Legislative Department should be renamed The Parliamentary Service was about to be adopted. It should be noted that because this proposal did not arise until after
the end of the study period, the old name has been retained in this thesis. Likewise it should be noted that The Petitions Select Committee was disbanded only after the end of the study period.
Introduction Endnotes


3. Cabinet's reports on petitions were only date stamped on their reception by the House in seven years of the study period. If these are anything to go by Standing Order 413 is normally complied or almost complied with. In 1981, for some unknown reason, the report was tabled 77 days late.

   **Figure 3**
   Compliance with Standing Order 413 (the 28 day rule)

<table>
<thead>
<tr>
<th>Year petitions presented</th>
<th>Beginning of next session</th>
<th>Date Cabinet's report was tabled</th>
<th>Days from B to C</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971</td>
<td>7th June 1972</td>
<td>6th July 1972</td>
<td>29</td>
</tr>
<tr>
<td>1977</td>
<td>10th May 1978</td>
<td>7th June 1978</td>
<td>28</td>
</tr>
<tr>
<td>1978</td>
<td>16th May 1979</td>
<td>3rd July 1979</td>
<td>48</td>
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<tr>
<td>1979</td>
<td>15th May 1980</td>
<td>20th June 1980</td>
<td>36</td>
</tr>
<tr>
<td>1980</td>
<td>28th May 1981</td>
<td>16th June 1981</td>
<td>19</td>
</tr>
<tr>
<td>1981</td>
<td>6th April 1982</td>
<td>20th July 1982</td>
<td>105</td>
</tr>
<tr>
<td>1982</td>
<td>7th April 1983</td>
<td>31st May 1983</td>
<td>54</td>
</tr>
</tbody>
</table>

4. The six principles in the Maruia Declaration (petition 77/12) were:

   1. Native forests, wherever they remain, need recognition and protection in law.
   2. The wholesale burning of indigenous forests and wildlife has no place in a civilized country.
   3. The logging of virgin forests should be phased out by 1974.
   4. Our remaining publicly owned native forests should be placed in the hands of an organisation that has a clear and undivided responsibility to protect them.
   5. To reduce commercial pressure on native forests, the growing of fine quality exotic and native timbers on land presently not forested should be encouraged.
   6. It is prudent to be conservative with our consumption and export of those forest products, especially newsprint and packaging paper, which make heavy demands on our precious resources of land, energy, and water.

   The Government responded that it supported principle five and gave its partial support to principle six. All the other principles were rejected.

5. Petition 69/30 from A.P. Mayow and 11 000 others.


9. Ibid p. 239.

10. Ibid p. 240.

11. Ibid.


17. Standing Order 384(a), old Standing Order 411.

18. Standing Orders 366 through to 376 concern the expected standards of presentation of petitions. Old Standing Orders 393 through to 403.

19. Tony Simpson, Te Riri Pakeha: The White Man's Anger (Martinborough: Alister Taylor, 1979) pp. 228-229. Simpson cites the 1932 petition from the Ratana Church which attracted 30,000 signatures. This petition was presented by Eruruera Tirikatene and then lay on the table of the House for "thirteen years" without having its call for "redress under the treaty of Waitangi" answered.

20. From the 1983 Session these annual reports have been published as part of The Appendices to the Journals of the House (A5).


23. For example in Britain David Judge op. cit. p. 404 and Larry B. Hill, "Parliamentary Petitions, the Ombudsman and Political Change in New Zealand", Political Studies (Oxford), Volume 22, Number 3 (September 1974) p. 337.


27. For example, Petition 82/60 from Robert E. Jones and 5 000 others, "Praying for the banning of all commercial trawling within 20 kilometers of the Dargaville Ocean Beach".

28. For example, Petition 79/67 from Ngaitahu Trust Board, "Praying for a commission of inquiry into the sale and use of ancestral lands and the loss of fishing rights".

29. For example, Petition 69/47 from Frank D. Winter and 2 508 others, "Praying for the revocation of the Ngaitahu Claim Settlement Act 1944 and the enacting of legislation to provide payment to the Trust Board of $20 000 per annum in perpetuity in full settlement of the Ngaitahu Claim".

30. For example, Petition 80/44 from the New Zealand Public Service Association and 5 000 others, "Praying that the decision to close the Auckland and Christchurch dental nurse training schools be set aside and that full consultation with affected parties be undertaken".

32. For example, Petition 79/51 from J.T. Ryan and 1 410 others, "Praying that the House will recommend that the Te Aroha courthouse will remain open".


34. See the Journals of the House of Representatives to observe this system in operation. The data on petitions can be found towards their end between the list of Ministers for that year and the schedule of select committee business.


36. Ibid. In section 4.4.2.1 of its Report (pp. 32-33) The Committee explained why it was recommending that the Petitions Select Committee be disbanded: "it is already the practice that petitions are sent to other committees, if appropriate, and the proposed new structure is sufficiently comprehensive to ensure that petitions will always be dealt with by a committee with relevant subject expertise".
CHAPTER II

A REVIEW OF THE LITERATURE

PETITIONING IN CONTEXT:

2.1 AS A FORM OF PARTICIPATION

As Norman Nie and Sydney Verba have pointed out, "political participation is one of those terms that can have so many meanings that it ultimately loses its usefulness". It is used to describe political activity in developing, democratic and totalitarian societies. In democracies alone studies have focused on participation in families, schools, workplaces and voluntary associations as well as citizens' interactions with Government.

Because the term has been used in so many contexts it is always important to specify the sense in which it is being used. Nie and Verba choose to concentrate on citizen interactions with Government. They define this sort of participation as "those legal activities by private citizens which are more or less directly aimed at influencing the selection of Government personnel and/or the actions they take". Geraint Parry and George Moyser call this approach to the study of participation the "instrumental approach", because those who employ it assume that citizens use participation "to influence the Government to act in ways [they] prefer". The characteristics of this approach will be outlined because they help distinguish petitioning from other forms of participation.

Nie and Verba specify five characteristics which distinguish their "field of study" from others. Firstly, they state they are concerned with participation in democracies, where the emphasis is on "the flow of influence upwards
from the masses. In contrast, participation in developing and authoritarian politics is seen to be state lead and is used to mobilise citizens in support of state policy. In light of this contrast petitioning is most accurately seen as part of democratic tradition. The rationale behind such appeals is that governments are accountable to citizens and therefore can be expected to respond to their requests.

Secondly Nie and Verba specify they are concerned with peaceful activity. Petitioning can also be characterized as a peaceful form of participation. In this study no petitions were found to advocate violence, and only one, the petition opposing homosexual law reform, was gathered under the threat of violence.

Thirdly Nie and Verba state they are not concerned with examining all the types of participation spread through democratic society, only those "vis a vis the Government." Because petitions aim to influence Government decision-making it is accurate to describe the study as being concerned with a form of Government-centred participation.

The fourth distinction drawn by Nie and Verba is between participation undertaken by professionals (Government officials, party officeholders and full-time lobbyists) and that undertaken by private citizens. In these terms petitions are predominantly organized by private citizens. Of the 1039 petitions received by the House in the study period only thirty-one were backed by prominent national organizations and a further one hundred and twenty eight by weak single-cause interest groups. The majority appeared to be gathered only on the initiative of loose-knit activists or individuals.
One other distinction derived from Nie and Verba helps place petitioning in context among other forms of participation. They distinguish between campaign activity and voting on the one hand and inter-electoral participation on the other. Petitions are gathered and considered right through each Parliamentary session. It is therefore accurate to characterize them as an inter-electoral type of participation.

Two further points can be made which help locate petitioning among other forms of participation. Firstly it should be noted that petitioning is a highly traditional form of participation, which has been part of English political life since at least the reign of Edward I in the 13th century. As English democracy developed petitions were presented from all sections of society. Even after the franchise spread and other participatory channels were created, the right to petition remained a minor part of the political landscape. Eventually it was exported throughout the Commonwealth as part of the Westminster model of Government.

A second feature of petitioning is evident if we look at it from the signer's perspective; it seems to entail less commitment to a cause than almost any other form of participation. Lester Milbrath has constructed a list of the types of political participation open to individuals in democracies. He considered "being a candidate for political office" involved the highest level of commitment and voting the lowest. If petition signing were placed on this list it would be near the bottom. Signing requires no expenditure of time or money, neither does it commit the individual to
any later action. In Nie and Verba's terms signing involves little or no "physiological investment", people rarely go out of their way to sign, and generally they do so because they are invited to on the street or because they pass a booth in a public place. ¹¹

From the five distinctions made by Nie and Verba and the two additional points just made we now have a fair idea of the type of participation under study. It is a peaceful form of participation which occurs in democracies. It is a traditional technique used mainly by individuals and weak groups in Commonwealth countries to try to influence the decisions their Governments make. It occurs independent from the electoral cycle, and probably only entails a small commitment to a cause by those who sign it.

2.2 COMPARED TO SIMILAR FORMS OF PARTICIPATION IN NEW ZEALAND

In New Zealand a number of participating techniques are open to individuals and weak groups who wish to influence Government. In Nie and Verba's schema these techniques are on the same 'branch' of the 'tree' of participation as petitioning.

Before some of the alternatives are compared to petitioning it must be noted that the techniques open to stronger interest groups are believed to be more effective. In the literature a contrast is drawn between powerful 'insider' groups, who in Les Cleveland's words have "reached a co-operative, consultative relationship with Government", and weak 'outsider' groups who do not have the ear of Government. ¹²
The former make their views known through deputations to ministers, and they are often invited to make submissions to Government. Through such contacts 'insider' groups are believed to win "reputations for reliability and responsibility", and this increases their chances of influencing future policy.¹³

On the other hand 'outsider' groups are characterised by the fact that they "reject or cannot obtain a close or even symbolic relationship with Government".¹⁴ Petitioning is seen to be an appeal used by such groups. Even among the different forms of appeal open to individuals and weak groups petitioning has been seen to be relatively ineffective.

An alternative to petitioning is direct appeal to an MP. In New Zealand direct contacts between MP's and constituents in the 'clinics' they hold in their electorates, as well as the letters and phone calls they receive, are undoubtedly important forms of individual participation. Theodore Anagnoson found MP's spend almost a third of their working time dealing with such constituency work.¹⁵ One MP has gone as far as suggesting that this work takes up so much of their time that MP really means "many people, many problems".¹⁶

In the last twenty years a number of new appeal mechanisms have also become available to individuals. Most important among these is the Office of the Ombudsman but there are also a variety of commissions, and these include the Race Relations, Human Rights, Privacy, and Equal Rights Commissions. The proliferation of these alternate means of appeal strongly suggests that a substantial number (probably the majority) of grievances citizens had with Government were
not being dealt with through the petitioning process. Indeed Hill suggests that many of the Ombudsman's early cases concerned old grievances, that is a backlog of potential cases existed in society, despite the long-standing right to petition.\textsuperscript{17} The Ombudsman has gone on to deal with fifteen times more cases than Parliament does petitions, from 1969 to 1983 25 000 cases were processed. The dominance of the Ombudsman is also evident in the Standing Orders of the House which state that petitions will be received only if they are deemed unsuitable for consideration by the Ombudsman.\textsuperscript{18}

Hill's work can be used to draw a number of other contrasts which suggest the Ombudsman is a more important means of appeal than Parliamentary petitioning. He sees the Ombudsman as being "functionally autonomous" from both the legislative and the executive branches of Government.\textsuperscript{19} Further, the Ombudsman operates under his own act, has a staff to undertake investigations where he sees fit, and is free to make judgements which may be critical of decisions made by Government and its departments. After interviewing senior civil servants and politicians, and after watching the Ombudsman's office at work, Hill concluded it had attained the status of a "prestigious, multi-purpose investigative tool - something like a readily available mini royal commission".\textsuperscript{20}

In contrast he argues that petitioning is a weaker means of appeal because it has been "thoroughly penetrated by politicians".\textsuperscript{21} That is, petitions are considered in select committees and by Cabinet, forums dominated by Parliamentarians, which also have no independent machinery which
would allow them to more fully investigate the merits of petitions. The assumption underlying Hill's contrast is that fewer petitions bring about the changes desired by their organizers because this would require the Government to be self-critical. Change is more likely to be proposed when the investigator is independent from the decision-making process which may itself be under scrutiny. Not surprisingly the reports of Cabinet on petitions examined during this study most often sought to justify Government decisions. On the other hand Hill found the reports of the Ombudsman were often critical of departmental procedures.\textsuperscript{22}

Not enough research has been carried out into participation in New Zealand to compare any of the commissions to petitioning. Nevertheless the general impression gained is that petitioning has become less important as more specialised means of appeal have become available to the citizen.\textsuperscript{23}

The place of petitioning in the business of the House also seems to indicate that it is a weak means of appeal. Although one of the first things the Speaker does each sitting day is to call MP's to present petitions, this does not mean they are being given a place of prominence. Rather, petitions are received as a routine prelude to the day's more substantive business.\textsuperscript{24} Under Standing Orders 407, 408 and 412 no debate is permitted when petitions are presented, or when the recommendations of select committees are reported back to the House. In the former case the member presenting the petition simply reads into the record the prime petitioner's name, the number of signatures attached to the petition, and its topic. In the latter case the chairman of the select committee who considered the petition reports the
level of recommendation made, and the presenting members thank the committee for considering the petition on behalf of the petitioners.

In summary, the place of petitioning among other types of appeal, and their place in the business of the House, both suggest that petitioning will be found to be ineffective.

PREVIOUS ASSESSMENTS OF THEIR EFFECTIVENESS:

2.3 AN INTRODUCTION

The 'literature' on petitioning in New Zealand consists of only a few articles, scattered references in writing on other aspects of domestic politics, and a newspaper investigation from the late 1960's. There was also a little discussion on the topic in Hansard from the end of the Second World War to the late 1950's. After then the Standing Orders preventing debate arising from petitions appear to have been more strictly enforced by respective Speakers of the House.

In the absence of sufficient domestic literature on petitions the literature review was widened to include overseas work. This search revealed the impact of petitions on Government decision-making had only been examined in Britain. Even there the effectiveness of petitioning was a secondary topic of concern. British petitions have mainly been examined because they provide a useful touchstone for the study of England's constitutional development, for instance an independent judiciary and legislative evolved from the medieval subjects' right to petition their monarch. The major concern of studies of petitioning in the nineteenth
century has been the role played by the 'radical' campaigns of the 1830's and 1840's in the imposition of executive dominance over the business of the House.\textsuperscript{29} Little or no investigation has been made into the outcome of these campaigns (which aimed among other things to secure better factory and poor laws), beyond the vague assertion that the sort of issues which provoked petitions were the issues on which reform subsequently occurred.\textsuperscript{30}

Twentieth century British studies suggest that Parliamentary petitioning has declined as prospective petitioners have come to recognise the dominance of the executive. Petitioners are now believed to be more inclined to present their petitions directly to Cabinet, or the Prime Minister.\textsuperscript{31}

A more detailed summary of this literature would merely have produced a historical survey of petitioning through the ages. Only two aspects of the British studies are directly relevant. Firstly the few assessments made of the effectiveness of petitions may be based on a methodology which could be replicated in this study. The unanimity with which British petitions have been judged ineffective suggests this conclusion has been based on strong evidence. Secondly the British studies provide the basis for a comparison with New Zealand parliamentary practice concerning petitions.

This latter comparison reveals that the rules governing the admissibility of petitions remain similar, but that petitions are now considered in differing ways. This is because since the disbanding of the Common's Petitions Select Committee in 1974 British petitions have been sent straight to ministers for their consideration, while New Zealand has retained the select committee phase of the process.\textsuperscript{32}
2.4 ASSESSMENTS OF THE EFFECTIVENESS OF PETITIONING THE COMMONS SINCE 1945

Since the Second World War the standard assessment of British petitions has been that they are an ineffective way to influence Government. In 1951 Eric Taylor set the tone for later discussion when he described Parliamentary petitioning as no more than a "vestigial procedure only retained to maintain the symbolic appearance of free access to 'the highest court in the land'". Writing in 1955 Colin Leys shared Taylor's pessimism. He concluded that "it is well over a century since petitions were, or could be effective, in the sense that Parliament might answer the petitioner's prayers". This theme was carried through into the 1970's.

During the 1972-73 session the Select Committee on Procedure of the House of Commons brought down a report that was instrumental in disbanding the Public Petitions Committee. In evidence to the Committee on Procedure members of the Petitions Committee stated that because they could not make recommendations to the Government on the petitions they considered their task was "a waste of time" and "a meaningless charade", "designed to prevent any further parliamentary consideration of petitions".

The most recent published comments on the effectiveness of British petitions were made by David Judge in 1978. He endorsed these previous assessments and concluded that "in terms of cost effectiveness ... petitions have been at best an inefficient method of amplifying grievances and at worst ineffectual".

It seems that parliamentary petitioning has been consistently and often vehemently, dismissed as ineffective in
the last forty years in the British literature. Two questions remain: on what evidence is this conclusion based; and can an assessment of the effectiveness of petitioning in New Zealand be based on similar evidence?

2.5 A CRITICAL EVALUATION OF THE BRITISH ASSESSMENTS

While all the British commentators seemed convinced that petitions no longer influence Government decision-making, none of the studies appear to have empirically tested their hypothesis. This is a serious methodological weakness. At the very least an investigation into how many of the petitioners' requests are acted on by Government is needed before the effectiveness of these petitions can be assessed. Such an investigation would be fuller if it also measured how much action was required from Government to meet petitions, and whether any characteristics of petitions are associated with their more sympathetic treatment.

Rather than adopting an empirical approach the British studies dismissal of the effectiveness of petitions is based on subjective criteria; such as the assumed hostility of Governments to petitions. Consequently their claims remain untested and therefore unproven.

The British studies dismiss petitions on at least five grounds. Each will be outlined to show their inadequacy compared with quantitative evidence.

Firstly the decline in the number of petitions presented annually from a peak of almost 12,000 in the late 1830's and early 1840's to "only nineteen . . . on average from 1933 to 1953" is taken as evidence that petitions have become less effective. The assumption here seems to be
that as the franchise spread petitioning became a little used participatory backwater. But because the success rate of petitioning over the years is unknown this link has not been verified. In the absence of such data it is equally possible to argue that it is significant that the average size of British petitions has grown from 339 signatures in the five years from 1839, to 87804 signatures in the five sessions from 1968-69.\textsuperscript{38} The assumption here is that the Government is swayed when signatures are concentrated in a few petitions. Based on this assumption it could be argued that petitions are more effective now than they were in the nineteenth century.

A second argument used to dismiss petitions also stems from the fact that British democracy has become more popularly based. Here it is proposed that since the Industrial Revolution a number of more effective channels of political communication from the public to Government have evolved superceding the traditional channel of petitioning. Leys uses this argument when he associates the "improved ways of obtaining legal redress", "development of parties" and growth of pressure groups since the nineteenth century, with the decline of petitioning.\textsuperscript{39} Philip Laundy has argued that within the House also petitions have been "largely superceded", in this case "by Parliamentary questions".\textsuperscript{40}

This appears a logical argument, but without data on the success rate of petitions the effect competition from other channels of communication has on petitions remains unknown. It remains possible to argue either that petitioning has adapted to the modern participatory environment or that petitioning remains effective on the strength of its
status as an 'ancient' and respected form of appeal.\textsuperscript{41}

A third argument used to dismiss petitions is that the direct injection of public demands into Parliament runs against MP's current role-perceptions. According to Judge British MP's now believe it is their responsibility to set the political agenda based on their interpretation of public opinion. Thus they no longer see themselves as relayers of "direct . . . public demands".\textsuperscript{42} Judge cites the indifference with which petitions are received by The Commons and the disillusionment felt by the members of the Commons' final Petitions Committee as evidence for his case.\textsuperscript{43} Yet no one seems to have surveyed the attitudes of MP's to petitions.

The last two arguments, taken from the British Literature, seem more substantial. On the one hand it is pointed out that since 1944, when it had its authority to "report its opinions and observations to the House" removed, the Commons Petition Committee has been powerless.\textsuperscript{44} Confirmation that the Parliamentary procedure for considering petitions was indeed "patently insignificant" came in 1974, when the committee was disbanded.\textsuperscript{45} On the other hand it is pointed out that for over a century Standing Orders have "gagged" Parliamentary debate on petitions.\textsuperscript{46} The merits of these arguments will be discussed in turn.

It seems likely that the demise of Parliamentary consideration of petitions does indicate that the Government was content to let the process wind down. But before this link can be made, questions requiring data on petition disposal must be answered. Firstly, did the proportion of petitions acted on decline after the Petitions Committee's deliberative powers were removed, or after it was disbanded?
Secondly, after the Petitions Committee were other techniques used to try and get petitions met? For instance, did backbenchers use Parliamentary questions, adjournment debates, or the media to put pressure on the Government to act on petitions? Questions like these need to be answered to test the assumption that the executive is less sympathetic to the requests of the petitioners than Parliament as a whole.

The assertion that the Standing Orders of the House make it difficult for petitions to be acted on is perhaps the strongest argument for scepticism about the impact of petitions. Judge argues that the standing orders preventing debate on petitions "emasculat[ed] the ... potency of petitions" and "contributed far more directly to the decline of petitioning than did the gradual extension of the franchise". Still, like the other arguments, in the absence of quantitative information on petition disposal, this argument is only an educated guess. Contradictory evidence remains; more people signed petitions in Britain in the 1970's than in the "peak years of the 1840's".

It has been the aim of this section to highlight the importance of quantitative evidence in the investigation of the effectiveness of petitions. Without this necessary empiricism valid analysis gives way to opinion. Unless this study is based on such 'hard' evidence it will be as impressionistic as its British forebears.

2.6 ASSESSMENTS OF THE EFFECTIVENESS OF PETITIONING THE NEW ZEALAND HOUSE OF REPRESENTATIVES SINCE 1945

Less has been written on our topic in New Zealand than in Britain. However, some of this work has been
quantitative. The main contributor has been Hill, who focused on the development of the Office of the Ombudsman. He argued that by the early 1970's, at least in terms of the grievances of individuals, the Ombudsman had superceded petitioning. He was convinced that his study had "exploded whatever currency . . . remained to the myth that petitioning the New Zealand Parliament is likely to be an efficacious means of remedying individual grievances". 49

Since 1945 the majority of academic and Parliamentary assessments of petitioning in general, have been consistent with Hill. In the late 1940's and early 1950's backbenchers regularly dismissed petitions, calling the process "a colossal farce", from which "little justice [was] dispensed", and which "snared" an "innocent public" into believing that they would receive a response from "the highest court in the land." 50

The most persistent critic of petitions during this period was the Member for Timaru; Rev. Mr Carr. In 1951 he confessed to having encouraged his constituents to petition the House. However now he declared that he would

"never do it again because it is a waste of time and effort . . . a farce, a joke. It would make Parliament a laughing stock in the eyes of the public if they only knew, and yet we talk about the highest court in the land". 51

In a similar vein in 1955 he advised "unless people are prepared to camp on the Government's doorstep there is very little chance of even the most favourable recommendation by a committee ever being given effect to". 52

There are fewer more contemporary written assessments, probably because of the stricter enforcement of Standing Orders. The consensus of opinion seems to be that few petitions succeed. Mary Batchelor, the last chairperson of the
Petitions Committee was "not surprised" when informed that this study found very few petitions succeed, although she emphasised the "due consideration" she believes all petitions and submissions on petitions are given by committees.\(^5\) Another Labour backbencher stressed that petitions are likely to fail because they often seek a change which would necessitate the reversal of government policy.\(^5\)

Nevertheless, given special circumstances, MP's have expressed confidence in petitions. In the immediate post war period ministers did defend the effectiveness of petitions as part of their general defence of the actions and policy of their Government. For instance in 1955 the Minister of Education in the Holland Government (Hon. Ronald Algie) rebuked a Labour backbencher for falsely "giving the impression that the highest court in the land fails in its duty" to petitioners. Mr Algie reassured the House that in his experience those petitions reaching Government with a 'most favourable' recommendation were "scrupulously attended to in every case".\(^5\)

Also during the current debate on homosexual law reform some MP's have made statements implying that they believe petitions are effective. For instance Winston Peters (National, Tauranga) has referred to petitioning as a "centuries-old" right of appeal, and Geoffrey Braybrook (Labour, Napier) has encouraged people to sign the anti-liberalization petition on the grounds that "petitions are one of the few ways left to ordinary New Zealanders to make their views clear to Parliament".\(^5\) Speaking from the other side of the debate, Marilyn Waring (until recently the National member for Waipa) warned supporters of the Bill...
that reform could be prevented because "the cocooned world, of Parliament is influenced by letters, telegrams, phone calls, petitions and submissions which offer an easy defence for many people there. The right wing knows this and uses the process endlessly".57 These comments refer to an exceptional petition, nevertheless it remains true, that unlike Britain, a few MP's have stated that they believe petitions are sometimes effective.

Academic opinion mirrors Parliamentary opinion on this topic. Petitions have only twice been assessed as effective. In both cases these assessments were made from outside New Zealand and are more than fifteen years old. In 1960 John Kersell contrasted the petitioning procedure here with those elsewhere in the Commonwealth. He argued that in New Zealand "public petitioning procedures can be a most effective means of ventilating grievances in Parliament, and even of gaining some measure of redress".58 A decade later the Australian Senate's Standing Orders Committee contrasted what it believed to be weak petitioning processes at both the federal and state levels there with the New Zealand process. The Committee suggested petitioning here was in good health because it is still in use after a hundred years and had therefore "stood the test of time and experience".59

In contrast in New Zealand since the mid 1960's petitions have been consistently dismissed in the literature. It has been commonly argued that only a few of the petitions given the most sympathetic recommendation available to select committees have been acted on by Cabinet.60 By Hill's calculation in the five years from 1958 to 1962 this meant only six petitions were "substantially granted".61
In 1984 a Radio New Zealand guide, written to improve citizens' awareness of the ways they can influence Government, drew a very similar conclusion. The guide advised prospective petitioners that:

"a petition on its own is seldom, if ever, enough to get changes made. This is especially true of petitions made to Parliament. With a few exceptions, such as the Manapouri petition which had over a quarter of a million signatures and which was favourably considered by the Government in 1971, petitions have had a poor response. It is usually wise to regard it as a minor tactic which can be ignored or dismissed even with thousands of signatures". 62

The most recent assessor of the effectiveness of Parliamentary petitions has been the only author not prepared to dismiss them outright in contemporary New Zealand. In his 1985 guide to Parliamentary practice in New Zealand the (then deputy) Clerk of the House, David McGee, somewhat ambivalently stated, that "the act of petitioning may or may not have any practical consequences, but it does ensure that the petitioners' concerns are heard and given some thought by those in authority". 63

2.7  A CRITICAL EVALUATION OF THE NEW ZEALAND ASSESSMENTS

Generally speaking New Zealand assessments are superior to their British counterparts because some attempt has been made to gather data on how petitions are dealt with by Parliament. The recommendations of Parliamentary select committees to Cabinet on petitions are published annually and are readily available. Utilizing this data most New Zealand studies have concluded that Parliamentary petitions are ineffective; as indicated earlier in this section, this conclusion is based on the assumption that only some of the
petitions receiving a 'most favourable' select committee recommendation are met.

Unfortunately none of the New Zealand assessments went on to test this assumption against the decisions of Cabinet. Since around 1967 Cabinet has tabled a short report explaining what actions it planned to take on the petitions it considered each session. Hill appears to have been unaware of these reports, he commented that:

"aside from a very occasional case whose results are highly publicised, definite information about how the Government disposes of the petitions is very difficult to obtain. In the past there has been no established procedure by which the final decision is reported".64

It is unclear why other studies have failed to use these reports; the near chaotic way documents are stored in Parliament's basements could have defeated some attempts to locate them.65 Whatever the case this study is the first to employ them. This fact highlights the conjectural nature of 'evidence' used in previous studies to assess the effectiveness of petitions. It is not enough to assume, as previous studies have, that a petition must receive the most sympathetic recommendation available to select committees before it has any chance of being acted on. As Robert Kelson pointed out as early as 1964 Cabinet has the power to disregard the recommendations of select committees on petitions. Specifically, Cabinet may "act despite an unfavourable recommendation, or not act despite a most favourable recommendation".66 As an example of the former, Kelson cited the establishment of a means of appeal for imprisoned conscientious objectors in 1944, despite the "unfavourable finding" of a select committee that it had 'no recommendation' to make on the petition proposing such an appeal court.67 As
an example of the latter he pointed to the petitions of one H.M. Mackay. In 1936 Mr Mackay received a 'most favourable' recommendation for a petition requesting compensation for the loss of his air taxi licence - Mackay was still petitioning for an inquiry into the failure of his original petition in 1955. 68

Kelson also cites a 1953 Parliamentary question on the relationship between select committee recommendations on petitions and Cabinet actions. The then associate Minister of Finance, Hon. Mr Bowden, replied that his Government "would not necessarily" withhold action "merely because the recommendation was not a strong one". Mr Bowden also implied that Cabinet based its decision on a separate assessment of what it considered "fit and proper in all circumstances". 69

Although these cases are somewhat dated, none of the more contemporary studies have laid to rest Kelson's doubts. Even if valid conclusions could be drawn from select committee recommendations the data gathered by previous studies would be inadequate. This is because previous studies have based their conclusions on too 'narrow' a data base. The Northev and Radio New Zealand studies draw their conclusions about the effectiveness of Parliamentary petitions in general, from the select committee recommendations given to petitions in a single year. Hill may have gained an inaccurate impression of how select committees deal with petitions on another ground. He examined the recommendations given only to those petitions considered by the Petitions Committee, thus excluding those petitions considered by one of the eighteen or so other permanent committees of the House.

The proportion of petitions excluded by Hill's single-
committee approach has not been calculated for his study period. It should be noted that the fate of many petitions was probably ignored, because it has long been the practice to distribute petitions among a wide variety of committees according to their subject matter.

If the single-committee approach had been adopted in this study over 600 petitions, or 60.6% of all the petitions received from 1969 to 1983, would not have been analysed.

Figure 5

**DISTRIBUTION OF PETITIONS AMONG SELECT COMMITTEES 1969-83**

The most immediate consequence of recognising the shortcomings of previous studies is that not as much confidence can be placed in the accuracy of their dismissal of petitioning as their near unanimity invites. One possible explanation why those writing on petitions were prepared to draw so certain a conclusion from inadequate data is their belief in the effectiveness of the Ombudsman. Northey, for instance, dismissed petitioning at the beginning of his
article as an example of the weak "existing remedies" available to citizens before the Ombudsman. In contrast he believed, in its early years, the Office of the Ombudsman was meeting "almost 100% success" in reforming unfair departmental procedures. Hill later made a similar contrast between the failure of petitioning and the Ombudsman whom he found to have "succeeded in reforming some administrative policies" that he believed were unjust or inconsistent.

But it must be noted here that the advent of the Ombudsman in itself demonstrates nothing about the effectiveness of any other appeal. As Hill himself points out, rather than fading away, petitioning has undergone an "institutional transformation" since the establishment of the Office of the Ombudsman. Specifically petitions now mostly concern issues of national importance, while large numbers of out-of-court appeals from individual citizens are dealt with by the Ombudsman. In other words the Ombudsman now occupies the appeal 'niche' once believed to be dominated by petitioning.

So what is the current state of our knowledge on the question of petition effectiveness in New Zealand? It seems best stated by Nigel Roberts in his 1974 article on petition signing and political letter writing. Roberts concluded his study with the familiar call for further research, in this case into the question "do the messages received by members of Parliament affect them, and if so, how?" Despite about half a dozen attempts in the last twenty years, in terms of petitioning at least, Roberts' call has not been satisfactorily answered.

Further, previous assessments of the public's views
on the effectiveness of petitioning do not provide a clear lead. Some petitioners have surveyed public opinion. Invariably they found that the majority believes petitions are effective. For instance the Maruia Declaration petition organizers found 90% of 6547 electors surveyed in the Tamaki electorate were prepared to sign, and only 10% refused because they believed petitioning to be ineffective. Equally predictably the authors of submissions opposing petitions found people to be sceptical, and that many had been fooled or coerced into signing.

Roberts appears to have been the only academic to have surveyed public opinion on this question. His findings were inconclusive; of 109 respondents who had signed a petition, 49% felt their petition had "achieved something", 30% were unsure, and 21% felt it had achieved nothing.

2.8 DECIDING ON HYPOTHESES FOR THIS STUDY

The main hypothesis adopted in this study is that petitions will be found to be an ineffective way of influencing the decisions Government makes. In the absence of conclusive evidence either for or against this hypothesis, it was derived from the opinions expressed in the literature. In New Zealand, as Britain, the majority of commentators have argued that petitions are ineffective. This was also the opinion of most of the MP's whose views on the topic are recorded in Hansard.

If confidence must be placed in anyone's subjective assessment, then the opinions of MP's are likely to be a more reliable indicator of what is happening, because they are directly involved in the decision-making process. Members of
Parliament have rarely expressed any confidence in the effectiveness of petitions. Such claims have only been found to be made by ministers arguing that Cabinet gives due consideration to petitioners' requests, and by those MP's involved in rallying support during the recent homosexual law reform debate.

In summary, it seems safer to hypothesize that petitioners' requests are not granted, although this viewpoint is backed by insufficient evidence to discount other possibilities at this stage.

At the beginning of the introduction it was stated that an attempt would be made to determine which of the groups involved in the process affect its outcome. It was also stated that the impact of some of the characteristics of petitions on outcome would be investigated. These secondary topics have not been included in the literature review up to this point because virtually no one has commented on either. Hypotheses can be derived from the literature concerning the impact of only two participants on the consideration process.

Firstly both Hill and Kelson have suggested that select committees are more sympathetic than the Government to the requests of petitioners. Kelson derived this hypothesis from an interview he conducted in 1964 with J.R. Marshall, then Minister of Justice. Mr Marshall believed that "members could not resist a human appeal in a difficult case, even though the taxpayers' money should not be used to rectify the situation". This hypothesis will be tested by comparing the recommendations select committees give on petitions with the number of petitions met by Cabinet.
Secondly, Hill has suggested that select committees usually find the "departmental viewpoint" on the merits of a petition "quite persuasive". This hypothesis will be tested by measuring the correlation between departmental reports on the merits of petitions and select committee recommendations.

The impact of only one petition characteristic on petition success has been discussed in the literature surveyed for this study. Commentators, it seems, have thought that too few petitions succeed for such discussion to be worthwhile. Partisan petitioning is the one exception to this rule. Again both Hill and Kelson have linked partisan petitioning to petition failure. Hill cites petition 71/14 from Michael Niel and 193 others as an example of a failed partisan petition. It asked the House to "censure the Hon. R.D. Muldoon for permitting his image to be employed in the promotion of a commercial product" (perhaps the 'Muldoon piggybank'). Kelson made the same point in more general terms, claiming "select committees favour petitioners, except in the rare cases where petitions are formulated for a political purpose".

Beyond these few specific statements there really are no expectations in the literature on these topics which can be tested. This situation was responded to by deriving the secondary hypotheses from the main hypothesis. If we expect to find that, at most, only a few petitions will be acted on, then it is reasonable to also expect that irrespective of any characteristics they might have, they will fail. Similarly it can be expected that the advice of those opposing petitions will be taken by Cabinet over that of those championing petitions.
Literature Review Endnotes


2. Ibid.


5. The Christchurch Press, 28th March 1985, reported that Fran Wilde (Labour, Wellington Central) had received a letter threatening her "with death or traumatic injury", because of her promotion of liberal legislation on the issue of homosexual law reform.

The Christchurch Press, 12th April 1985, reported that Geoffrey Braybrook (Labour, Napier) had had his Parliamentary mailbox ransacked by people seeking to destroy petition forms opposing homosexual law reform. It was also reported that the police had been called to Lambton Quay after a group gathering signatures opposing homosexual law reform had been "intimidated" by pro-reformist activists.

6. Nie and Verba op. cit. p. 3.


8. This finding ties in with Hill's assessment of the years 1957 to 1972. During this period he found "pressure groups seldom attach their names to petitions". See Hill, "Parliamentary Petitions ... " p. 341. Refer also to Appendix two for a list of the strong Pressure Groups involved in petition organization from 1969 to 1983.


11. Nie and Verba op. cit. p. 9, describe the initiative required to participate as one important "dimension of participation".


13. Les Cleveland, "Putting on the Pressure", The Listener, June 30th 1984 p. 41. Cleveland cites as examples of this type of organization Federated Farmers and the Employers Federation. Weaker groups on the other hand have to resort to "protest, crusade, or a programme of resistance".
14. Richardson and Jordon op. cit.
Richard Mulgan, Democracy and Power in New Zealand: A Study of New Zealand Politics (Auckland: Oxford University Press, 1984) p. 93. Mulgan develops this theme. He believes that "most interest groups work quietly and effectively through well-established channels of public consultation and influence". This network of consultation, largely undescribed and unanalysed, provides what is in many ways the key to understanding the distribution of political power in this country." In contrast p. 109. "Parliament acts as only an alternative supplementary forum of pressure for groups which consider themselves unsatisfactorily treated in the usual process of consultation."


16. "How to Get the Best Value from your MP". Consumer 180 January-February 1981 p. 15. It should also be noted that New Zealanders are also prolific appellants to Government Departments. One official of The Justice Department receives 3-4 000 complaints/inquiries from the public each year and that The Department of Social Welfare receives 15 000 complaints/inquiries per year.


18. Hill, "Parliamentary Petitions . . ." pp. 345-346. The standing order which was introduced in 1967 which gave the Ombudsman precedence over Parliamentary petitioning is Standing Order 411 (old Standing Order 384 (a)).


23. Jack Hodder's "commentary" following George Laking "The Role of the Citizen in Influencing Policy" in The Accountability of the Executive ed. T.M. Berthold (Wellington: The New Zealand Institute of Public Administration, 1981) p. 53. Hodder argues that a situation of "overcrowding and confusion" exists with so many similar administrative reviews available to citizens. Similarly Hill The Model Ombudsman p. 3 calls petitioning a "minor institution in the network of institutions which control arbitrary government".

This was also the opinion of James Willowby, Clerk of the Journals and Records, when he was interviewed in Wellington on 27th September 1984. Willowby suggested that the Equal Rights Tribunal and the Race Relations Conciliator are of higher standing than the right to petition Parliament.

24. Tom Scott The Dominion November 12th for instance described the reception of petitions by Parliament as a "Ritual sillyness".
25. Hill "Parliamentary Petitions . . ." p. 344 Footnote 4 points to an article which appeared in Truth on July 16th 1967 entitled "Odds Against Petitioners". Whereas Sir Guy Powles, "The Citizens Rights Against the Modern State" International and Comparative Law Quarterly Volume 13, July 1964 p. 767 cites the article as appearing a decade earlier. Unfortunately the article was not located during research, so it cannot be referred to directly.

26. In the Commons Standing Orders 99 to 103 prevent debate when petitions were presented and reported back to the House. In New Zealand the counterparts to these Standing Orders are 407, 408, and 413.

27. This search, undertaken in early 1984, involved the use of the Social Science Search file on the Dialog database (a California based bibliographic computer). No reference to any work on petitioning was found during this online search. Manual searches included consultation of the annual International Bibliography of the Social Sciences-Political Science (London: The International Committee for Social Science Information and Documentation) 1970-1981. At the time of writing, late 1985, the situation had changed with the arrival of the New Zealand Bibliographic Network at the University of Canterbury Library. A range of Bibliographic references to the right of petition were found using the NZBN. Had this database been available the international interloaing required to access this material could have been undertaken.


29. Judge op. cit. pp. 391-394 and Colin Leys, "Petitioning in the Nineteenth and Twentieth Centuries" Political Studies Volume 3, Number 1, 1955 pp. 45-53. Under the standing orders in use in the 1840's the merits of petitions could be debated at length when the petition was presented to the House. The radical opposition took this opportunity to stymee Government business - nine hours a week of Parliament's time was taken up debating petitions. The Peel Administration responded to this situation with sweeping changes to the standing orders of the House concerning petitions. Debate on petitions was shifted to the Houses Standing Committees and each member was allowed only one speaking opportunity concerning petitions (previously they had had four). Both Leys and Judge have seen these reforms as a sign that the Government was taking on its modern form. It was asserting full control over the business of the House and a clear differentiation between Government and Opposition had developed.


32. According to Judge op. cit. p. 402-3 Parliamentary petitioning in Britain now only represents "the tip of the petitioning iceberg". Under the Commons' Standing Order 122 petitions are printed so MP's can consult them, then the Clerk of the House sends them to the minister considered most appropriate. This minister then has the option of tabling any observations he or she may have to the House, or of remaining silent. In contrast, New Zealand petitions are still sent by the Clerk to an appropriate select committee for consideration, before Cabinet.

34. Leys op. cit. p. 62.


37. Leys op. cit. p. 52. This assumption is also made in British Sessional Papers op. cit. p. 1291, although two separate 'peaks' are used as evidence by these two sources (Leys highlights 1836-41 and British Sessional Papers highlights 1868-72).

38. This figure was calculated by adding the yearly average sizes presented by Judge op. cit. p. 402 and dividing by five. Not enough data is available to determine whether there was a consistent increase in the size of petitions from the 1830's to the 1970's.

39. Leys op. cit. p. 56.


41. Ibid.

42. Judge op. cit. p. 404.


44. British Sessional Papers op. cit. p. 1294.

45. Judge op. cit. p. 397.

46. Term used by Leys op. cit. p. 53.

47. Judge op. cit. p. 394.


51. NZPD Volume 295, 1951, p. 587.


53. Interview with Mary Batchelor (Labour, Avon) in her capacity as the last Chairperson of the now disbanded Petitions Committee, at her electoral office in the Aranui Family Centre, Monday 16th December 1985.

54. I am indebted to a colleague, Michael Hobby, for asking members of the last Petitions Select Committee how effective they thought Parliamentary petitions were, during his research visit to Parliament in July 1985. Originally it was intended that a survey of the attitudes of MP's generally would be part of this study. This
did not come about due to the constraints of time. Instead my two field trips to Parliament were taken up by reading and coding select committee documents concerning petitions.

The MP who comes closest to making a critical written assessment of petitioning in recent times is Michael Minoque, "Parliamentary Democracy Today" New Zealand Law Journal 16th November 1976 p. 488. Minoque cites the cursory way an unspecified petition "concerning matters vital to the interests of a major New Zealand city" was considered by a select committee as evidence of a general decline in our Parliamentary democracy.


57. Marilyn Waring's "Letter to my Sisters" column in The Listener 25th May 1985 p. 26 entitled "Battle Areas".


60. See for instance J.F. Northey, "New Zealand's Parliamentary Commissioner", chapter six in The Ombudsman: Citizens Defender (second ed.) ed. Donald C. Rowat (London: George Allen & Unwin, 1968) pp. 128-29, and Hill The Model Ombudsman op. cit. p. 60. Hill noted "that it is generally acknowledged that only those petitions recommended to the Government 'for most favourable' consideration have any appreciable likelihood of being acted on".


65. After the annual report of Cabinet on petitions is tabled in the House under Standing Order 412 (old Standing Order 385) a copy is stored under Parliament Buildings. These storerooms contain the reports and submissions presented to select committees concerning bills and petitions, as well as the many thousands of signature forms of all the petitions presented since the late 1960's. This material is all filed in large cardboard boxes by year and the select committee it concerns. The annual report of Cabinet on petitions runs to no more than twenty A4 sheets. Each is filed among this vast volume of paper.


70. Northey op. cit. p. 128.


74. Ibid p. 39.

75. Source: Petitioners submission in support of the Maruia Declaration; Petition 77/12 p. 3.


78. Kelson op. cit. p. 156.


CHAPTER III

METHODOLOGY

3.1 LINKING THE PROCESS APPROACH DIAGRAMATICALLY TO THIS STUDY

The accompanying flow chart is an attempt to apply the process approach to the process by which Parliament deals with petitions.¹ The overall value of this flow chart is that it delineates what happens, and where, in the process used to make decisions on the merits of petitions. The chart itself is headed with the names of the groups involved in the process, and the actions of each group are distinguished by being positioned in a column below each name. At the top right a separate heading box is entitled 'petition outcome'. Below this box are listed the various ways petitions leave the process without being actioned.

The diagram is divided vertically into the six phases of the process distinguished in the study. Before a petition can be acted on it must pass through all six phases. The passage of such a petition through the process is represented by the vertical line which runs down the centre of the diagram. Petitions which are not acted on follow one of the branches off the centre line to the right of the diagram.

It should be noted that what Eulau and Wahlke have called the "representational relationship" is built into Parliamentary processes such as the one being examined.² In terms of the petitioning process this means that MP's, as the people's elected representatives, have the power to
base their recommendation on the merits of any petition on whatever submission or departmental report they choose. In turn Cabinet, as the embodiment of the Government, has the power to decide what action, if any, will be taken on any petition. Cabinet, in other words, has the authority to disregard or agree with the opinion of any other participant in the process, including the select committee's.

This power distribution is reflected in the place of each group in the process. The less influential group, the petitioners, individual submissions and weak group submissions only have the opportunity to try and influence the outcome of the process in its early stages (the top of the flow chart). While the more influential groups, Government departments and select committees have an opportunity to directly try to influence the decisions Cabinet makes (towards the bottom of the chart).

3.2 DATA SOURCES

All the data used in the quantitative part of this study came from four official sources: Hansard, The Journals of the House, the dossiers containing evidence presented to select committees on the merits of petitions, and Cabinet's annual report to the House of its decisions on petitions. The first two sources are publicly available whereas the latter two were until recently both considered confidential. These were provided by the Legislative Department for use in this study. A table showing the origin of each variable among these four data sources is provided in the appendices.

In general terms, Hansard provided information on the MP's who sponsored petitions and on the party political
Figure 6 The petitioning process

THE MEDIA                      THE PETITION ORGANIZERS                      PARLIAMENT/ THE LEGISLATIVE DEPARTMENT                      THE REPORTING DEPARTMENTS

OUTCOMES OF PETITION CAMPAIGNS:

PRE PRESENTATION

The organizers identify petitioning Parliament as the technique they will use to try and influence Government.

Newspapers report the beginning of many petition campaigns.

The organizers formulate their prayer and gather signatures.

The petition organizers often seek the advice of the Legislative Department on the formal requirements of presentation.

The Legislative Department's Clerk of the Journals and Records responds by sending out the introductory 'information about petitions' form, which outlines the formal requirements of Standing Orders.

Standing Orders 393-403 detail the standards of presentation expected from petitioners.

PRESENTATION

The petition is presented to Parliament, normally:

After corresponding with the Legislative Department the petitioners normally present a petition which is in line with Standing Orders. Occasionally the organizers do not respond to the Legislative Depts requests, these petitions are not received.
The petition is presented to Parliament, normally the prime petitioner's local MP sponsors it, although occasionally an MP who identifies with the petitioner's objectives will present it. Petitions must be presented to Parliament under Standing Order 404, MPs are required to check petitions under Standing Order 406. Sometimes the Clerk of the House receives reports of irregularities from sponsoring MPs. For instance multi-signing by one person may have been detected.

The Office of the Clerk also checks the petition to see that it corresponds with Standing Orders.

Under Standing Order 411 the House will not receive petitions that it considers should be dealt with by the courts or the Ombudsman or petitions on topics which have previously provoked petitions and no fresh evidence has subsequently arisen.

The petition is tabled in the House. Under Standing Orders 407-408 the petition cannot be debated unless it concerns an urgent personal matter. Normally reception only involves the reading into the record of the name of the prime petitioner the topic and size of the petition.

PRE SELECT COMMITTEE CONSIDERATION

Under Standing Order 409 the Office of the Clerk assigns the petition to what it considers to be the most relevant select committee.

Those petitions which do not clearly fall into the jurisdiction of any Committee are often referred to the Petitions Committee.

The signatory forms; the body of the petition are deposited in the basement store-rooms under Parliament Buildings.

The petition should be dealt with elsewhere. The petition brings no fresh evidence to a previously petitioned issue.
Selected groups and individuals make submissions. Unrequested submissions may be received from people who have heard that a petition was before a select committee through the media.

On receipt of the submissions and reports the Office of the Clerk arranges a date and place for the hearing with the chairman of the select committee concerned.

The submissioners and reporting departments are informed of the date and place the hearing is to be held.

MPs on the select committee which will hear the petition receive folders containing submissions and reports.

The petitioners and invited submissioners attend the hearing.

The Press would normally be granted permission to attend this part of the hearing, but this is seldom requested.

The petition is read by the committee Clerk then the departmental representatives read their reports; these normally oppose the petition. An exchange of views takes place between the
the departmental representatives read their reports; they normally oppose the petition. An exchange of views takes place between the petitioners' MPs and Government departments under the chairmanship of an MP. Outline minutes of the hearing may be taken.

'Strangers' (the petitioners and other submitters, and any members of the public or the media) are asked to leave the hearing.

An in camera discussion takes place between the departmental representatives and the select committee. Under Standing Order 363 the discussion must be closed.

The select committee makes its recommendation to Cabinet on the merits of the petition. Under Standing Order 374 minority recommendations may not be made. Under Standing Order 375 these recommendations do not bind Cabinet to any actions; they are merely opinions.

An outline of the petition and the recommendation it received from a select committee are published in The Journals of the House.

THE PETITION IS REPORTED BACK TO THE HOUSE

The chairman of the select committee which considered the petition reports their recommendation to the House. Standing Order 412 limits discussion at this stage in the same way that S O's 407-408 prevented discussion when the petition was presented. The exception to the 'no debate' rule are those petitions which merely received a 'no recommendation' from a select committee.

Parliament votes to allow the petition to "lie on the table of the House".

CABINET DECISION

Additional reports may be requested by Cabinet if it is having difficulty making a decision on the merits of the petition. Under S O:413 Cabinet must then make a decision on the petition. Petitions may be held over for the consideration of the committee in the next session. Often this results in no action being taken on the petition.

If no report has been made by the committee by the end of the session it was received then the petition is deemed to have lapsed under S O:415.

A copy of all the paper generated by the hearing is stored in the storerooms under Parliament Buildings. Some copies of important petitions are also held at the Copyright Office of the General Assembly Library for MPs to consult.

There are examples of petitions being left on the table of the House as a means of delaying a decision, but no examples of this practice were uncovered for the study period.
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CABINET DECISION

Additional reports may be requested by Cabinet if it is having difficulty making a decision on the merits of the petition. Under S O 413 Cabinet must report its decision to the House within 28 days of the beginning of the session after Parliament received each petition.

Departments provide fresh reports.

Cabinet makes a decision on the merits of the petitions which reach it.

No action may be taken on the petition because the Government considers it is being met by its current policy on for another reason.

The petition is referred to an inquiry for further investigation.

No action is taken on the petition following an inquiry.

The positive decisions which the petition could receive from Cabinet are:

- The petition will be partially met
- The petition will be met.

Following an inquiry the petition is met or partially met.

Until the Fourth Labour Government the decisions of Cabinet on petitions were not made public. From the 1983 session the Appendices to the Journals of the house includes a new section (A 5) where Cabinet's decisions are published.
environment in which each petition was considered. The Journals provided the bulk of the data on the characteristic of each petition (among this data, its size, topic and the groups involved in its promotion). The Journals also provided an outline of the way each petition was considered (the select committee it was referred to, the recommendation it received from a select committee, and how long the select committee took to submit its recommendation).

From the select committee dossiers an assessment could be made of the opinions of all the groups in the process (except Cabinet) on the merits of each petition. These included Government departments and a number of groups and individuals who supported, or were in opposition to, each petition. The select committee dossiers also clarified or confirmed the data taken from The Journals. For example whereas many small petitions were simply described as seeking "relief" in The Journals, the petitioners always detailed their objectives in their submission to a select committee. Some listed any other appeals they had tried before organizing a petition. Many revealed their attitude to legislative change. Most petitioners' objectives could be coded on a spectrum; ranging from those trying to prevent change from occurring, to those trying to promote change. An assessment was able to be made of the professionalism of all the petitioners' submissions.

Cabinet's annual report to the House concerning petitions provided data on which petitions had been successful and which unsuccessful - the vital data on the 'end-product' of the process absent from previous studies. Much of the data found in The Journals and the reports of select
committees was also reproduced in Cabinet's report, presumably so that MP's can gauge the Government's response to specific petitions. These reports provided a further check on the accuracy of the data coded from The Journals and to a lesser extent that from the dossiers.

3.3 CODING TECHNIQUES

The next step towards quantitative analysis was to code the data gathered. The data was coded in six different ways; the way that was considered most appropriate for each variable is listed in Table 7.

---

**Figure 7**

CODING TECHNIQUES

<table>
<thead>
<tr>
<th>TO DISTINGUISH BETWEEN PETITIONS</th>
<th>TO MAKE A NON-QUANTITATIVE DISTINCTION</th>
<th>TO CODE DICHOTOUS VARIABLES</th>
<th>TO CODE FREQUENCIES</th>
<th>TO CONSTRUCT A LEAST TO GREATEST SCALE</th>
<th>TO CONSTRUCT A SPECTRUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Petitions were identified from the number assigned to them on their reception by the Office of the Clerk. For instance petition 70/104 was the one hundred and fourth received in the 1970 session.</td>
<td>2. The name of any group involved in the gathering and promoting of each petition.</td>
<td>9. The sex of the prime petitioner.</td>
<td>17. The number of signatories in each petition.</td>
<td>23. The scale of the issue concerning the petitioners. (From those which promote a desirable change to those which aim to prevent change.)</td>
<td>28. A spectrum concerning the petitioners' attitude to change. (From those which promote a desirable change to those which aim to prevent change.)</td>
</tr>
<tr>
<td>3. Other appeals tried by the petitioner prior to their petition. For example the Courts, a local body or the Ombudsman.</td>
<td>4. The issue which provoked the petition.</td>
<td>10. Whether the prime petitioner has previously organized a petition.</td>
<td>18. The number of debates and sessions select committees took to make their recommendations.</td>
<td>24. The professionalism of the petitioners' submission.</td>
<td>29. A spectrum concerning the specific issue of the petitioners' attitude to legislative change.</td>
</tr>
<tr>
<td>5. Any additional requests made by the petitioners. For example for an inquiry, Royal commission or compensation.</td>
<td>11. Concerning partisan and non-partisan topics.</td>
<td>11. Concerning controversial and non-controversial topics.</td>
<td>19-20. The opinion of submissions on the merits of petitions.</td>
<td>25. The level of select committee recommendation on each petition.</td>
<td>26. How any riders attached to the committee's recommendation related to the petition.</td>
</tr>
<tr>
<td>6. The name of the MP who sponsored each petition.</td>
<td>12. Concerning issues which had been previously provoked petitions and those that had not.</td>
<td>13. Concerning issues which had been previously provoked petitions and those that were not.</td>
<td>21. The size of the Governments' majority while each petition was being considered.</td>
<td>27. The decisions of Cabinet on actioning petitions.</td>
<td>27. The decisions of Cabinet on actioning petitions.</td>
</tr>
<tr>
<td>7. The select committee each petition was referred to.</td>
<td>14. Considered in election years and those that were not.</td>
<td>15. Sponsored by Government and Opposition MPs.</td>
<td>22. The number of sessions Cabinet took to make its decisions on the merits of petitions.</td>
<td>28. A spectrum concerning the petitioners' attitude to change. (From those which promote a desirable change to those which aim to prevent change.)</td>
<td>29. A spectrum concerning the specific issue of the petitioners' attitude to legislative change.</td>
</tr>
</tbody>
</table>
The first objective of the coding was to find a way to distinguish between the petitions in the study. This was done by adopting the labelling system used in The Journals to identify each petition (the range in this study being from petition 69/1; the first received in the 1969 session, to petition 83/247; the last received in the 1983 session). 8

An example of each of the other five coding methods used in this study will now be provided. The purpose of the first of these methods was to differentiate between data which had no relative value. For example each topic addressed by petitions was arbitrarily assigned a number to differentiate it from other topic categories. The purpose of the next coding method was to create dichotomous variables, so for instance petitions sponsored by Government members could be contrasted with those sponsored by Opposition members. The aim of the third method was to record a quantifiable increase in a variable; the number of signatures attached to each petition for example. The fourth way the data was coded was onto a scale. One scale for instance differentiated between petitions that concerned one or two individuals, towns and cities, provinces, the country as a whole, and the international community.

The final coding technique requires a little more explanation because it was the most subjective used in this study. Two spectrums were constructed on the basis of the petitioners' submissions; the first was an attempt (on the issue concerning them) to assess their attitude to change. A spectrum was also constructed in the more specific context of petitioners' attitudes to legislative change; 43.8% of petitions were framed in terms of legislation. These
petitions were coded on a spectrum from those that sought the repeal of existing legislation, to those seeking the creation of new legislation. The petitioners' attitude to change was determined from their submissions to select committees and the way their petition was worded.

3.4 COMPUTING

The Statistical Package for the Social Sciences was used to do all the computing in this study; cross-tabulation was the main technique used. Some use was also made of the frequency and breakdown techniques. The findings derived from the cross-tabulations were recorded and put onto graphs for presentation in the thesis.

All the statistical measures available with the cross tabulations were requested. The asymmetric Lambda coefficient was considered the most appropriate statistic for measuring the strength of association of nominal level cross-tabulations. The asymmetric Somer's D coefficient was selected as the most appropriate statistic at the ordinal level, and at the interval level Pearson's R appeared the most appropriate. As recommended by Cole, the strength of association uncovered with each cross-tabulation will be discussed using the terms developed by James Davis.

Figure 8

<table>
<thead>
<tr>
<th>Correlation Values</th>
<th>Appropriate Phrases</th>
</tr>
</thead>
<tbody>
<tr>
<td>+0.70 or higher</td>
<td>Very strong positive association</td>
</tr>
<tr>
<td>+0.50 to +0.69</td>
<td>Substantial positive association</td>
</tr>
<tr>
<td>+0.30 to +0.49</td>
<td>Moderate positive association</td>
</tr>
<tr>
<td>+0.10 to +0.29</td>
<td>Low positive association</td>
</tr>
<tr>
<td>+0.01 to +0.09</td>
<td>Negligible positive association</td>
</tr>
<tr>
<td>0.00</td>
<td>No association</td>
</tr>
<tr>
<td>−0.01 to 0.09</td>
<td>Negligible negative association</td>
</tr>
<tr>
<td>−0.10 to −0.29</td>
<td>Low negative association</td>
</tr>
<tr>
<td>−0.30 to −0.49</td>
<td>Moderate negative association</td>
</tr>
<tr>
<td>−0.50 to −0.69</td>
<td>Substantial negative association</td>
</tr>
<tr>
<td>−0.70 or lower</td>
<td>Very strong negative association</td>
</tr>
</tbody>
</table>
The quantitative result of a breakdown is a table showing the distribution of one variable; in this study signatories to petitions, in the coded categories of another variable. For example, the distribution of signatories among various topic categories was calculated.\textsuperscript{14} The statistical measure of association used with the breakdown technique is the regression coefficient.\textsuperscript{15} It was of limited use in this study because it is invalid unless both variables comprise interval level data; this meant it could only be used to measure the association between time (the years 1969 to 1983) and the number of signatories to petitions.\textsuperscript{16}

The most important application of the breakdown technique, without the aid of a statistic, was the measurement of the distribution of signatures among the levels of Cabinet response to petitions. This revealed the number of signatures acted on, and meant that the proportion of petitions acted on could be compared to the proportion of signatories.\textsuperscript{17}

3.5 STRENGTHS AND WEAKNESSES OF THE DATA AND METHODOLOGY

The data available to this study is comprehensive enough to facilitate the complete investigation of two of its three concerns. The fate of each petition can be determined, as can the relationship between selected petition characteristics and outcome. In contrast not all the select committee dossiers could be located in the time available; in all, 264 departmental reports and 372 submissions concerning 185 petitions were read.\textsuperscript{18} If it is assumed that
Government departments' reports and submissions have been written at this rate for all of the 604 petitions not allowed to lapse, then only 31% of this opinion has been included in the study. The possibility that the opinion analysed in this study is not representative of the overall picture must therefore be acknowledged.

The data has two further shortcomings. Firstly the minutes of select committees, contained in some dossiers, were not detailed enough to flesh out the deliberations of the committees on petitions. Generally the minutes noted only those present, when the committee met, and who presented reports and submissions. This meant at least two questions could not be investigated; firstly how often were minority opinions overridden in select committee reports to Cabinet; and secondly were select committee decisions really made in a non-partisan way, as assumed in the literature?^{19}

The second shortcoming stemmed from the fact that the separate reports sometimes made by departments to Cabinet on petitions were not analysed. This was because the practice was not recognised in time to investigate whether these reports were available for research. It seems reasonable though to assume that departmental opinion has been accurately assessed from their reports to select committees, because Cabinet generally requests that departments develop not reverse their arguments.

Because this study is relatively modest in scope these internal weaknesses do not undermine the validity of its findings. A more ambitious study would not only have set out to compare petitioners' requests to Government responses, but also would have tried to determine the extent to which
Government decisions are shaped by petitions. Such a study would have been very weak methodologically. As Oram points out,

"there are so many factors involved in the processes by which policies and procedures are changed, that it is very rarely that we can give a simple . . . explanation of a decision in terms of the influence of a particular person, group or organisation. Normally a complex pattern of forces is at work that will in many respects remain disappointingly imprecise."20

The fact that any given Government decision cannot be solely attributed to a petition provides the context in which this study's findings should be viewed. When, on the one hand, change appears to have been caused by a petition, it must be remembered that a number of other factors almost certainly contributed to this decision. In one extreme case in this study, the 'meeting' of a petition seemed to represent nothing more than confirmation that the Government had already decided to act.21 Even when a petition appears to provoke a reversal in Government policy, it may be that the Government finds the petition a convenient way to announce its response to other pressures. On the other hand petitions may appear to fail but indirectly help to provoke change.

According to Richardson, recognition of an issue is the first stage in any national policy-making process, petitions could achieve this.22 It is also possible that when MP's consider petitions in select committees the views they hear expressed influence them, but in a way which cannot be measured in terms of their immediate response to petitions. The investigation of such informal processes is beyond the scope of this study.

Such a study would only be possible based on behavioural premises not the process orientated premises which
underpin this study. And it is uncertain whether a beha-
vioural study would have been practical. As was pointed out
by the Legislative Department's Clerk of the Journals and
Records, simply getting MP's to remember how they felt about
most of the petitions presented a few years ago would probably
be an impossible task.\textsuperscript{23}

It has been argued in this section that sufficient
data exists to justify the quantitative methodology employed
in this study. However, such a methodology is only feasible
in terms of the narrow questions being asked about the peti-
tioning process. This study does not set out to determine
petitioning's place in the 'wider world' of political change,
and its causes. The way decisions are made on the merits of
petitions may not even be indicative of the way decisions are
arrived at over legislation, although both are considered by
a similar process.
Endnotes to The Methodology


2. Ibid p. 50.

3. From the 1983 session the Government instituted the Report on Parliamentary Petitions: Referred to the Government by the House (Wellington: Government Printer), which appears as the A.5 section of the Appendices to the Journals. This makes publicly available this previously unpublished information.

4. See Appendix Two, entitled "The Sources of Data Used in Quantitative Analysis". p. 142.

5. A typical dossier contained one or two reports on the merits of the petition from Government departments, the petitioners' submission and those of two or three interested groups or individuals. Outline minutes of committee proceedings and correspondence between the Legislative Department and the Committee were also often included.

6. The seven coded categories of this variable and the 'key words' which often appeared in the petition or the petitioners' submissions are as follows.

<table>
<thead>
<tr>
<th>Petitioners aim</th>
<th>Likely 'key words'</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Prevent the undesirable.</td>
<td>Oppose, reverse, abolish, ban, censure, repeal, outlaw, control, reject, resite, restrict, remove.</td>
</tr>
<tr>
<td>2. Investigate the undesirable.</td>
<td>Inquire, send to Ombudsman, Royal Commission or the Courts.</td>
</tr>
<tr>
<td>4. Suspend a decision until ...</td>
<td>Referendum, more information supplied, defer, more public debate.</td>
</tr>
<tr>
<td>5. Continue as long as ...</td>
<td>Preserve, retain, restore, reconsider closure.</td>
</tr>
<tr>
<td>7. Promote the desirable.</td>
<td>Increase.</td>
</tr>
<tr>
<td>7. Insufficient data to code.</td>
<td></td>
</tr>
</tbody>
</table>

7. See endnote 3 of Chapter 5 for details on the coding of this variable.

8. See The Journals to see this system in operation, for instance for the latest published session; 1984 p. 56-81.

9. Those petitions which expressed an attitude to legislation were coded into the following categories:
   1. Wanted existing legislation repealed or amended.
   2. Did not want prospective legislation enacted.
   3. Wanted current legislation retained.
   4. Wanted new legislation created.

11. A Hewlett Packard Graphics package was used to generate the graphs and pie-charts which appear in this thesis.

12. Nominal level data is data which is coded with numbers which have no relative value. For instance each MP who sponsored a petition was distinguished by a separate three digit number. The use of the Lambda statistic with nominal level data is discussed in Richard L. Cole's, *An Introduction to Political Inquiry* (New York: MacMillan, 1980) pp. 115-119. A general discussion of the selection of the most appropriate statistic can also be found in Cole pp. 132-135. Asymmetry refers to the fact that the researcher is assuming a directional relationship between variables (the independent variable is impacting on the dependent variable).

   Note: Lambda has a range of 0.0 to +1.0.

   Ordinal level data is data which is ordered with respect to the degree to which they possess a certain characteristic when this characteristic cannot be quantified. For instance, petitions were ordered with those which concerned an individual to those that concerned an international issue. The application of the Somers D statistic is discussed by Cole op. cit. pp. 130-131. Somers D has a range from -1.0 to +1.0. See Cole op. cit. p. 121.

13. Interval level data is data which can be ranked with constant intervals. For instance the number of signatures attached to a petition is interval level data. Interval level measures are discussed by Cole in Chapter 7. Pearson's R has a range from -1.0 to +1.0.


15. See p. 97 (in Chapter 5) for a pie chart presenting this finding.


17. As Cole advises op. cit. pp. 153-155 lower level statistics were used for all mixed level cross-tabulations.

18. See p. 79 (in Chapter 4) for this comparison.

19. The total number of reports considered was 264, 191 were critical of the petitioners' objectives and 73 supportive.

   The total number of submissions comprised 150 submissions from individuals supporting the petition and 24 individuals opposing the petition, as well as 128 groups in support of the petition and 70 groups in opposition.

19. For instance, Eric Taylor op. cit. p. 181 believes "the effect of meeting in a small, compact body, round a table, is disastrous to party solidarity: impartiality keeps breaking through, conclusions are often out of alignment with Government policy. In contrast, Mary Batchelor (Labour, Avon) in an interview stated that, as far as petitions were concerned, if they favoured Government policy they usually received a favourable recommendation or better and "consideration" if they opposed Government policy."
20. O. Oram, "Investigative Select Committees in the 1966 House of Commons: The Effect of an Experiment in Parliamentary Reform upon the House of Commons, the Political Parties, the Executive and the Public", Ph.D. dissertation, University of Strathclyde 1975 p. 257.

21. See p. 79 of Chapter 4 for the details of this case.


CHAPTER IV

THE OUTCOME OF PETITION CAMPAIGNS

4.1 CHAPTER OBJECTIVES

In section 1.4 it was proposed that an appropriate way of understanding how the consideration process works is as a series of filters, through which a petition must pass before it can be met. In this chapter the impact these filters have on petitions, and to a lesser extent the signatories they represent, will be examined. Once the number of successful petitions and signatories is known the validity of the main hypothesis will be discussed.

In addition to aggregate analysis, the specific 'successes' of petitioning will be listed in an appendix. This data will be used to determine how often petitions helped provoke the Government to 'minor', 'moderate' and 'major' action. A distinction will also be drawn between petitions acted on in their entirety and those only partially met. Lastly an attempt will be made to relate the effectiveness of petitioning to that of a more prominent appeal mechanism: the Ombudsman.

4.2 PETITION FAILURE

4.2.1 At Parliamentary Reception

Even before a petition enters the process in which its merits are assessed, there are at least five reasons why it may proceed no further. Three of these reasons concern the requirements of the Standing Orders which govern their
admissibility. Specifically a petition may be rejected because it does not measure up to the standards of presentation expected under SO's 366 to 376, or if the Clerk of the House determines that it should be dealt with outside Parliament, or if he determines that it brings no fresh evidence to a previously petitioned issue.¹

As a result of the 1985 revision of standing orders the Clerk is required to list the rejected petitions in The Journals.² Because this was not the case during the study period information had to be gathered in other ways. According to the Clerk of the Journals and Records, who helps determine which petitions are admissible, only two petitions were "thrown out" between 1982 and 1984 because they were sub-standard.³ Generally, following advice from the Legislative Department, petitions were revised in line with standing orders.⁴

If the subject matter of petitions is anything to go by, then few are rejected under the 'fresh evidence' requirement of Standing Order 384 either. Petitions on the same topic were received throughout the study period, most often concerning French nuclear testing, native forest preservation and moral issues, such as abortion.⁵

Unfortunately, information on the number of petitions sent to other bodies under Standing Order 384(a) is difficult to obtain. In his 1979 report the Chief Ombudsman did comment that only four petitions had been referred to his office for "investigation and report" since its establishment in 1962; the two referred during the study period both failed.⁶ No petitions were traced to the courts from Parliament during the study period, although after a High Court decision the
Wellington City Council was forced to recognise the validity of ratepayers' signatures in a 1984 petition opposing raw sewage outflow into that city's harbour.

Although not spelt out under Standing Orders a petition can also be refused if one person tries to be the prime petitioner for more than one petition on the same topic in a session. This rule has not been a barrier to persistent petitioners who simply re-submit from a slightly different perspective in later sessions. Similarly, on the rare occasions when petition campaigns have been organized by a political party, this limitation has been circumvented; by delegating 'front people' to be prime petitioners.

The final reason identified why a petition may advance no further was that the petitioners may have chosen to withdraw it: that is while it was being processed by the Legislative Department they decided not to present it after all. Beverly Pentland's petition seeking restrictions on the sale of fireworks to children was the only example uncovered in this study. After going to the effort of gathering a petition, it seems reasonable to assume that few petitioners would withdraw, unless their requests were met by intervening events.

On the basis of this limited information it seems that the great majority of petitions gathered were then received by Parliament. Certainly this was the impression gained from the Legislative Department in 1984, which saw its role in terms of helping petitioners, wherever possible, to bring their petitions into line with Standing Orders.
4.2.2 Petitions Allowed to Lapse

The first filter which had a measurable impact concerned petitions allowed to lapse by select committees. A petition lapses if no report is made on its merits by a select committee in the session it was received, or it may lapse after being held over and receiving no report in subsequent sessions. In all 1039 petitions were received by Parliament and referred to select committees in the study period. These petitions represented 3,973,099 signatories. Forty-two percent of these petitions (n=435) representing 16% of the signatories (n=634,920) were allowed to lapse.

David McGee (at that time the Deputy Clerk of the House) has suggested that petitions lapse because select committees run out of time to consider them.\textsuperscript{11} This statement, however, is misleading because it implies MP's devote equal time to each petition in turn. In fact petitions presented early in a session have been allowed to lapse and those presented late have attracted the attention of a committee.\textsuperscript{12} This suggests that MP's make a conscious decision to ignore a significant minority and concentrate their attention on those petitions they believe are worth investigating.

The wholesale lapsing of petitions presented in 1983 and 1984 (293 in all) is an extreme example of how petitions can also be the casualties of a change of Government. Normally the Government uses an empowering measure to carry over the legislation and other business before the House, but in this case the calling of a snap election decision meant this procedure was not followed, so all the petitions being considered lapsed. The Labour victory probably
The filtering of petitions

Population: All the Parliamentary petitions gathered 1969-83

An unknown number of petitions were gathered but not received by the House

Received

1039 +

No's of Petitions

435

Allowed to lapse

41.9%

58.1%

604

A select committee recommendation was made

32.3%

50.1%

604

Following a 'no recommendation' by a select committee Cabinet did not act

32.3%

67.7%

409

The petition received a recommendation of 'consideration' or better

67.7%

39.4%

409

Cabinet decided not to act because:

48.2%

51.8%

373

Any other reason

43.0%

35.9%

197

It was considered the petition was by current or former Cabinet officials

19.0%

176

192

The petition disappeared while still under Cabinet 'consideration'

40.2%

59.8%

95

102

19

Not sent after an inquiry

18.6%

81.4%

3

03

Requests partially actioned

81.4%

18.6%

27

56

Requests fully actioned

67.5%

32.5%
precluded the reconsideration of these petitions because most sought the repeal of contentious National legislation which was not reintroduced.13

4.2.3 After Receiving a "No Recommendation"

Six hundred and four petitions, still representing the bulk (84%) of the signatories, were not allowed to lapse. Cabinet received a report on each from a select committee: the least favourable category of recommendation permitted is "no recommendation". This proved to have just as devastating an effect on a petition as if it were allowed to lapse. None of the 18.7% of petitions (n = 195) which received such a recommendation were met. These petitions represented 364 752 signatories or 9.2% of the total. So 39.4% of the petitions received a more favourable recommendation and these still represented 74.8% of the signatories.

4.2.4 After Receiving a More Favourable Recommendation

Besides "no recommendation" the three recommendations commonly used by select committees, in ascending order are: "for consideration", "for favourable consideration", and "for most favourable consideration". Less commonly it is recommended that a petition be sent to a sitting inquiry or that one be established to consider it.

Cabinet considered that thirty-four petitions should not be acted on because they were already "met by current policy". These petitions represented 6.9% or 276 442 of the signatories. Another 16.9% of the petitions (n = 176) received a more favourable recommendation than "no recommendation" and
were not acted on for another, often unspecified, reason. These petitions represented the largest number of signatories of any category in the study: 1 509 093 or 38% of the total. The refusal of Cabinet to meet so many signatories largely redressed the balance between petitions and signatories 'surviving' each filter.

It would be too extensive a task to comment on each petition the Government refused. For this reason the decisions made in a session chosen at random, 1978, will be used to outline some of the justifications Government gave for its inaction. Of the seventeen petitions which reached Cabinet that year seven were declined without any explanation to the House. No action was taken on two petitions after the Government upheld a local body decision not to act. In five other cases the Government was satisfied that even though a decision had gone against the petitioners, the decision-making process had fairly taken their views into account. In one further case no action was taken because the evidence used by the petitioners to argue their case was deemed "unsound". In 1978 only one petition was met and one partially met.

Returning to the overall picture; once the affect of the third and fourth filters is added to the first two, only 197 petitions, or 19% of the total, were still 'alive'. Proportionately more signatories 'survived' the first four filters (1 187 892 or 29.9% of the total), although the difference between the two sets of figures continued to narrow. Two filters now separate the remaining petitions from
Government action.

4.2.5 Disappearance While still "Under Consideration" by Cabinet

According to Cabinet's annual report ninety-five petitions (9.1% of the total) were "still under consideration" or were to be "taken into account" in the formulation of "future policy". These petitions represented 150,197 signatories (3.8% of that total). The deferral of a decision to an unspecified future date implies that these petitions were at most a minor factor in later decision-making. It is more likely that this was a euphemistic way of announcing no action would be taken on these petitions. In contrast, the petitions which the Government was actively considering between sessions, such as those concerning Maori land rights, reappeared in later sessional reports.\textsuperscript{14}

4.2.6 Failure after an Inquiry

After the petitions which disappeared during Cabinet 'consideration' are subtracted from the remainder, we are left with 102 petitions (9.8% of those received) representing 1,037,695 signatories (26.1% of the total).

During the study period sixty-two petitions included requests for inquiries or Royal Commissions. Interestingly, none of these were sent to an inquiry while none of the twenty-seven petitions that were sent to an inquiry by Cabinet had requested such action. Paradoxically a way to guarantee that a petition will not be sent to an inquiry is to request that it should be! Perhaps Parliamentarians react adversely to being pressured into initiating inquiries, reserving this decision for themselves. Only the 'Save Manapouri' petitions,
and a petition seeking equal standing between chiropractic
and conventional medicine under welfare legislation, lead to
the convening of a petition. The others were referred to
inquiries which were already sitting.

It proved difficult to establish what impact the
petitioners' requests had on these inquiries outcomes
because no mention was made of a petition in any report.
Given this, it was hard to avoid the conclusion that the
petitions were usually incidental to such investigations,
even when a report appeared to satisfy the petitioners'
requests. For example, the Royal Commission on Nuclear Power
Generation in New Zealand recommended that no decision on
reactor construction be made until the mid-1990's. Yet this
recommendation was based on a forecast that New Zealand
would not need the capacity until some time after then, not
the environmental concerns of the petitioners.\textsuperscript{15}

Of the petitions inquired into there was a substantial
link between request and response in only eight cases. Six
of these were the Manapouri petitions, which were met. The
seventh was the chiropractic petition which was partly met
by a Commission.\textsuperscript{16} The eighth, requesting captions for the
deaf on television, was granted by the Broadcasting Corpora-
tion which initiated a specialised news programme.\textsuperscript{17}

To summarize, at most ten petitions concerning just
these four issues were at least partially met: they repre-
represented 292 031 signatories (8.3\% of the total). The other
seventeen petitions inquired into were not sustained.
These represented 161 168 signatories or 4.0\% of the total.
4.3 PETITION SUCCESS

4.3.1 The Aggregate Picture

In this study three groups of petitions have been combined to determine how many were successful: those that Cabinet made a commitment to act on in its sessional report, those it went some way to meeting, and those petitions met after they were inquired into. From 1969 to 1983 the Government moved to act on forty-seven petitions or 4.4% of all those it received; these petitions represented 189,020 of the signatures received. In a further twenty-six cases Cabinet's decision partially met the petition (2.5% of those received), representing 197,821 signatories (5% of the total). When these findings are combined with the inquiry finding the total number of petitions which were in some way successful can be calculated. In total eighty-three petitions (7.7% of those received) representing 876,527 signatories or 22% of those received were successful in these terms.

In aggregate terms then, it is clear that nearly all petitions are unsuccessful. To verify this the specific actions which were to some extent the result of petitioning were investigated. Without such an investigation, the slight possibility that the aggregate findings hid major changes associated with petitions could not be discounted.

4.3.2 The Types of Action Associated with Petitions

The eighty-three petitions which were associated with a change have been placed in seven categories. These categories were determined by ranking petitions from those associated with the greatest change to those associated with the least. \(^{18}\) The type of change secured seemed to fall into seven fairly coherent categories.
The first category consists of petitions concerning seven major infrastructural decisions. The Manapouri petitions are probably the best known of these. The investiga-
tive select committee they helped trigger recommended that the hydro electric development on the lake be modified to save its scenic shoreline, and this recommendation was accepted by Government. Another petition campaign was associated with the decision not to build a second university in Auckland and a third on the deferral of the decision on nuclear power generation. The construction of a hospital at Henderson, the northern motorway out of Auckland and a runway extension at Christchurch Airport may all have been accelerated by a petition.

The second category includes five petitions which helped bring considerable benefit to a specific group. Tauranga Maoris were offered compensation for the land seized from them in 1864 during the Land Wars. The disabled benefited from three petitions; one helped provide captions for the deaf on television, a second subsidies for those cancer patients needing prostheses, wigs and artificial eyes, and a third gave the blind more freedom to take their guide dogs into places where animals were otherwise prohibited. Lastly chiropractors benefited from their partial inclusion in the subsidised health care system.

The third category concerns two petitions which may have contributed to national road safety. The most important one helped lead to the introduction of regulations requiring more protection in cars for children under eight. The other led to a tightening of the regulations determining safe loadings on trucks.
The fourth category also concerns national issues, but in these cases the petition's contribution was probably only to speed up a decision which was already being contemplated. Two of the petitions in this category concerned conservation. One was associated with the establishment of a forest park in the Kaimai Ranges and the second helped provoke the Government into agreeing that exotics should not be planted in areas which would first have to be cleared of beech forest. Another petition calling for the lowering of the voting age from twenty-one to eighteen was partially successful; the voting age being lowered to twenty. The fourth petition in this category helped lead to the banning of phosphorous in the control of noxious animals. The last petition in this category lead to one of a number of defences Government made of the pace at which it was introducing Maori culture and language into schools.

The fifth category is minor foreign policy initiative. One petition was associated with a Government commitment to aid Biafran famine victims, another prompted the Government to make one of its many calls to France to halt their nuclear test programme at Mururoa. A third encouraging closer contact with the Soviet Union was responded to by the re-establishment of the New Zealand Embassy in Moscow.

A relatively high proportion of the successful petitions concerned small-scale issues such as local land use wrangles and individual grievances; twelve of these cases were settled in the petitioners' favour. Improvements to the safety of a few suburban intersections are also best placed in this, the sixth, category.

The seventh category consists of petitions which
helped bring about the least Government response. Some of these petitions required only a gesture from Government to be met. For instance, two petitions simply asked that their requests be forwarded to the United Nations. In two other cases the Government itself decided a gesture was all that was required, so New Zealand banned the export of cat skins and the importation of whale-based products; hardly major economic decisions. Four petitions were also met as a matter of course; these were the special-purpose 'privilege' petitions requesting the release of Parliamentary documents for court use. Unlike petitions generally the House seemed to have the final say on whether these would be granted, the decision being made on a voice-vote.

4.3.3 Developing the Aggregate Finding

The initial aim of this section is to recategorize the effective petitions listed above, into those that helped provoke 'minor', 'moderate', and 'major' Government action. The following criteria were used to sort the petitions into these categories.

Figure 10

THE GUIDELINES USED TO DISTINGUISH BETWEEN PETITIONS WHICH HELPED PROVOKE A "MINOR", "MODERATE" OR "MAJOR" GOVERNMENT ACTION

<table>
<thead>
<tr>
<th>HELPFUL PROVOKE GOVERNMENT TO &quot;MINOR&quot; ACTION</th>
<th>HELPFUL PROVOKE GOVERNMENT TO &quot;MODERATE&quot; ACTION</th>
<th>HELPFUL PROVOKE GOVERNMENT TO &quot;MAJOR&quot; ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 A small scale infrastructural or land usage change was made.</td>
<td>1 A change was made to a town or city-scale construction project.</td>
<td>1 Changes were made to a national or residential-scale construction project or a major change to land usage was made.</td>
</tr>
<tr>
<td>2 A personal grievance was settled.</td>
<td>2 An issue of concern to a small segment of the public was settled.</td>
<td>2 An issue of concern to the public as a whole or to a substantial group within it was settled.</td>
</tr>
<tr>
<td>3 Meeting the petition cost the Government little financially.</td>
<td>3 A moderate cost was required to meet the petition.</td>
<td>3 The Government was faced with considerable expense or financial loss to meet the petition.</td>
</tr>
<tr>
<td>4 To meet the petition the Government had only to forward the petition elsewhere or make a gesture.</td>
<td></td>
<td>4 The Government was required to act itself.</td>
</tr>
<tr>
<td>5 The petition was special purpose; the leave of the House was being sought on a matter concerning its privileges.</td>
<td></td>
<td>5 The petition was general purpose.</td>
</tr>
</tbody>
</table>
The tiny amount of action Government takes on petitions is highlighted by this recoding exercise. Of the eighty-three petitions at least partially met 'minor' action was taken in thirty-eight cases and 'moderate' action in a further twenty-seven cases. Only eighteen petitions secured a 'major' action. An overlapping group of twenty-seven petitions (n=26 or 31% of those actioned) were only partially met. These distinctions indicate that only a minority of those petitions actioned were associated with nationally important change. In relation to all the petitions received by the House less than 2% were associated with such a change.

**Figure 11**

![Chart showing the level of action the Government committed itself to](chart.png)

The main finding is also strengthened by looking at the extent to which even these few changes can be attributed to petitions. Throughout this chapter terms which imply a causal link between petitioning and change have been avoided. Such caution may not have been necessary when it came to petitions associated with 'minor' actions: many of the issues of concern to these petitioners were so small they probably would not have come to the attention of the Government but for the petition.

The link between request and response was far less direct when a petition was associated with a 'moderate' or a 'major' action. With a few exceptions the validity of Oram's warning not to attribute Government decisions to one
cause is evident. This is even true of the most prominent petitions to succeed in the period: the 'Save Manapouri' petitions. In both 1960 and 1963 the Royal Forest and Bird Protection Society petitioned Parliament in protest against the decision to go ahead with a high dam. These petitions may have helped put the issue on the political agenda but they were not enough to prevent construction beginning on the dam; in the words of a biographer of the conservation movement they were, in fact, "brushed aside". The petition gathered in 1970 was more effective than its predecessors because it was associated with widespread public dissatisfaction. Protest took a number of forms beside the petition, including New Zealand's first environmental demonstrations, an intense media campaign from conservationists, and public meetings which sometimes put Parliamentarians and NZED officials before an irate public. Labour's "anxiousness for victory", which lead it to adopt a popular conservationist stance in the 1972 campaign, has also been seen as more important than the petition in 'saving' the lake. The petition's contribution was that it provided a focus for the public discontent which led to the convening of an investigative select committee; the only time this has occurred on the strength of a petition.

It is probably just as inaccurate to attribute less well documented Government decisions solely to petitions. It seems improbable, for example, that a petition could do more than speed up such decisions as the establishment of an embassy in Moscow or Maoritanga in the classroom. Judging by the reports of Cabinet to the House sometimes there is virtually no linkage between requests and responses. A few petitions appeared to be 'acted on' simply because they were
submitted just after the Government had already made a
decision. For instance, tenders had already been let for
the public hospital at Henderson when this petition was
'met'.

It was found that a disproportionately large number
of signatories were met: 876 527 signatures or 22% of all
those received were attached to petitions which were at least
partially met. This finding needs some explanation. It was
found on further investigation that three of the eight
largest petitions were at least partially successful and
that 64% of the signatories attached to successful petitions
were from these. This could indicate that larger petitions
were effective more often than smaller petitions. This
question will be pursued in the following chapter, where
the correlation between petition size and success will be
tested. But at this stage it seems the success of these large
petitions does not indicate an overall association because
sixteen of the successful petitions were also found to have
had only one or two signatories.

4.3.4 In Comparison to the Ombudsman

The Ombudsman's role is far more specific than that of
Parliamentary petitioning. The Ombudsmens Act limits his
jurisdiction to examining cases brought by individuals
against Government organisations and local bodies. In con-
trast the majority of petitions concern social issues. As we
have seen in the last fifteen years less than one in ten
could be classed as individual grievances. Despite their
different roles they are both forms of public appeal and
offer an interesting comparison. It has been assumed that
the Ombudsman is substantially more effective than petitioning.
In this section this assumption will be tested.
Like select committees, the Ombudsman has only been delegated the power to make recommendations. Unlike petitioning, when the Ombudsman recommends action, it is thought this advice is "rarely rejected by Government" and its agencies.30 Unfortunately the volume of cases 'sustained' by the Ombudsman (over 2,000 in the study period) was too large to investigate how often this advice was taken. This methodological shortcoming leaves the comparison open to the same criticism that was made in the literature review of previous studies of petitioning. Specifically, that the process has not been followed through to the responses of Government, so nothing conclusive can be said about the Ombudsman's effectiveness.

There is a second weakness involving the data: before 1979 a distinction was not drawn between cases 'discontinued' in the complainants' favour under section 17 (1)(b) of the Act, and cases 'discontinued' against the complainants under section 17 (1)(a).31 Investigations were 'discontinued' in the former case if a settlement was reached between the complainant and, say, a Government department, before the Ombudsman made his report. In the latter case investigations were ended because the Ombudsman concluded that the complainant should appeal elsewhere. These weaknesses mean that the result of the comparison is not as conclusive as is desirable.

It was found that 9.6% of the cases dealt with by the Ombudsman from 1969 to 1983 were 'investigated and sustained'. This is not significantly larger than the 8% of petitions at least partially met. Yet the influence of the Ombudsman is probably greater than this figure suggests. From 1979 to 1983 11.4% of the cases were discontinued because the
complainants had reached an agreement with the organisation they thought to be at fault. If these figures are characteristic of the study period then 21% of the cases dealt with by the Ombudsman ended in the complainants' favour.

In terms of the number of times the Ombudsman agreed with the complainants outright, he also seemed more effective. The 9.6% of cases 'investigated and sustained' represented 2,190 cases, more than twice the number of petitions received by the House and twenty-seven times the number of successful petitions. In comparison to the eighty odd successful petitions, the two thousand small administrative reforms made and injustices rectified by the Ombudsman seem far more significant. But in the absence of detailed analysis of the complaints resolved by the Ombudsman a more unequivocal conclusion is not possible.

Figure 12

THE DECISIONS OF THE OMBUDSMAN 1969–83

![Diagram showing decision outcomes]
Endnotes to the Outcomes Chapter

1. David McGee op. cit. pp. 347-9 provides the most thorough discussion of the standing orders which govern Parliamentary petitions.

2. In a letter to a colleague dated 24 September 1985 the current Clerk of the Journals and Records, Cameron Mander, stated this was to be the case from 1985.

3. According to the last Clerk of the Journals and Records these two petitions were both presented in early 1982. The first, from morals campaigners was so "garbled" that it indicated "mental unbalance". The second concerned an environmental issue and was incorrectly addressed to the Cabinet. It was not returned after a correction was asked for.

4. According to the last Clerk of the Journals and Records two common errors were failure to head each signatory form with the prayer and addressing the petition to somewhere else besides Parliament.

5. The following are examples of petitions presented during the study period on the same topic:
   - Seeking restrictions on fireworks 70/9, 71/32, 74/8 & 23.
   - Seeking an end to French nuclear testing in the Pacific 71/20 & 21, 72/1, 3 & 24, 74/17 & 24, 79/26.
   - Other issues which appeared repeatedly during the study period were Beech forest preservation, anti-vivisection and both pro and anti abortion petitions.


   These were petition 71/31 from R.E. Cheer and 11 others "Praying for effect to be given to a decision on the siting of a bridge over the Onga Onga Stream on State Highway 50". This petition could not be distinguished from similar cases considered by the Ombudsman, but it probably failed because all six cases brought against the National Roads Board in 1971 and 1972 failed.

   The other petition known to have been considered by the Ombudsman during the study period was 76/21 from G.W. Hawkins and 5 088 others. "Praying that the House request the Postmaster-General to investigate the circumstances under which the provision of a free-calling service for the residents of Papakura, Manurewa and the surrounding district was deferred". In his 1977 Report the Ombudsman accepted the Post Office's explanation that delays to the extension of the toll-free area had been justified by an unexpected rise in the cost of a "new technology" needed.

7. Mr Anthony Reid for instance petitioned three times concerning the Matrimonial Property Act 1976. In 1979 (Petition 79/34) he prayed for an inquiry "into the role of legal counsel in family matters and for reform of the disciplinary procedures within the profession". In 1982 (82/12) he petitioned against the enactment of the Matrimonial Property Amendment Act 1980 which made it more likely that pre-marriage property would be seen as separate after a marriage broke down. In 1983 (83/23) he presented a very similar petition.
8. This may have been the case with the petitions gathered in opposition to the Transport No 5 Amendment Act. These petitions may well have been organized from within Labour Party Headquarters. See also endnote 23 of the Literature Review for allegations to this effect from politicians.

9. Mrs Pentland seemed to decide that she would be more effective if she lobbied MP's around Parliament. Source a radio interview with Mrs Pentland as part of episode six of the Radio New Zealand series "Getting Involved" broadcast on July 20th 1984.


12. For example the first petition presented in the 1972, 1975 and 1977 sessions were allowed to lapse while one of two petitions acted on from the 1983 session was the 142nd received that year.

13. The three large politicised campaigns of 1983:
* opposed The Transport Amendment Bill (No 5)
* opposed The Industrial Law Reform Bill
* opposed The State Services Conditions of Employment Amendment Bill.

14. For instance petition 79/67 from the Ngaitahu Maori Trust Board of Otago Praying "for a commission of Inquiry into the sale and use of ancestral land and loss of fishing rights . . ." was last heard of in 1981, when it was "still being considered". Petition 79/55 was a more extreme example. It prayed that "the bed of the Wanganui River should be vested" with the tribes whose territory it flows through. It was not reported on until 1983 when the Government stated that it had "always recognised the spiritual significance of the mana attached to the Wanganui by the seven tribes living on its banks". Nevertheless it declined the application for title to the bed of the river. Instead "the possibility of establishing a National Park based on the Wanganui River" was being investigated.

15. See the conclusion to The Report of the Royal Commission on Nuclear Power Generation in New Zealand, Appendices to the Journals (H 4) 1978 p. 279.

16. The Report of the Commission of Inquiry into Chiropractic in New Zealand was published in the Appendices to the Journals (H 2) 1979. On p. 126 the Commission recommended that New Zealand adopt a scheme similar to that in Ontario where chiropractic is recognised under accident compensation legislation. According to William Jarvis "The New Zealand Chiropractic Report: An Evaluation", The New Zealand Journal of Physiotherapy Volume 8 Number 1 April 1980 p. 8 this petition lead to the "legitimization". In a later issue (Volume 8 Number 3 November 1980 p. 12) The Journal commented that the Commission's report had lead to the partial integration of chiropractic into the "subsidised health care system" p. 14.

17. Petition 79/5 was referred to The Broadcasting Corporation, and this helped bring about a half hour captioned news summary with captions called "News Review".
18. These subjective criteria were derived from table 10.

19. Petition 80/48 expressing "New Zealand Women's desire for peace" and Petition 82/13 protesting the Polish human rights situation requested only that their petition be forwarded to the United Nations. Both these petitions were met.

20. The Clerk of the House confirmed that these petitions are routinely granted in a memorandum to the Privileges Committee concerning petition 79/60; he described their granting as "a matter of course".

21. The motions to meet three of these petitions can be found in NZPO Volume 428, 1979 p. 4789 (petition 79/60), Volume 441,1981 p. 3469 (petition 81/37) and Volume 454, 1983 p. 3481 (petition 83/142).


24. Wilson Ibid. p. 11-12 passim.

25. This appears to have been the order of events as recorded in the Government's annual report on petitions for 1970.

26. The following is a list of the ten largest petitions received in the study period.

1. Petition 77/12 from G. Davis and 341 159 others. Praying for the enactment of the 'Maruia Declaration' which sought the preservation of native forests.

2. Petition 76/29 from R. MacKenzie and 333 087 others. Praying that Government not allow nuclear power reactors in New Zealand and that (it) publish a programme to put into effect "sustainable non-nuclear energy systems".

3. Petition 70/14 from Nelson Cullen (for The Royal Forest and Bird Protection Society) and 264 906 others. Praying for the preservation of the Lake Manapouri shoreline environment by not raising the lake's level for hydro development.

4. Petition 82/19 from Save Animals from Experiments and 120 000 others. Praying for the "elimination of all non-medical experiments on living animals" and for associated measures.

5. Petition 75/41 from the Society for the Protection of the Unborn Child and 113 381 others. Praying that "the unborn child be accorded a right to life and for related purposes".

6. Petition 76/22 from E. Elliott et. al. and 94 443 others. Praying "that no legislation be passed which would lower the drinking age from 20 to 18".

7. Petition 75/4 from R.A. Houston and 94 210 others. Praying that chiropractors be accorded equal status with conventional medicine under the Social Security and Accident Compensation Legislation.
8. Petition 73/38 from the Royal Forest and Bird Protection Society and 88 264 others. Praying for the preservation of native forests.

9. Petition 72/1 from Mrs A. Fisher and 81 474 others. Praying "that the Government take strong action to prevent French nuclear testing in the Pacific".

10. Four petitions were gathered by REPEAL, an organization seeking the "repeal of the Contraception, Sterilization and Abortion Legislation" which had between 79 705 signatories and 79 726 signatories. If these 1978 petitions are considered together then they were the third largest campaign, and the petitions following 70/14 would have to be demoted one place.

27. The sixteen petitions with only one or two signatories which were at least partially met were: 69/2, 69/17, 69/34, 71/17, 73/20, 74/44, 76/28, 76/34, 79/5, 79/21, 79/60, 81/37, 82/17, 82/36, 83/142.

Note This includes four petitions concerning the privileges of the House which were presented by an organization.

28. The Ombudsmen's Act is published in New Zealand Statutes (Wellington: Government Printer, 1975) Volume I Number 9. The schedules of the Act, which list the Departments and organisations over which the Ombudsman has jurisdiction to investigate, can be found on pages 114 to 118.

29. See p. 39 of the Literature review for this discussion.

30. Editorial, The Christchurch Star October 20 1984. The recently retired Chief Ombudsman, George Laking, discussed the effectiveness of his office in his Annual Report for the year ended 31 March 1983 p. 5. He believed the adoption of his recommendations was dependent on them being seen as "reasonable" and "practicable". In the longer term the reputation of the Ombudsman as "an impartial investigator, operating even-handedly ... between the complainant and the agency concerned" would ensure his recommendations were actioned.

31. For more detail on this distinction see The Ombudsmen's Act op. cit. p. 102. See also the Ombudsman's Annual Report for the year ended 31 March 1984 p. 4, where this distinction is made on the table headed "disposition of complaints".
CHAPTER V

THE CORRELATES OF SUCCESS

5.1 CHAPTER OBJECTIVES

This chapter has two central objectives: firstly to determine the effect selected petitions characteristics have on petition success, and secondly whether the way petitions were considered affected their chances of success. This chapter also seeks to determine whether there were any significant changes in the variables during the study period; particularly whether petitions became more or less successful. Lastly the way the opinions of the participants in the process relate to each other, and affect the outcome of petition campaigns will be examined.

5.2 LEVELS OF ASSOCIATION

5.2.1 'Substantial' to 'Moderate' Associations

In all the effect of twenty-two independent variables on select committee recommendations and Cabinet decisions were examined. Generally stronger correlations were found at the select committee stage than at the Cabinet decision stage of the process.\(^1\) There was a moderate correlation between select committee recommendations and seven variables while this strong a correlation was found between Cabinet decisions and only three variables. On the next two pages these findings, along with all the cross-tabulations in the study, are presented diagrammatically. The strongest associations are at the top of the table and the weakest at the bottom.
**Figure 13**

**THE CORRELATES OF SELECT COMMITTEE RECOMMENDATION**

<table>
<thead>
<tr>
<th><strong>The independent or 'cause' variables:</strong></th>
<th><strong>The dependent or 'effect' variable:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 The number of months from the reception of the petition to the select committee's report to Cabinet on its merits</td>
<td>The recommendations select committees made to Cabinet on petitions</td>
</tr>
<tr>
<td>( \tau_c = +0.42 )  ( \text{Somer's } d = +0.51 )</td>
<td></td>
</tr>
<tr>
<td>2 The frequency with which each issue provoked petitions</td>
<td></td>
</tr>
<tr>
<td>( \lambda = +0.44 )</td>
<td></td>
</tr>
<tr>
<td>3 The petition was held over while being considered by a select committee</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = -0.20 )  ( \text{Somer's } d = -0.41 )</td>
<td></td>
</tr>
<tr>
<td>4 The select committee the petition was referred to</td>
<td></td>
</tr>
<tr>
<td>( \lambda = +0.35 )</td>
<td></td>
</tr>
<tr>
<td>5 The size of the Government's majority while the petition was being considered</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = +0.30 )  ( \text{Somer's } d = +0.33 )</td>
<td></td>
</tr>
<tr>
<td>6 The professionalism of the petitioner's submission</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = +0.15 )  ( \text{Somer's } d = +0.43 )</td>
<td></td>
</tr>
<tr>
<td>6* The petitioner's attitude to change; on a spectrum from those trying to prevent what the petitioners see as undesirable to those promoting the desirable</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = +0.20 )  ( \text{Somer's } d = +0.36 )</td>
<td></td>
</tr>
<tr>
<td>8 Petitions on topics where the two major parties had opposing views</td>
<td></td>
</tr>
<tr>
<td>( \lambda = +0.22 )</td>
<td></td>
</tr>
<tr>
<td>9 The size of the petition</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = +0.13 )  ( \text{Somer's } d = +0.13 )</td>
<td></td>
</tr>
<tr>
<td>10 The strength of the group backing the petition</td>
<td></td>
</tr>
<tr>
<td>( \tau_c = +0.07 )  ( \text{Somer's } d = +0.22 )</td>
<td></td>
</tr>
<tr>
<td>11 Whether the petition was considered in an election year or not</td>
<td></td>
</tr>
<tr>
<td>( \lambda = +0.07 )</td>
<td></td>
</tr>
<tr>
<td>12 The sex of the prime petitioner (Women received marginally more favourable recommendations)</td>
<td></td>
</tr>
<tr>
<td>( \lambda = +0.04 )</td>
<td></td>
</tr>
</tbody>
</table>

**Associations of 0.02 or less:**

- The controversy of the subject of the petition
- The favourability of the ridings in the select committee's report in relation to the petitioners' objectives
- Whether the prime petitioner had previously presented a petition
- The scale of the issue (from petitions concerning individual to international issues)
- Whether the petition was considered in an election year or not
- The petitioner's attitude to legislation (on a spectrum from prevent enactment to promote new legislation)
- Whether the petitioners made additional requests; such as for an inquiry or compensation
- Whether the sponsoring MP had been or would be a minister or not
- Whether the sponsoring MP was a Labour or a National member
- Whether the sponsoring MP was a Government or an Opposition member
Figure 14

**THE CORRELATES OF CABINET DECISION**

The independent or 'cause' variables:

<table>
<thead>
<tr>
<th>The petition was held over during Cabinet consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = +0.58</td>
</tr>
<tr>
<td>Somer's d = +0.89</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The number of months from the reception of the petition to the select committee's report to Cabinet on its merits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = +0.25</td>
</tr>
<tr>
<td>Somer's d = +0.31</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The controversiality of the subject of the petition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = -0.22</td>
</tr>
<tr>
<td>Somer's d = -0.40</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The size of the petition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = +0.14</td>
</tr>
<tr>
<td>Somer's d = +0.13</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The professionalism of the petitioner's submission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = +0.08</td>
</tr>
<tr>
<td>Somer's d = +0.22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The strength of the group backing the petition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = +0.06</td>
</tr>
<tr>
<td>Somer's d = +0.19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The number of sessions the petition was held over by the select committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tau c = -0.09</td>
</tr>
<tr>
<td>Somer's d = -0.13</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The select committee the petition was referred to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lambda = +0.11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The favourability of the riders in the select committee's report in relation to the petitioner's objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lambda = +0.07</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The decisions Cabinet made on petitions</th>
</tr>
</thead>
</table>

**Associations of 0.02 or less:**

* The frequency with which each issue provoked petitions

* The petitioner's attitude to change; on a spectrum from those trying to prevent what the petitioners see as undesirable to those promoting the desirable

* Petitions on a topic where the two major parties had opposing views

* The sex of the prime petitioner

* Whether the prime petitioner had previously presented a petition

* The scale of the issue (from petitions concerning individual to international issues)

* The petitioner's attitude to legislation (on a spectrum from prevent enactment to promote new legislation)

* Whether the petitioners made additional requests; such as for an inquiry or compensation

* Whether the sponsoring MP had been or would be a minister or not

* Whether the sponsoring MP was a Labour or a National member

* Whether the sponsoring MP was a Government or Opposition member

* The size of the Government's majority while the petition was being considered

* Whether the petition was considered in an election year or not
It was found that the longer select committees deliberated on petitions during a session the more favourable were their recommendations. Yet there was a threshold beyond which this trend was reversed: petitions held over by select committees received moderately less favourable recommendations. It appears that once a petition is held over it is less likely to be still under active consideration.

There was found to be a moderate variation between the levels of recommendation given among select committees, although no pattern was discovered which might explain the variation. A moderate positive association was also found between select committee recommendations and the frequency with which an issue provoked petitions. This was unexpected. It had been hypothesised that Parliamentarians would be less sympathetic to petitions which revived issues they had previously considered and dismissed. Rather it seems the opposite process occurs. The more often MP's are faced with the same request the more sympathetic they become to the petitioners' case.

Another unexpectedly high positive correlation was found between the size of the Government's majority while each petition was being deliberated, and select committee recommendations. It had been hypothesised that petitions would be dealt with in a bi-partisan manner because the majority of their requests do not seem to seek any advantage for a political party. It may be that at times when the Government is less secure inter-party conflicts over the merits of petitions in select committees are settled with a compromise recommendation (specifically 'for consideration'), but this remains conjecture.
Two other characteristics may have had a 'moderate' impact on the level of recommendation given by select committees; the uncertainty is due to the contradictory nature of the two statistics used. Firstly select committees may have given petitions supported by professional submissions moderately more favourable recommendations than those supported only by amateur submissions. Petitioners seem to have been able to impress select committees if they put a lot of effort into presenting their case, although this correlation weakened at the Cabinet decision stage. Secondly petitioners who framed their petition in positive terms; promoting something they saw as desirable, received moderately more favourable recommendations than those framed in terms of preventing the undesirable. Perhaps MP's feel they are achieving more by suggesting that something new be 'built' as opposed to suggesting something be 'dismantled'. But without a study of the behaviour of MP's in select committees this conclusion can only be given the weight of a hypothesis.

Cabinet proved far more difficult for petitioners to influence. None of the characteristics of petitions tested gave them either a 'moderate' or 'substantial' chance of succeeding, and one petition characteristic was moderately negatively associated with Cabinet decisions. In this case it was found that controversial issues were moderately less likely to be met than petitions overall.

The strongest associations concerned the time Cabinet took to consider petitions. Unlike select committees, if Cabinet considered a petition between sessions its chances of success increased 'substantially'. Those petitions considered for most of a session by a select committee also went
on to be acted on 'moderately' more often than those considered for a few weeks only. So it seems petitions are held over by select committees for entirely different reasons than they are by Cabinet. The former usually holds over those petitions believed to have no merit as a prelude to allowing them to lapse, while the latter holds over those petitions it was seriously considering but ran out of time to deliberate on. This suggests that McGee's explanation of why petitions are held over by select committees is more applicable to the way Cabinet deals with them.

5.2.2 'Low'- 'Negligible' Associations

The tendency for 'moderate' correlations to be eroded from the select committee stage to the Cabinet stage is mirrored at these lower levels of association. Three variables which had a 'low' correlation with select committee recommendations had only a 'negligible' impact on Cabinet decisions. Select committees gave petitions on topics which divided the two main parties marginally more favourable recommendations than they gave non-partisan petitions. The causes of this trend are not known. But Cabinet, when making its decisions, did not distinguish between petitions addressing partisan issues and those that did not. Similarly petitions considered in election years and those presented by women were given marginally more favourable recommendations by select committees, yet there was no association between these variables and Cabinet decision.

Two variables which had a 'low' association with more favourable select committee recommendations did go on to have the same small impact on Cabinet decisions. Larger petitions and those backed by strong interest groups were a
little more likely to be met than smaller petitions and those backed by weak groups or simply organized by individuals.

Many of the organisers of petitions argued in their submissions that action should be taken on their petitions because they were large enough to be taken as representative of public opinion. This interpretation of the significance of large petitions was clearly not shared by select committees or Cabinet. A number of recoded cross-tabulations between petition size, select committee recommendations and Cabinet decisions were run. Specifically, very small petitions (less than ten signatories) were contrasted to very large petitions (100 000+) and all the petitions were recategorised into 2.5%, 5% and 10% categories from the smallest to the largest. None of these exercises revealed more than a 'low' correlation between petition size and their success. In other words, petitions with tens of thousands of signatures were met only slightly more often than those with a handful of signatures. This finding also implies that the effort many submissioners opposed to petitions put into discrediting them is wasted. Their argument: large petitions should be ignored because they include many informal or forged signatures, appears not to have affected the way petitions are processed.

'Low' correlations were found between the strength of the interest groups supporting petitions and petition treatment by select committees and Cabinet. This suggests that stronger groups have been wise to only rarely devote their energies to organising petitions and instead to concentrate on other techniques, such as direct contacts with ministers.
Why then did prominent interest groups go to the trouble of organizing any petitions? Judging by the few statements made by their activists petitioning can fulfil other group objectives besides securing immediate Government action. For instance Larry Ross, a Campaign for Nuclear Disarmament organizer described petitioning in a 1984 speech as a "good way to recruit activists" and raising the public's consciousness on nuclear issues generally. Elsie Lock, a long-time women's campaigner acknowledged recently that petitions do not seem to achieve much, but added that gathering them "organises people wonderfully". No doubt the reasonably widespread publicity granted to the gathering of petitions is also considered to be some benefit to many campaigners. It therefore seems that some activists use a petition as merely one ingredient in a long-term struggle. The petition may fail, but they may have strengthened their organization and persuaded more people to support their cause. This could be one explanation for the apparent lack of backlash from petition organisers over the widespread failure of so many petitions.

One more variable had only a negligible association with the decisions Cabinet made. Whatever advantage was gained by the petitioners who presented professional submissions to select committees this was not carried over to the Cabinet decision-making phase of the process.

5.2.3 'Non'-Associations

Strictly speaking only correlations of zero should be referred to as non-associations. But so many of the variables in this study were associated at a very low 'negligible'
level with select committee recommendations and Cabinet decisions (0.02 and 0.01) that they have been classed as 'non'-associations.

It made this little difference whether the MP sponsoring each petition had ever been a minister, or whether he/she was a Labour, National (or in 16 cases), a Social Credit member. It also made no difference whether the sponsoring MP was in Government or Opposition. These findings confirm a statement made by Tom Scott about the irrelevance of the way Parliament receives petitions; he called this part of the petition process a "ritual silliness". It seems the sponsoring of petitions is simply a part of the MP's routine; a duty performed for constituents, rather than an action with any significance for petitions. These findings are presented in the following bar-graphs, which show how slight the difference was between the select committee recommendations and Cabinet decisions given to petitions sponsored by Government and Opposition members.

**Figure 15**

**SELECT COMMITTEE RECOMMENDATION BY MP IN OR OUT OF POWER**

![Bar Graph]

- GOVERNMENT
- OPPOSITION

Held over before lapsing
It was suggested to this student that a few individuals had reputations as compulsive petitioners among Parliamentarians, therefore it was hypothesised that these petitions would be less successful. In the event there was no significant difference between the success of first-time petitioners and that of frequent organisers.\(^{12}\)

Another variable not associated with petition success was the scale of the topic of each petition. It made no difference whether the petition concerned an individual scale issue or was concerned with New Zealand's place in the international community, all were equally likely to fail.\(^{13}\) Likewise it made no difference whether a petitioner included an additional request in their prayer, or what attitude petitioners adopted to legislation.\(^{14}\)

Lastly it is commonly believed that New Zealand Governments stimulate the economy before elections to win votes. In contrast the Government appeared not to consider petitions politically significant enough to warrant more generous treatment in election years. It made no difference to a petition's chances of success when in relation to the electoral cycle they were considered.
5.3 THE RELATIVE EFFECTIVENESS OF PETITIONS IN EACH TOPIC CATEGORY

In this chapter so far the subject matter of petitions has largely been discussed in terms of dichotomised variables: controversial as opposed to non-controversial, reoccurring as opposed to once petitioned, partisan versus unpoliticized. In this section the relative success of petitions in their original topic categories will be discussed.

The petitions had been coded into ten general topic categories. Almost a quarter were found to concern infrastructural topics, such as road, rail, hospital and telephone services. Another fifth, economic issues. Some of these requested increases in pensions or education expenditure, others decreases in taxes and prices. The remainder were fairly evenly spread among the other topic categories.

Figure 17

THE NUMBER OF PETITIONS IN EACH TOPIC CATEGORY 1969–83
There was an entirely different distribution of signatories among the topic categories. Almost a quarter were attached to petitions concerning conscience issues such as abortion, anti-vivisection, censorship and sex education. Another one in five were concerned with environmental issues. The third most popular category were international topics: sixteen percent of the signatories sought such changes as a ban on nuclear testing in the Pacific, an end to apartheid, and human rights for the citizens of a variety of countries.

Figure 18

THE NUMBER OF SIGNATURES (IN 000's) IN EACH TOPIC CATEGORY
1969-83

To determine whether the popularity of petition signing and organization has any impact on petition success each topic category was correlated with select committee recommendations and Cabinet decisions. This test yielded the number of petitions and signatories in each topic category receiving at least a 'favourable' select committee recommendation and
partial action from Cabinet. The results of this analysis appear in the following table.

**Figure 19**

**RANK ORDER OF PETITION TOPIC BY:**

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>The popularity of petition organisation</td>
<td>The popularity of petition originating in 000's</td>
<td>Select Committee consideration</td>
<td>Number of petitions given a 'favourable' or 'favourable' select committee report or better</td>
<td>Number of petitions given a 'favourable' or 'favourable' select committee report or better</td>
</tr>
<tr>
<td>Conscience issues</td>
<td>4th n=95 1st n=995</td>
<td>2.5</td>
<td>7th 9.6% 5th 24.4% 6th 42.4%</td>
<td>2nd 15.9% 5th 13.6%</td>
<td>2.5</td>
<td></td>
</tr>
<tr>
<td>Infrastructural issues</td>
<td>1st n=254 4th n=452</td>
<td>2.5</td>
<td>8th 9% 7th 13.2% 6.5</td>
<td>8th 4% 4th 21%</td>
<td>6.5</td>
<td></td>
</tr>
<tr>
<td>Environmental issues</td>
<td>5th n=89 2nd n=885</td>
<td>3.5</td>
<td>1st 20.2% 3rd 35.3%</td>
<td>1st 31.4% 1st 45%</td>
<td>3.5</td>
<td></td>
</tr>
<tr>
<td>Economic issues</td>
<td>2nd n=180 5th n=360</td>
<td>3.5</td>
<td>10th 5% 4th 27.9%</td>
<td>9th 1.7% 6th 9.8%</td>
<td>7.5</td>
<td></td>
</tr>
<tr>
<td>Constitutional issues</td>
<td>3rd n=117 7th n=160</td>
<td>5</td>
<td>9th 6% 10th 6.4%</td>
<td>7th 5.1% 7th 9%</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Foreign issues</td>
<td>9th n=52 3rd n=647</td>
<td>6</td>
<td>4th 17.3% 8th 11.3%</td>
<td>3rd 13.5% 7th 9%</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Health and Safety issues</td>
<td>7th n=68 6th n=332</td>
<td>6.5</td>
<td>2nd 19.2% 2nd 39.6%</td>
<td>2nd 13.2% 2nd 32%</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Personal Grievances</td>
<td>6th n=76 9th n=70</td>
<td>7.5</td>
<td>5th 14.5% 9th 1.3%</td>
<td>5th 9.2% 10th .9%</td>
<td>7.5</td>
<td></td>
</tr>
<tr>
<td>Minority Rights</td>
<td>8th n=56 8th n=131</td>
<td>8</td>
<td>3rd 17.9% 1st 51.9%</td>
<td>6th 8.9% 3rd 22.9%</td>
<td>4.5</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>9th n=52 10th n=29</td>
<td>9.5</td>
<td>6th 12.5% 6th 21.9%</td>
<td>10th 1.3% 9th 3.4%</td>
<td>9.5</td>
<td></td>
</tr>
</tbody>
</table>

This table shows that normally there was little correspondence between a topic's popularity as an inspiration for petitions and subsequent favourable treatment by select committees and Cabinet. Most often there was closer to an inverse relationship between the popularity of petition organisation and the rankings later gained by petitions in each topic category. The only two clear exceptions were petitions concerning personal grievances and those which did not fall into any category; both of these ranked consistently low across the table after leading to few petitions.

There was somewhat more of a correspondence between the popularity of signing petitions in each topic category
and their relative success. Environmental issues, for instance, attracted the second largest number of signatories and ranked highly at both the select committee and Cabinet stages. In the middle of the rankings economic issues and to a lesser extent infrastructural issues ranked relatively consistently. At the bottom of the rankings constitutional issues, personal grievances and miscellaneous issues were all associated with relatively limited success.

Two topic categories had somewhat fluctuating fortunes through the process. Health and Safety topics lead to relatively few petitions and relatively few people signed them, but despite this these petitions were subsequently reasonably successful. Petitions concerning minority rights (mainly Maori land rights) also ranked low whether judged in terms of the number of petitions or the number of signers they provoked. These petitions then went on to receive unusually sympathetic recommendations from select committees. When Cabinet made a decision on their merits, however, this advantage was largely eroded.

A question which naturally arises from these findings is: what caused the variation in the success rates between topics? One possible reason why relatively few petitions on infrastructural and economic issues are met is that these petitions often request considerable Government expenditure. Judging by the few petitions which did succeed the Government appears very reluctant to undertake major expense on the suggestion of petitioners. This may also explain why few minority rights petitions are responded to; although select committees were often swayed by their appeals, the Government often saw these appeals as involving too much expense.
It was often noted by petitioners concerned with individual grievances in their submissions that they had unsuccessfully appealed elsewhere before resorting to petitioning Parliament. The Government often seemed content that these appeals had reasonably been turned down. Certainly this was often the argument used in their reports to the House.

Constitutional issues were the third most popular area for petition organisation but only rarely succeeded. In the absence of a range of interviews with MP's their attitudes can only be guessed at, but it could be that they reserve the right to decide on questions of civil liberties and the electoral system, perceiving these to be appropriate questions only for the people's representatives.

The Government may well have looked more favourably on petitions concerning environmental, health and safety, foreign policy and conscience issues because these petitions could usually be met without expense.

The table also illustrates the emphasis in this thesis upon the progressive disposal of petitions through the process. Cabinet was less well disposed to petitions than select committees in all but two of the topic categories; conscience and environmental issues. Similarly only signatories attached to petitions concerning constitutional and environmental issues were favoured more by Cabinet than select committees. Generally the public face of the process, the select committee hearing, has been more sympathetic to the petitioners than Cabinet as the final decision-maker.

This seems to bear out Sir John Marshall's argument that select committees find it more difficult to dismiss the public's appeals than Cabinet. It could be that select committees
are influenced by the oral submissions given to them by the petitions, while Cabinet's sole external contact is with Government departments who are usually critical of the petitions.

5.4 CHANGES OVER TIME

The table on the following page shows how much each variable changed during the study period in the same format that select committee and Cabinet cross-tabulations were previously presented. The most substantive change in any of the variables over time was the increase in partisan petitioning. As can be seen in the table below this association was largely caused by the politicised campaigns of 1983.

**Figure 20**

THE % OF PETITIONS PRESENTED EACH YEAR WHICH WERE PARTISAN

Because partisan petitioning only became significant in the last year of the study a few more years will have to go by before 1983 can be judged an exception or the herald of the increased use of petitioning as an Opposition tactic to embarrass the Government.
## Figure 21

**CHANGES OVER TIME**

The independent or 'cause' variable:

- **Years:** 1969 - 1983

<table>
<thead>
<tr>
<th>The dependent or 'effect' variables:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Petitions on a topic where the two major parties had opposing views</td>
</tr>
<tr>
<td>Lambda = 0.62</td>
</tr>
<tr>
<td>2. Whether the petitioners made additional requests, such as for an inquiry or compensation</td>
</tr>
<tr>
<td>Lambda = 0.39</td>
</tr>
<tr>
<td>3. The level of select committee recommendation</td>
</tr>
<tr>
<td>Tau c = -0.32</td>
</tr>
<tr>
<td>Somer's d = -0.32</td>
</tr>
<tr>
<td>4. The number of months Cabinet took to consider the petition</td>
</tr>
<tr>
<td>Pearson's r = -0.32</td>
</tr>
<tr>
<td>5. The number of petitions met by Cabinet each year</td>
</tr>
<tr>
<td>Tau c = -0.23</td>
</tr>
<tr>
<td>Somer's d = -0.23</td>
</tr>
<tr>
<td>6. The petition was held over while being considered by a select committee</td>
</tr>
<tr>
<td>Pearson's r = 0.23</td>
</tr>
<tr>
<td>7. The petitioners' attitude to change, on a spectrum from those trying to prevent what the petitioners saw as undesirable to those promoting the desirable</td>
</tr>
<tr>
<td>Lambda = 0.19</td>
</tr>
<tr>
<td>8. The frequency with which each issue provoked petitions</td>
</tr>
<tr>
<td>Lambda = 0.13</td>
</tr>
<tr>
<td>9. The controversy of the subject of the petition</td>
</tr>
<tr>
<td>Lambda = 0.13</td>
</tr>
<tr>
<td>10. The number of months from the reception of the petition to the select committee's report to Cabinet on its merits</td>
</tr>
<tr>
<td>Pearson's r = -0.13</td>
</tr>
<tr>
<td>11. The sex of the prime petitioner</td>
</tr>
<tr>
<td>(The organization of petitions by women increased a little during the study period)</td>
</tr>
<tr>
<td>Lambda = 0.11</td>
</tr>
<tr>
<td>12. The sponsorship of petitions by National MPs</td>
</tr>
<tr>
<td>Lambda = 0.07</td>
</tr>
<tr>
<td>13. The sponsorship of petitions by Government MPs</td>
</tr>
<tr>
<td>Lambda = 0.06</td>
</tr>
<tr>
<td>14. The scale of the issue (from petitions concerning individual to international issues)</td>
</tr>
<tr>
<td>Tau c = +0.04</td>
</tr>
<tr>
<td>Somer's d = +0.04</td>
</tr>
<tr>
<td>15. The size of the petition</td>
</tr>
<tr>
<td>Pearson's r = -0.03</td>
</tr>
</tbody>
</table>

**Associations of 0.02 or less:**

- The professionalism of the petitioner's submission
- Whether the prime petitioner had previously presented a petition
- The strength of groups backing petitions
- Whether the sponsoring MP had been or would be a minister
- The favourability of the riders in the select committee's report in relation to the petitioner's objectives
- The petition was held over during Cabinet consideration
It was also found that petitioners were 'moderately' more likely to request an inquiry, referendum, or compensation than they used to be. These requests often seemed to be included to emphasise the urgency with which the petitioners believed their requests should be actioned. But as has been noted no inquiries were initiated on the strength of petitioners' requests, and these petitions were treated no differently to petitions overall.

Over the whole study period select committees were found to be making 'moderately' less favourable recommendations and Cabinet taking 'moderately' less action. It may be that more demands are being placed on MP's, and as a result less time is being devoted to low priority tasks, such as considering petitions. If this trend continues even the trickle of petitions now acted upon each year will cease.

Two of the 'low' associations found are of note. There was a small trend towards the framing of petitions in positive terms. Perhaps petitioners have felt it would be easier to influence politicians by appearing to promote a change. There was also a slight trend towards women organizing petitions. This is just one small piece of evidence which verifies the belief that women have come to play a more active role in politics.

The most interesting 'negligible' association was that between time and the size of petitions. Despite fluctuations in the number of petitions presented from year to year their average size has remained almost constant.
5.5 THE OPINIONS OF PARTICIPANTS IN THE PROCESS AND OUTCOME

The objective of this section is to determine who influenced select committee recommendations and Cabinet decisions concerning petitions. The opinions of Government departments were evident in their reports to select committees. Similarly many interest groups and individuals wrote to select committees to express their support or opposition to petitions.

Other groups, such as the Legislative Department and the media, appear not to have influenced select committees and Cabinet, but this could not be tested.\textsuperscript{15} In the former case because their advice appears to have been only occasionally retained in written form, and in the latter case because newspaper and television comment was too widely spread to be investigated.

The correlations found between the opinions of groups which could be measured and petition outcome are presented in the diagram on the following page.

Government departments had the greatest influence of any of these groups. A 'moderate' positive association was found between departmental opinion and both select committee recommendations and Cabinet decisions. This matched the subjective impression gained from reading 264 of these reports before they were coded.\textsuperscript{16} A typical departmental report briefly (in four A4 sheets or less) discussed both the pro's and con's of the petitioners' case, but in the end firmly recommended that the petition should not be acted on. The extent to which select committees were influenced by
departments can be gauged by the fact that select committees often used the evidence brought against petitioners by departments to support their unfavourable recommendations to Cabinet.

**Figure 22**

The impact of departmental opinion, and submissions, on select committee recommendations and Cabinet decisions

Select committees often called for a wide range of community opinion. They also received unsolicited opinions from people who had heard through the media that a petition was before a committee. They took this advice considerably less often than they did departmental advice. There was a 'low' to 'negligible' negative correlation between both the submissions of groups and individuals, and select committee recommendations and Cabinet decisions. These submissions were predominantly written to support the objectives of the petitioners; two thirds of the group submissions and three
quarters of submissions from individuals argued that a petition should be granted.\textsuperscript{18}

The format of select committee hearings seems to make it easier for select committees to take the 'do not act' advice of departments over the 'act' advice of, particularly individual, submissioners. The hearing is in two distinct parts. In the first MP's often question the petitioners, the departmental representatives and selected submissioners. On occasion the media has also been granted permission to be present at this stage of the hearing. In the second part all the 'strangers' present are asked to leave, only the MP's and departmental representatives remain to decide what recommendations should be made. This gives the departments far more opportunity to influence select committees. Later in the process Cabinet often requested that the departments report again. This provides them with another opportunity to reinforce the 'do not act' advice they tendered to select committees.

The departments also have the advantage of being more familiar than most submissioners with the format and tone of argument which influences MP's. In other words they knew the impact of clearly presented dispassionate argument. In contrast many submissioners seemed unfamiliar with the conventions of report writing. They often let their passionate enthusiasm for a petition lead them to demand action without backing their demands with as much evidence as the departments usually did.

It may also be that when departments argue for the status quo they strike a chord among MP's. As was argued in section 5.5 Cabinet has been reluctant to spend money on the weight of a petition.
The associations found in this chapter suggest that the decision-making process works in the following way. Firstly select committees usually receive reports critical of petition requests, and submissions which are often supportive of the petitions. Secondly about half the time select committees appear to take their lead from the critical departmental reports. These petitions lapse or are granted a 'no recommendation'. Almost equal numbers receive a more favourable recommendation, implying that the committee has taken the supportive advice it received or that it had been swayed by the petitioners' oral submission. Thirdly Cabinet accepts the critical recommendations of select committees; no attempt is made to revive lapsed petitions and those which received a 'no recommendation' all failed. This largely accounts for the strength of association found between select committee recommendations and Cabinet decisions presented in Table 22. On the other hand only a few of the petitions which received a favourable or stronger recommendation were met.

Unfortunately it has only been possible to outline the interactions of the participants in the process. This was because the minutes of select committee proceedings only rarely extended to outlining discussion on petitions. They usually only recorded who was present, what order people spoke and when the hearings began and ended. No other records seem to have been kept on select committee proceedings. Further the role of anyone whose written opinions were not retained among Parliamentary records remains unascertained. Despite these limitations the findings in this section do
help explain why petitions are disregarded so frequently. The critical opinions of government departments and select committees seem to have created the impetus which lies behind this trend. An impetus which has combined with Cabinet's reluctance to meet petitions to produce a very low success rate.

The reasons why these groups consider so few petitions have merit has been beyond the scope of this study to investigate. If any further research into petitions is justified, then the attitudes of departments and parliamentarians to them should be investigated. Certainly there appears to be a stark contrast between the rhetoric of MP's, who have consistently described petitioning as an important democratic right, and their treatment of petitions in practice. 20
Endnotes to the Correlates Chapter

1. The tau c, Somer's d and Pearson's r statistics used in this thesis are asymmetric. Select committee recommendations and Cabinet decisions are the dependent variables. Lambda, the nominal measure, is a non-directional statistic therefore only the strength of the relationship can be measured.

2. Only six select committees considered more than 5% of the 1,039 petitions received by the House in the study period. It only seemed valid to discuss the relative strength of the recommendations these committees granted, because so few petitions were processed by any one of the other committees. Half of these six committees gave relatively favourable recommendations; The Social Services Committee gave 61.6% of the petitions it considered a "favourable" or stronger recommendation, The Petitions Committee 50.2% and The Lands and Agriculture Committee 45.2%. The other three committees gave far less favourable recommendations. The Labour and Education Committee gave only 8.9% of the petitions it considered a "favourable" or stronger recommendation, The Commerce and Energy Committee 6.8% and The Industrial Law Reform Committee gave no "favourable" or stronger recommendations.

3. The level of professionalism in petitioners' submissions was determined using the following criteria:

   An amateur submission: Often handwritten, their argument was poorly organized, may not have had a clear introduction and conclusion. The petitioners may have made demands of Government rather than using more conciliatory language which would not risk alienating their target audience.

   The submission showed some signs of professionalism: Typed, the presentation of the argument was aided by the use of subheadings and clear paragraphs. Likely to have a clear introduction and conclusion. More moderate in tone.

   Professional submission: Typed, may have used a numeration system in association with subheadings, clear introduction, and conclusion. May have used visual aids to support their argument. Sometimes these submissions were ringbound with a campaign logo on their cover.

4. The controversial category of this variable contained those cases which had been coded partisan (see following endnote). In addition petitions concerning immigration and deportation, those seeking restrictions on liquor sales, those strongly free market or anti union and those involving Maori land rights were coded as controversial.

5. Petitions were coded as partisan if they were phrased in an aggressively anti Government style, if they aimed to censure a political figure or if they concerned an issue where there had been a clear division of party opinion.
6. The following quotations are extracts from petitioners' submissions claiming that their petition was large enough to be taken as representative of public opinion as a whole. The organisers of 'Campaign Half Million' were convinced that because "the majority of those approached signed" their petition "most New Zealanders oppose nuclear power stations and powered ships". The organisers of the Maruia Declaration petition also linked the response rate they received to what they believed to be the view of the majority of New Zealanders. They received a response rate of "85-95%" and concluded that few New Zealanders hold "that the right to make money out of logging native forests should not be preserved".

7. Larry Ross addressing a peace seminar organized by The Spreydon Baptist Church Peace Group, 6th October 1984.
It is evident from the Campaign for Nuclear Disarmament's signatory forms that they view petition gathering as an opportunity to recruit activists. Alongside the column requesting people's names and addresses is a column in which they can indicate whether they will be making a donation or whether they are "prepared to help in some way". Those people who respond in these columns are sent the C.N.D. newsletter, which invites them to take part in other activities.


9. See p.121 of the Conclusion for a discussion on this point.

10. Figure 23

NUMBERS OF PETITIONS SPONSORED BY EACH PARTY

11. Tom Scott's column in The Dominion 14th November 1984.

12. In the study period only twenty petitions were presented by people who had obviously organized petitions before. They were as follows:
111.

<table>
<thead>
<tr>
<th>Initial petition</th>
<th>Subsequent petition(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Auckland Regional Authority</td>
<td>81/37</td>
</tr>
<tr>
<td>Patricia Bartlett, representing The Society for the Promotion of Community Standards</td>
<td>70/20</td>
</tr>
<tr>
<td>A.G. Brooker</td>
<td>69/46</td>
</tr>
<tr>
<td>John Brown</td>
<td>78/29</td>
</tr>
<tr>
<td>R.E. Cheer</td>
<td>77/27</td>
</tr>
<tr>
<td>Gwenny Davis, representing The Native Forest Action Council</td>
<td>77/12</td>
</tr>
<tr>
<td>The Deerstalkers Association</td>
<td>70/109</td>
</tr>
<tr>
<td>Carol Ibbitsen</td>
<td>78/33</td>
</tr>
<tr>
<td>M.R. Love</td>
<td>71/7</td>
</tr>
<tr>
<td>The National Overseas Students Association</td>
<td>81/21, 23, 24</td>
</tr>
<tr>
<td>The New Zealand Committee of Solidarity with the People of Chile</td>
<td>78/26</td>
</tr>
<tr>
<td>Larry Ross, representing The Campaign for Nuclear Disarmament</td>
<td>72/1</td>
</tr>
<tr>
<td>Anthony Fulton Reid</td>
<td>79/34</td>
</tr>
<tr>
<td>Terrance Rugg</td>
<td>81/60</td>
</tr>
<tr>
<td>Elizabeth Sutherland</td>
<td>73/23</td>
</tr>
</tbody>
</table>

Petitions 79/4, 79/5 and 83/36, or 13% of the 23 subsequent petitions were met. This is not significantly different to the 9% of petitions which succeeded overall.

13. Ninety-three petitions representing 56,663 signatories were found to address individual scale issues, 124 petitions representing 166,350 signatories local or city scale issues and 81 petitions representing 332,898 signatories represented provincial scale issues. The bulk of petitions (669) and signatories (3,105,298) concerned national scale issues. Seventy-two petitioners and 311,888 signatories concerned international issues.

14. The following pie chart shows the variety of opinions held by petitioners on legislative change:

**Figure 24**

**ATTITUDES TO LEGISLATION IN PETITIONS**
15. The assumption that the media normally plays little part in influencing petition campaigns is based on two pieces of evidence. Firstly in a telephone conversation in November 1984 the then chairperson of the Parliamentary press gallery, Rebecca Scott, stated that reporting on petitions was a "minor" part of their work. (It should be noted that this was before the petition opposing homosexual law reform was gathered.) The second piece of evidence is the result of a survey of The Christchurch Press index for 1969-82. There were 48 articles on petitions in this period. Of 33 referring to Parliamentary petitions only three concerned the select committee stage of the process and none reported the outcome of a petition campaign. The majority dealt with the subject matter of petitions while they were being gathered and reported when petitions were presented to Parliament.

It is also likely that the Legislative Department's role was mainly limited to providing support services for committees, although the opinion of the Clerk appears to have been occasionally called for.

16. Further evidence that petitions are dealt with less favourably if they receive hostile reports from Government departments is provided by the bargraphs below. Those petitions which received hostile departmental reports were disposed of early in the consideration process.
17. Select committees took a little more notice of the submissions of interest groups than they did of the submissions of individuals. Specifically 56.3% of group submissions corresponded with select committee recommendations, while only 34.1% of individual submissions did. The difference may be due to the fact that group submissions were less likely to be supportive of the petitioners, but this hypothesis was not tested statistically in the study. Submissions were seen to correspond with select committee recommendations on two grounds; firstly where a critical submission was followed by the lapsing of a petition, or if it received a 'no recommendation' or one 'for consideration' only. Secondly if a supportive submission was followed by a select committee recommendation of 'favourable consideration' or stronger the two were also said to correspond.

18. Specifically 64% or 123 of the 192 group submissions read during this study supported the petitioners' objectives, and 78.8% or 134 of the 170 individual submissions supported the petitioners.

19. In aggregate terms 86.9% of select committee recommendations corresponded with Cabinet decisions.

20. For example in May 1984 Mr Palmer addressed a group of motorcyclists who had organised a petition against a levy imposed by The Accident Compensation Commission. Mr Palmer described petitioning as a "legitimate form of protest in a democratic society". He also described Parliament as the "last resort of the oppressed". See The Christchurch Press 12th May 1984 p. 10.
CHAPTER VI

CONCLUSION

6.1  A SUMMARY OF THE FINDINGS

The main finding of this study is that Parliamentary petitioning is a highly ineffective method of securing responsive Government action. This finding is thrown into sharp relief by Parry and Moyser's definition of effective participation: "political participation may be taken to be at its most effective when the policy outcomes are those intended by the participants [in this case the petitioners], and a direct result of their actions."¹ In these terms the petitioning process resulted in the policy outcomes requested by the petitioners in five percent of the cases, and in an additional three percent of cases the outcome partially met petitioners' requests. In section 1.6 the success of the 'Save Manapouri' petition early in the study period was highlighted, and the question was posed whether it constituted an exception or whether it set a precedent? On the basis of the main finding it is beyond doubt that it was an exception. Indeed so few petitions succeeded that the scepticism expressed in the literature over petition effectiveness has proved to be thoroughly justified.

A range of interesting secondary findings were also uncovered. Firstly it was found that none of the characteristics tested significantly improved petitioners' chances of securing Government action. It therefore seems that there is nothing prospective petitioners can do to
improve their slender chances of success. In fact successful petitions had so little in common that it is accurate to describe them as a collection of exceptions. Perhaps the most important 'non'-association found was that between petition size and success. This seems to undermine the most obvious rationale behind gathering large petitions: that they are more likely to sway Government.

Secondly, the time taken by Cabinet to consider petitions was found to have the opposite effect to the time taken by select committees. Select committees tend to quickly pass on those petitions they believe have merit (those given a 'favourable' or better recommendation), whereas the longer Cabinet deliberates on a petition the greater its chances of success.

Thirdly, considerable variation in the success of petitions in differing topic categories was found. It was tentatively suggested that this variation was associated with the level of expense required to action each petition, but as this was not systematically tested, it remains only a hypothesis.

The fourth finding concerns changes in the variables during the study period. The only variable strongly associated with time was partisan petitioning. If, as this implies Cabinet increasingly perceives petitions to be an Opposition tactic, then even fewer petitions may be actioned in the future. Whatever the cause the success rate of petitioning has declined during the study period. If this trend continues, in a few years virtually no petitions will be actioned.

The fifth subsidiary finding concerns the interactions of the opinions of the participants in the process. Government
departments were found to have the greatest measurable impact on select committee recommendations, and probably also a significant impact on Cabinet decisions.² It is likely that this is one of the sources of petition failure as departments usually oppose the granting of petitions. It was also found that select committee recommendations were strongly correlated with Cabinet decisions. Given that few petitions are actioned it follows that Cabinet usually adopts the select committees' relatively unfavourable recommendations, but only selectively accepts their more favourable advice.

6.2 STUDY LIMITATIONS

The difficulties faced by this study took two distinct forms. On the one hand the data available proved inadequate on a number of grounds. On the other hand, the methodology which proved most useful for investigating the hypotheses before this study, the process approach, did not produce data of sufficient depth to investigate secondary questions which arose from the findings. These two forms of limitation will be discussed in turn.

Any study is constrained by time and the data available to it. Some of the forms these constraints took in this study were outlined in section 3.5. This study was limited in a broad sense by the fact that little data is published on Government responses to the broad range of other appeals open to citizens. This prevented the comparison of this study's findings with data on other appeal mechanisms. The volume of appeals sent elsewhere, for example to the Ombudsman or directly to Government departments, was too great to permit a separate investigation in the time available.³
Although the outcome of all the petition campaigns studied could be determined with some precision, the data used in this study also had its shortcomings. It is probable that not all the dossiers containing the opinions of groups on the merits of petitions were located.\textsuperscript{4} It is therefore possible that the correlations found between group opinion and petition outcome are not entirely accurate. It was also noted that no record is kept of the opinion of some groups in the process who could have influenced the processes outcome. It is unclear, for example, whether the Legislative Department or the Clerk of the House influences the outcome or simply provides the support services which make sure the process runs smoothly.

The cryptic nature of select committee minutes was another constraint. This meant the way MP's decided on their recommendations could not be determined.

One final data related constraint was the inaccessibility of Cabinet minutes, and the follow up departmental reports sometimes ordered by Cabinet. This data could have provided more insight into the decision-making process.

It was suggested in section 1.3 that the best methodology which could have been adopted was a combination of the process and behavioural approaches. Had the behavioural approach been incorporated the participants' opinions could have been more thoroughly assessed through interviews. This would have facilitated the comparison of their beliefs about the effectiveness of petitioning and the outcome of petition campaigns. Unfortunately such sophistication was precluded by the volume of Parliamentary documents which had to be read, and variables computed, in the course of this study. So the
opinions of participants were, by and large, only included where they appeared in written form. As it was, the process approach alone, proved perfectly adequate to investigate the central question in this thesis: how often did the petitioners' requests lead to responsive Government action?

A more specific methodological limitation stems from the fact that only direct links between requests and responses could be detected using the process approach. Had petitioning's indirect role in helping bring about change been measurable then it may have been found to be a little less ineffective. This possibility is highlighted by the sequel to the Maruia Declaration Petition. As stated in section 1.2, the Government reported to the House that it was in agreement with only one of the six conservation 'principles' contained in the petition. Yet by 1985 the petition organizer, The Native Forest Action Council, was expressing satisfaction that most of these 'principles' had been incorporated into legislation. It seems the petition played some role in achieving subsequent change, even if (in Richardson's terms) the petition simply put the issue on the political agenda in the way desired by conservationists.

6.3 QUESTIONS FOR FURTHER RESEARCH

This final section comprises some initial exploration into two of the questions arising from the findings: firstly, why were so few petitions actioned, and secondly, given this was the case, why are so many petitions still initiated? Because the emphasis of this study has not been on the participants' beliefs about petitioning these questions cannot be
conclusively answered here, only themes for further research suggested.

6.3.1 Factors which may contribute to petition ineffectiveness

It seems reasonable to concentrate on suggesting attitudes which may be held by MP's in addressing this topic because they are the decision-makers. From the research undertaken for this study three attitudes which may help lead parliamentarians to reject petitions can be suggested.

Firstly, Cleveland ascribes an attitude to MP's generally which may apply to their reactions to petitions. He suggests that they "favour conservatism [and] tend to resist sudden dramatic change".\(^5\) It follows that because petitions tend to demand immediate or sweeping change MP's could be predisposed against actioning them. This tendency may be reinforced by the fact that action often involves the Government making a decision to reverse previous decisions, against which the petitioners are protesting. It is likely that the Government does not take such action easily.

On a day-to-day basis the tendency not to act could be reinforced by the predominance of legislation in the business of the House. Members of Parliament may be used to amending legislation, which often involves working out a compromise across party or ideological lines. In contrast petitioners make the sort of demands which usually have to be accepted or rejected. Deprived of the opportunity to be flexible, MP's may be more reluctant to act.

A submission from the Federation of Labour opposing the 'Save New Zealand' Petition (78/20) is the source of a second attitude, which if held by MP's, could help explain their
reluctance to action petitions. The Federation, as other submissioners opposed to petitions have, argued that:

"by the very nature of the process of organizing and collecting signatures ... it is not difficult to get people ostensibly agreeing with any proposition that has superficial appeal" [In this case that communist inspired unions are the sole cause of industrial unrest.]6

If MP's believe that petitions are only a superficial indicator of public opinion then they would feel far less obliged to take action than if they perceived them as representing large segments of public opinion.

A comment by Mary Batchelor suggests a third way of looking at MP's attitudes. She pointed out that, if actioned, petitions not only satisfied one group but hurt another.7 This statement could be taken to imply that MP's undertake a cost benefit analysis before making a decision on petitions. If this is the case it seems they almost always consider the costs outweigh the benefits.

A different approach altogether to emphasising MP's attitudes is to emphasise the influence of other groups on MP's. It has already been argued that the hostile reports of departments are likely to be one of the sources of petition failure. A finding outlined in section 2.2 dovetail with this hypothesis. Petitions were found to originate from 'weak outsider' groups and individuals with no obvious group affiliations. It is likely that the Government would generally take less notice of these groups than it would the opinions of its own officials.

It is unclear which of the factors discussed above predominate, how they interact, or indeed whether this list
is exhaustive. If any future research into petitioning is undertaken then the causes of ineffectiveness should be one of the first questions addressed.

6.3.2 Factors which may contribute to the continued popularity of petition organization

According to Giovanni Sartori one of the central questions facing research into democratic participation is "how can we account for the inactivity of the average citizen?" As a result of this study we are faced with a new opposite question: given the ineffectiveness of petitions, how can we account for the continued popularity of petition organization? It was proposed in section 5.2.2 that petition organization provides additional benefits to seeing requests actioned. These included recruitment of activists, the strengthening of interest group organization, publicity, and the raising of public awareness of an issue. It was also argued that petitioning is perceived as just one component in a long term struggle, in this context petition failure may not be sufficient to discourage other petitioners.

Alternatively it could be argued that petition organizers are ignorant of the failure of previous campaigns, and that they organize in good faith, expecting action.

The question can also be approached on the level of the psychology of petition organizers? It may be that the satisfaction such groups receive from participating provides enough motivation to produce fresh petitions. James Willowby suggested that the organizers he dealt with felt "cleansed" simply by having their case received by the House and by appearing before a select committee. This researcher saw
what could be evidence of such satisfaction. In Parliament and its grounds people who had just presented petitions tended to stay and congratulate each other on a job well done. Mary Batchelor seemed to be thinking along similar lines when she commented that petitioners generally seem satisfied because "they have had the opportunity to have their say".  

How can such satisfaction co-exist with petition failure? Perhaps people, as again implied by Mrs Batchelor, feel ambivalent towards petitioning, at one and the same time "satisfied with the process, but disappointed with the result". 

According to one student of participation when such satisfaction is generated it strengthens the political system in which it occurs. If this theory applies to petitioning the irony would be that while few petitions are actioned, the participation entailed may in some small way contribute to the strengthening of Parliamentary democracy in New Zealand.
Endnotes to the Conclusion

1. Parry and Moyser op. cit. p. 84

2. This finding presented in figure 22, p. 105.

3. The volume of appeals to the Ombudsman during the study period was noted in figure 12, p. 81. The number of appeals and inquiries made to two departments was noted in endnote 16 of the Literature Review.

4. This point was discussed on p. 58.

5. Cleveland op. cit. p. 41.

6. Submission of the Federation of Labour in opposition to the 'Save New Zealand' Petition (78/20).

7. Interview with Mary Batchelor 16th December 1985.


10. Interview with Mary Batchelor op. cit.

11. Ibid.

12. Pateman op. cit. p. 63 suggests that participation leads to the increased integration of the individual into the authority structures with which they have just interacted.
Appendix I: More Detailed Information on Successful Petitions

This appendix is divided into four parts entitled, 'Petitions Cabinet actioned', 'Petitions actioned after an inquiry', 'Petitions Cabinet partially actioned', and 'A petition partially actioned after an inquiry'. Information on these petitions, which were all at least partially successful, appears in the following format.

<table>
<thead>
<tr>
<th>chronological number</th>
<th>petition number</th>
<th>prime number</th>
<th>petitioner signatories</th>
<th>received date</th>
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The subject of the petition

<table>
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<tr>
<th>MP who received</th>
<th>committee referred to</th>
<th>its recommendation</th>
<th>date of report</th>
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Government action taken
Petitions Cabinet Actioned

1 69/10 Jones Anna E. and 4 841 others 27 May
"For legislation prohibiting the exportation or commercial exploitation of cat skins".
Hon. A.H. Nordmeyer Petitions MFC 23 July

Action taken: The export of cat skins was prohibited by the Government.

2 69/17 Cuddihy D.J. 13 June
"For recognition of his (Airforce) trade training" (as sufficient to bring his wages into line with indentured tradesmen).
Mr McLachlan Petitions MFC 6 August

Action taken: Trade training by the armed services was recognised as equal to that required of indentured tradesmen. This brought the petitioner an increase in wages to bring him in line with indentured tradesmen.

3 69/34 Powell A.D. 9 July
"For relief" (following an adverse decision by the Accident Compensation Commission).
Hon. Mr Matheson Petitions MFC 18 September

Action taken: The decision of the A.C.C. was reversed and the petitioner was given an ex gratia payment "sufficient to discharge a mortgage on the house owned by the petitioner".

4 70/1 Corban K.A. and 28 273 others 13 March
"For the construction of the public hospital at Henderson to be undertaken immediately".
Dr Finlay Social Services MFC

Action taken: Tenders were called for Stage I of the Waitakere General Hospital.

5 70/8 Society for the Preservation of the Kerikeri Stone Store (Inc.) and 6 044 others 21 April
"That the Government purchase the land surrounding the Kerikeri Stone Store".
Mr Sloane Petitions MFC 25 June

Action taken: "Steps are being taken to acquire the land in question. Government is providing a major part of the finance required."
6 - 12 70/14, 70/105, 70/106, 70/107, 70/108
70/109, 70/114
The principle petition was 70/14 of Nelson Roy Cullen and 264 906 others 20 May

"That the House not permit the waters of Lake Manapouri to be raised beyond the normal levels".

Hon. Mr Riddiford Manapouri Petition FC 9 June 1971 (Media accredited)

Action taken: The Government accepted the recommendations of the Select Committee it set up to investigate the future of the Lake Manapouri hydro project. Specifically that "any dam construction at Mararoa to control the level of Lake Manapouri be so constructed as to ensure that at this stage the lake is not raised above its natural levels". Although the option to raise the lake was retained under the authority of Parliament.

13 70/93 Lloyd H.A.S. and 1 121 others 20 October

"For an amendment to the Auckland Regional Authority Act 1963".

Mr Wilkinson Local Bills MFC 11 November

Action taken: The Auckland Regional Authority Act was so amended. (No further details were provided.)

14 71/6 Ruddenklau A. McF. and another 12 March

"For changes to the regulations governing the award of boarding bursaries".

Mr Dick Education FC 13 October

Action taken: An ex gratia payment of $500 was made to the petitioners in respect to their claim for boarding allowances for their two elder children. "The point made by the petitioners regarding the making of regulations has been accepted by the Government, and the Education Act 1964 has been amended to permit this to be done."

15 - 16 71/20, 71/21
71/20 Allen Guy A. and 2 762 others 14 July
71/21 Naea J. and 391 others 14 July

"That the New Zealand Government intervene to try to stop French nuclear testing in the Pacific, and to co-operate with other Pacific Governments in this objective".

Mr Hunt Petitions C 2 September (Media accredited)

Action taken: The Government listed the actions it had taken to try and end nuclear testing in the Pacific.

"1. Jointly sponsored with Peru a resolution at the UN Conference on the Human Environment, Stockholm, condemning the testing of nuclear weapons, especially those
in the atmosphere, and calling upon those states intending to carry out nuclear weapons testing to abandon their plans ... as they may lead to further contamination of the environment.


3. Issued a joint statement with Australia calling for an end to atmospheric nuclear testing.

4. The ANZUS Council issued a communique reaffirming members hopes "that there should be universal adherence to the Partial Test Ban Treaty."

17 72/42 Jackson Mrs H.M. and 30 000 others 14 September

"That courses in Maori language and aspects of Maori culture be offered in schools".

Mr Rata Education FC 12 October
(Media accredited)

Action taken: The petitioners were advised "in detail of the policy and action being taken to implement the teaching of Maori in schools".

18 - 23 73/40-55, 73/47
The principal petition was 73/40 of Roberts Mrs Evelyn D. and 4 999 others 18 July

"For amendment to the Dog Registration Act 1955".

Mr Hunt Petitions C 6 September

Action taken: New legislation to this effect "is to be introduced under the second stage of the Local Bodies Legislation".

24 - 25 74/23, 74/28
74/23 Clemow D.S. and 19 916 others 20 August
74/28 Floyd L. and 27 485 others 17 September

"That the Government do not take over land at Albany under the Public Works Act except for essential public works such as roads or hospitals".

Air Commodore Gill Local Bills FC 17 April 1975

Action taken: "The terms of the petitioners have been met by the withdrawal of the notices of intention issued under the Public Works Act to take land at Albany". (To build a second University for the Auckland area there.)

26 75/6 Candy R. and Parkin F. 25 March

"Praying for relief" (to those people requiring uninterrupted and safe access to public lands in respect of the decision of the Minister of Lands regarding access to forest services and unoccupied Crown lands beyond Erewhon Station Ashburton County.)

Mr Talbot Lands & Ag. C 25 September
Action taken: The Government agreed with the recommendation of the Lands and Agriculture Select Committee that "action should be taken as soon as possible" to complete an access road.

27 - 28 75/14, 75/18
75/14 Glenn W.D. and 2 000 others 13 April
75/18 Dawber P.M. and 2 000 others 1 May

"That the regulations banning cats from food premises be revoked".
Mr Wilkinson Petitions C 4 July

Action taken: "Under action - appropriate Regulations acceding to the prayer are being drafted".

29 76/4 Peters Joy and 410 others 23 June

"For aid to cancer patients" (that surgical prostheses; breast prostheses, wigs, and artificial eyes, be supplied free of charge to cancer patients who require them.)
Mr Baily Social Services MFC 18 August

Action taken: "The 1976 Budget provides for an extension of health benefits to provide for a subsidy of up to $30 in respect of a breast form provided for women who undergo a mastectomy on or after 29 July 1976. Proposals regarding the inclusion in the benefits for artificial eyes and for wigs are still under consideration". (These were subsequently met.)

30 76/24 Greves A.K. and 527 others 7 October

"That a speed restriction be imposed and a pedestrian crossing be installed outside the Wakaaranga School".
Hon. Mr Gill Petitions MFC 14 September

Action taken: The Government approved the imposition of a 50 km/h speed limit in Butley Drive, Pakuranga. A pedestrian crossing was also installed outside the school.

31 76/34 Williamson I.D. 8 December

"That regulations protecting the fishing grounds in the Firth of Thames and the Hauraki Gulf be retained".
Mr Schultz Petitions MFC 26 May

Action taken: "The Fisheries (General) Regulations 1950, Amendments No 25 and No 26 made on 27 July and 29 August 1977 respectively met the prayer of the petition".
32 76/35 Ross Robyn and 740 others 9 December

"That the House seek to have the restrictions on the employment of relief teachers withdrawn".

Mr Baily Petitions C 25 May 1977

Action taken: "Restrictions on the employment of relief teachers were withdrawn and the relief scheme reintroduced with minor modifications with effect from the second term of 1977".

33 - 35 77/25, 77/30, 77/32
The principal petition was 77/30 of Walker Margaret and 2 681 others 11 October

"That the House adopt the findings of the Royal Commission on Contraception, Sterilisation and Abortion".

Hon. Mr Templeton Social Services C 24 November

Action taken: It was simply stated by the Government that "the prayers of the petitioners have been met".

36 78/13 Armstrong Robert G. and 1804 others 23 May

"That a parcel of Crown Land be transferred to the Waimairi County Council for use as a recreational area".

Hon. Mr Walker Lands & Ag. MFC 26 July

Action taken: "The Government approved of an agreement being concluded with the Waimairi County Council. . .", which stated that the land should be designated for use as a "neighbourhood open space for school use, occasional sporting events and passive recreation".

37 78/21 Tauranga Executive of Maori Committees and the Tauranga Moana Trust Board 9 August

"For an inquiry into the payment of compensation for land confiscated in the Tauranga area".

Mr Reweti Maori Affairs FC 9 August 1979

Action taken: The petitioners request for compensation was met by a payment of $250 000 to the Tauranga Moana Trust Board on condition that "the payment is accepted as full and final settlement for land confiscated from the Maori people in the Tauranga area in 1864". "The removal of the designation 'rebel' from those Maori tribes who fought against Government forces at Gate Pa and Te Ranga in 1864 was approved."
38 79/4 Love Ralph Makere and 158 others 17 May

"For land to enlarge the Takapuwahia K. Urupa for use as a memorial park".

Hon. Mrs Tirikatene Sullivan Maori Affairs FC 13 December

Action taken: "The Government has agreed that an area of 6 080 sq metres of land now held by the Housing Corporation at Porirua and adjoining Takapuwahia K Urupa should be transferred to the trustees of the Urupa at the current market value of the land, with the cost to be borne by the Maori Housing Revenue Account".

39 79/21 de Ruiter Cornelis 5 June

"Praying for relief" (in the matter of the 3rd class steam engineering certificate which was issued to him in 1971 subject to his becoming a naturalized citizen within 5 years; it was cancelled in 1976 while he was waiting for his citizenship to be approved).

Hon. Mr Connelly Petitions C 19 July

Action taken: "A new certificate has been issued to Mr de Ruiter as a New Zealand citizen".

40 79/60 Wellington Newspapers Ltd 4 December

"For an order of the House touching on its privileges".

Mr Comber Privileges Special Recommendation: 13 December
That the House meet the petition

Action taken: Leave was granted by Hon. Mr Thomson as the leader of the House for Mr Prebble to give evidence in the Supreme Court "on such matters touching the Houses (privileges) as may be relevant in the action brought by Gerald Ross Lascelles against Wellington Newspapers Ltd and Radio Avon Ltd". See NZPD Volume 428 1979 p. 4789.

41 79/69 Lloyd C.L.B. and 3 418 others 11 December

"For an alteration in the representation of the Glenfield ward on the Takapuna City Council".

Hon. Mr Gill Local Bills C 13 June 1980

Action taken: The Government suggested to the Takapuna City Council it should be asked to promote a local bill giving it the authority to review the distribution of council seats on the basis of the 1981 census. This would have increased the number of councillors from the Glenfield ward.
42 79/78 Connolly Brian and 6 150 others 18 May

"For an amendment to section 43 of the Apple and Pear Marketing Act 1971 so that restrictions on the direct purchase of apples and pears are removed".

Mr D.M.J. Jones Lands & Ag. FC 19 July

Action taken: "It is the intention (of the Government) to introduce amending legislation as soon as possible."

43 80/1 Sayers Horace and 3 802 others 15 May

"That trawling and Danish seining restrictions in the Waihi Beach area be extended".

Mr Townsend Petitions C 19 August

Action taken: "The prohibited area was extended to the northern limit of Hamunga Bay in line with the requests of the petitioners".

44 80/48 Haynes-Jones Errolyn and 10 000 others 12 December

"That the House request the Government to remit the contents of this petition expressing New Zealand Women's support for efforts to achieve world peace to the United Nations".

Mr H.N. Austin Foreign Affairs 12 June

Action taken: "The Government agreed to act as a channel for the transmission of the petition to the Secretary-General of the United Nations".

45 81/34 Williams Thomas and 431 others 2 September

"That the House request the National Roads Board to give high consideration to safety factors at the Mosgiel Interchange of State Highways 1 and 87".

Mr Gray Petitions FC 14 October

Action taken: "The Government agreed that the petition should be referred to the National Roads Board with the indication that the Petitions Select Committee had unanimously recommended that favourable consideration should be given to the petition".

46 81/37 Auckland Regional Authority 9 September

"Praying for an Order of the House touching on its privileges".

Mr Prebble Privileges "That leave be given accordingly" 18 September

Action taken: Leave was granted by Hon. Mr McLay as Minister for Justice "to allow The Auckland Regional Authority to produce extracts from the records of the House in the High Court". See NZPD Volume 441 1981 p. 3469.
47 82/9 Miller John and 1 073 others 27 April

"That the House request the Government to take action to improve two overbridges south of the township of Katikati".

Mr Townsend Petitions FC 22 July

**Action taken:** "The National Roads Board has now arranged for the actions sought by the petitioners to be carried out during the 1982/83 construction season".

48 82/13 Auckland Polish Association (Inc.) and 25 426 others 20 July

"That the House will recommend that this petition, relating to the imposition of martial law and the restoration of human rights, be forwarded to the Human Rights Commission".

Rt. Hon. Mr Muldoon Foreign Affairs MFC 8 October

**Action taken:** "The Government agreed to transmit the petition to the Secretary-General of the United Nations with the request that it should be brought to the attention of the Human Rights Commission. In taking this action the Government indicated to the Secretary-General that it endorsed the petition".

49 82/17 Eldridge Kiri 21 July

"That the law requiring transport operators to secure their loads be strictly enforced or changes to ensure that loads cannot fall off".

Hon. Mr Templeton Road Safety MFC 4 August 1983

**Action taken:** "The Ministry of Transport has been directed to develop a code of practice for the safe securing of loads and this is being done, in consultation with the industry. When the code of practice has been developed the regulations will be amended and fines for breaches of the regulations will be increased".

50 82/36 Auckland Regional Authority 31 August

"Praying for an Order of the House touching on its privileges".

Mr Prebble Privileges "That the House order accordingly" 8 September

**Action taken:** Leave granted, but reference in NZPD could not be located.
51 83/39 Brown Sheryl and 2 553 others 4 August

"That the Government legislate to make it compulsory for every child under the age of eight years to be adequately restrained when travelling in a private vehicle; and that only restraints made to New Zealand safety standards be available for sale and that the Government effectively reduces their retail price to the public".

Mr Townshend Road Safety to Statutes Revision 14 September

Action taken: "The Government has introduced measures for child restraints in private vehicles".

52 83/142 Broadcasting Corporation of New Zealand

"Praying that the House grant leave to the petitioner to produce extracts from the records of the House in the High Court of New Zealand".

Ms Wilde Privileges "That the House order accordingly" 28 October

Action taken: Leave was granted by Hon. Mr McLay as Minister for Justice for Mr Prebble to provide extracts of Parliamentary records in the High Court. See NZPD Volume 454 1983 p. 3481.
Petitions actioned after an inquiry

53 75/4 Houston R.A. and 92 210 others 25 March

"For passing of legislation so that patients of registered chiropractors become entitled to the same subsidies as exist in relation to other health services under the Social Security and Accident Compensation laws".

Mrs Jelicich Petitions MFC 12 June

Action taken: The Commission of Inquiry into Chiropractic in New Zealand: H 2 of The Appendices to the Journals of the House of Representatives 1979 p. 26 suggested that legislation in force in Ontario which included chiropractic in compensation schemes should be used as a "model for New Zealand".

54-55 76/5, 76/29
76/5 Landon J. and 11 806 others 23 June

"That the House will oppose nuclear power stations in New Zealand and visits by nuclear-armed and powered ships".

Petitions C 10 June 1977

76/29 Hawkins G.W. and 5 088 others 20 August

"That the Government not allow nuclear power reactors in New Zealand and that the Government publish a programme to put into effect sustainable non-nuclear energy systems".

Petitions C 10 June 1977

Action taken: The Royal Commission to Inquire into Nuclear Power Generation in New Zealand: H 4 of The Appendices to the Journals 1978 p. 279 recommended that a decision on nuclear power generation in the 21st century should be deferred until "1992 to 1996".

56 79/5 Ibbotson Mrs representing the Quota Clubs of New Zealand 18 May

"That newsbroadcasts and emergency announcements on television bear captions for the information of the hard of hearing".

Hon. Mr Birch Petitions FC 9 August

Action taken: Television New Zealand introduced "a review of the week's news for the deaf", News Review in 1981 after studying the proposal.
Petitions Cabinet partially actioned

1 69/2 D.K. Duncan Limited 15 May

"Praying for relief" (over loss of business suffered because of errors in the Auckland telephone directories for 1959 and 1960).

Mr Hight Petitions C 26 June

Action taken: An ex gratia payment of $100 representing the value of Yellow page advertising was offered to the petitioner but was not accepted. The Government noted that the Post Office had assisted the petitioner in other ways to minimise disruption to his business.

2 69/30 Mayow A.P. and 11 000 others 12 July

"For an amendment to the Electoral Act to lower the voting age to 18 years".

Hon. Mr Watt Petitions C 27 August

Action taken: The voting age was lowered to 20 years.

3 69/42 Vavasour B.J. and 670 others 8 August

"For relief in Biafra".

Hon. Mr Shand Petitions FC 1 October

Action taken: The Government noted that a ceasefire had taken effect on 12 January 1970. It granted $50 000 to the Nigerian Government for relief and rehabilitation.

4 71/35 Baldwin Daphane and 995 others 16 November

"For the House to develop improved relations in all fields with the Soviet Union".

Air Commodore Gill 19 October

Action taken: New Zealand established an embassy in Moscow.

5 73/20 Ellis B.A. 16 March

"That the beech forest utilisation scheme be suspended until submissions from the conservation organizations have been heard".

Rt. Hon. Mr Marshall Lands & Ag. C 20 July

Action taken: The Government adopted the advice of the Lands and Agricultural Select Committee that less virgin beech forest should be converted to exotics but stated that "responsible milling of indigenous forests would be allowed to continue".
6 73/27 Gueuelette D. and 12 340 others 5 June

"For an assessment of the present marine resources, and for regulations to assist the proper development of a New Zealand owned and operated fishing industry, including provision for recreational fishing".

Mr Schultz Land & Ag. FC 27 September

Action taken: The Government stated that it would strengthen the MAF's fishing research effort but added "no further specific action will be taken on this petition".

7 73/38 Royal Forest and Bird Protection Society and 88 264 others 13 July

"For the preservation of beech forests and other native forests".

Mr T.J. Young Lands & Ag. C 20 July

Action taken: "In approving proposals for the utilisation of South Island beech forests Government accepted the recommendations of the Lands and Agriculture Committee and also directed that [there] should be continuing environmental impact reports . . . ."

8 73/53 Robertson D.H. and 77 others 2 October

"For an early commencement of the planned 'Styx loop' railway line and the elimination of the existing railway line through the heavily built up residential area of Papanui".

Hon. Mr Walker Petitions C 8 November

Action taken: The Government purchased the land required and stated that it planned to give consideration to the construction of the line in 1974.

9 74/30 Raven H. and 1 636 others 18 September

"That the New Zealand Government make an immediate public protest at the denial of democracy in Chile, end political recognition of Chile until democracy is restored and demand immediate release for political prisoners".

Mr Moore Petitions MFC 10 October

Action taken: The Government co-sponsored two United Nations resolutions on the human rights of political prisoners, one of which made specific reference to Chile. A resolution for the release of Allende's Foreign Minister was also supported.
10 74/32 Smith Helen and 1 500 others 25 September

"That the subject of abortion law reform be opened up to full discussions and debate; and that the Hospital Amendment Bill be referred to a Select Committee".

Dr Wall Social Services FC 26 March '75

Action taken: The Government established a Commission of Inquiry into abortion. A free vote in the House rejected the petitioners call for the Hospitals Amendment Bill's referral to a select committee.

11 74/44 Sievers A.G. and another 22 October

"For an amendment to section 17 of the Maori Affairs Act 1943".

Mr Mayson Maori Affairs FC 4 July 1975

Action taken: The petitioners sought an addition to the Maori Affairs Act allowing them to erect a building on the land owned by an estate and for this to be financed by the selling of the assets of the estate. The first half of the petition was declined but the second was met with the introduction of the Maori Purposes Bill in 1976.

12 74/51 Howard T.J.B. and 12 500 others 6 November

"For the preservation of native forests in the Kaimai Ranges".

Mr K.R. Allen Lands & Ag. C 19 June 1975

Action taken: The Government established a State Forest Park in the Kaimais rather than a National Park.

13 75/3 Smith Robert and 12 830 others 25 March

"That the Government take immediate steps to end the gross nuisance to all New Zealanders and overseas tourists caused by the presence of broken bottles and empty cans".

Mr Munro Petitions C 12 June

Action taken: The Government commissioned a joint departmental study and noted that the National Litter Council was doing its best to change public attitudes.

14 75/5 King Graham and 8 000 others 25 March

"For protection of certain species of cetacean Whale by legislation and other means".

Mrs Batchelor Petitions 12 June

Action taken: Part (i) of the petition called for the banning of whale-based products. This was done when New Zealand rejoined the International Whaling Commission. The latter two thirds of the petition, calling on all whaling nations to end this practice and for legislation to this effect in New Zealand was not commented on by the Government.
15 75/40 Eastern Beach Landscape Park
Action Group and 3 110 others 26 August

"That the 125 acres of coastal Crown land at Eastern Beach in Auckland be retained in its entirety as a natural open space for use solely as an area of passive recreation administered by the Department of Lands and Survey for the general benefit of the people of Auckland".

Mr Downie Petitions C 25 September

Action taken: The Government divided the land between a reserve (32 ha) sub-division (10 ha) and a secondary school (8 ha).

16 76/28 Latta G.H. 3 November

"That the House recommends that 'God Defend New Zealand' be adopted as New Zealand's national anthem".

Hon. Mr Fraser Petitions FC 26 May 1977

Action taken: After consulting with the Queen the Government stated that "God Save the Queen" and "God Defend New Zealand" would be afforded equal status as national anthems.

17 77/9 Lincoln Nan and 5 223 others 28 June

"For the immediate recommencement of work on the Northern Motorway extension to Rosedale Road".

Hon. Mr Gill Petitions C 26 August

Action taken: The Government provided the National Roads Board $10 million for some of the work (a section to Sunset Road) in November 1977.

18 78/11 Bowman Marilyn and 1 232 others 23 May

"That the House recommend to the Government that the Elderslea Maternity Hospital remain open and that health services in Upper Hutt be extended".

Hon. Mr Baily Social Services MFC 20 June

Action taken: The Government noted that the Wellington Hospital Board had decided to maintain the hospital as a maternity hospital, i.e. the Government itself took no action. The Government also noted that funds had already been provided for the extension of community health services in the Hutt Valley.
19 78/16 Cullen Trevor and 635 others 2 June

"Praying for relief" (Praying for the grant of a war pension).

Mr. M.J. Jones Social Services MFC 11 August

Action taken: The Government upheld the decision of the War Pension Board that the serviceman's injury was not attributable to service. However, the Government offered an annuity.

20 79/27 Bucklands and Eastern Beaches Ratepayers' and Residents' Association (Inc.) and 6 000 others 13 June

"That a parcel of land set aside for housing be redesignated as a public reserve".

Mr T. de V. Hunt Land & Ag. FC 17 August

Action taken: The Government offered to sell some of the land to the Manukau City Council for a reserve.

21 79/39 Williamson Keith J. and 7 others 1 August

"For a continuation of the Kingston Flyer steam train service".

Mr Gray Petitions FC 7 November

Action taken: The Government considered that the cost of upgrading the line and the decline of freight meant that the train should be transferred to the Invercargill area to be used for excursions in that area.

22 80/2 Dearsley Shirley on behalf of the Paremata Residents' Action Committee and 569 others 15 May

"For measures to improve the safety of the pedestrian crossing at Paremata station".

Mr Brill Petitions FC 22 October

Action taken: The construction of a pedestrian overbridge was considered too expensive, rather the Government suggested some minor changes to the location of warning signs to motorists about the presence of pedestrians.

23 80/9 Beauty without Cruelty (Inc.) and 13 315 others 4 July

"For legislation for the more humane control of noxious animals".

Mr Hight Petitions C 22 October

Action taken: The use of phosphorous poison was prohibited but the use of gin traps would continue until a "suitable alternative is found".
24 80/18 Clarke Mollie and 12 300 others 29 August

"For measures relating to the revenues of Christchurch Airport and the extension of that airport's runway".

Hon. Mr Connelly Petitions C 4 December

Action taken: Approval was granted for the extension of the runway but the petitioners' other request for the return of revenue levels to the pre 1965 level, was declined.

25 - 26 82/60, 82/62
82/60 Jones Robert and 5 000 others 7 December

"For the banning of all commercial trawling within 20 kilometres of the Dargaville Ocean Beach".

Hon. Mr Wilkinson Lands & Ag. C 28 July 1983

82/62 Ahipara Residents' and Ratepayers' Assn and 612 others 14 December

"For the banning of all commercial trawling within 20 kilometres of Reef Point".

Mr H.N. Austin Lands & Ag. C 28 July 1973

Action taken: The Government noted that the local fishermen had agreed to a limited ban on commercial fishing 1 mile from the shore at Muriwai Beach. The Government believed the petitioners' requests would be met in the long run by the development of a fisheries management plan for the area and intended to take no further action.
A Petition partially actioned after an inquiry

27 75/41 Society for the Protection of the Unborn Child and 113 381 others 27 August

"That the unborn child be accorded a right to live and for related purposes".

Hon. Mr Amos for Hon. Mrs Tirikatene Sullivan

Petitions MFC 16 July

Action taken: The Royal Commission investigating Contraception, Sterilisation and Abortion reported in March 1977. It was not as unequivocal as the petitioners would have desired. On page 192 of its report the commission stated that "the foetus has a status from implantation which entitles it to preservation and protection". But it also stated that "this status does not confer upon it the absolute right to life. If it did, then human life with full conscious development would have to yield to it. . ."
Appendix Two: The Sources of Data Used in Quantitative Analysis

This appendix is divided into two parts, entitled 'Variable Sources: The Consideration of Petitions' and 'Variable Sources: Data on Petition Characteristics'. The objective of this appendix is to detail the source of data used in each variable in the study. As discussed in the text these were Hansard, The Journals of the House of Representatives, the dossiers containing submissions, reports and other data considered by select committees, and the annual report Cabinet tables in the House specifying its decisions on actioning petitions.
<table>
<thead>
<tr>
<th></th>
<th>VARIABLE SOURCES: THE CONSIDERATION OF PETITIONS</th>
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<tbody>
<tr>
<td>HANSARD</td>
<td>THE JOURNALS OF THE HOUSE</td>
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<tr>
<td>7.</td>
<td>The select committee each petition was referred to.</td>
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<td>14. (As well as general knowledge). Whether the petition was being considered in an election year.</td>
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<tr>
<td>18.</td>
<td>The number of months and sessions select committees took to make their recommendations on the merits of petitions.</td>
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<td>21. The size of the Governments majority while each petition was being considered.</td>
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<td>25.</td>
<td>The level of select committee recommendations on each petition.</td>
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<td>26.</td>
<td>How any riders attached to the committee's report related to the petition</td>
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<td>22. The number of sessions Cabinet took to decide whether each petition would be actioned or not.</td>
<td></td>
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<tr>
<td>27.</td>
<td>The decisions of Cabinet on actioning petitions.</td>
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</table>
### VARIABLE SOURCES:
Data on petition characteristics

<table>
<thead>
<tr>
<th>HANSARD</th>
<th>THE JOURNALS OF THE HOUSE</th>
<th>SELECT CTTE DOSSIERS</th>
<th>CABINET’S ANNUAL REPORT TO THE HOUSE</th>
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</thead>
<tbody>
<tr>
<td>1. Petitions were identified from the number assigned to them on their reception by the Office of the Clerk.</td>
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<td>2. The name of any group involved in gathering and promoting each petition was only evident when that group presented a submission.</td>
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<td>3. In their submissions often outlined the other appeals they had tried before petitioning Parliament.</td>
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<td>4. The issue which provoked the petition. More detailed information on the petition’s topic.</td>
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<td>5. Any additional requests made by the petitioners.</td>
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<td>6. The name of the MP who sponsored each petition.</td>
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<td>9, 10. The name of the prime petitioner. From this data their sex and whether they had organised a petition before could be determined.</td>
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<td>11. A distinction was made between petitions concerning partisan and non-partisan topics.</td>
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<td>12. A similar distinction was drawn between petitions on controversial and non-controversial topics.</td>
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<td>16. Sponsored by Cabinet ministers and backbenchers.</td>
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<td>HANSARD</td>
<td>THE JOURNALS OF THE HOUSE</td>
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<tr>
<td>13.</td>
<td>A distinction was drawn between those issues which repeatedly provoked petitions and those that did not.</td>
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<td>15.</td>
<td>A distinction was drawn between petitions sponsored by Government members and those sponsored by the Opposition.</td>
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<tr>
<td>16.</td>
<td>A distinction was also drawn between petitions sponsored by MPs who had been/were/would be ministers and those who were backbenchers.</td>
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<td>17.</td>
<td>The number of signatories to each petition was determined.</td>
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<td>23.</td>
<td>The scale of each issue was determined (from those concerning individual to international issues).</td>
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<td>24.</td>
<td>The professionalism of each of the petitioners submissions was assessed.</td>
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<td>28.</td>
<td>A spectrum was constructed concerning the petitioners attitude to change.</td>
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<tr>
<td>29.</td>
<td>A spectrum was constructed concerning the more specific issue of the petitioners attitude to legislative change.</td>
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</tbody>
</table>
Secondary literature:


Consumer "How to Get the Best Value from your MP". Number 180, January/February 1981.


Oram, O. "Investigative Select Committees in the 1966 House of Commons: The Effect of an Experiment in Parliamentary Reform upon the House of Commons, the Political Parties, the Executive and the Public". Ph.D. dissertation, University of Strathclyde, 1975.


Turabian, Kate L. A Manual for Writers of Term Papers, Theses and Dissertations 4th ed. Chicago: The University of Chicago Press.


Primary Sources - Official Documents:


Dossiers containing reports and submissions on petitions held by the Legislative Department and at The Copyright Office of the General Assembly Library.


The Appendices to the Journals of the House of Representa-}


The Ombudsmans Annual Reports to the House. A3 in The Appendices to the Journals of the House of Representatives.


Speeches:


Interviews:

Batchelor, Mary. MP for Avon. (The last Chairperson of the Petitions Select Committee) at her electoral office in the Aranui Community Centre, 16th December 1985.

Willowby, James. (Clerk of the Journals and Records for the Legislative Department) at the General Assembly, 27th September and 13th November 1984.