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Rolling average poll

Mole poll sees Maori Party as PM-maker

Just one new poll into our data this week, and it is a somewhat historical one from UMR that we have received second hand. It was taken before the auditor-general's report into election spending was released - and all the publicity that went with it. In it National was holding only a slender lead, at odds with most other recent data.

Nevertheless in our rolling poll of polls National holds a commanding lead still. So assuming the sitting minor party leaders hold their seats (and the Maori Party keeps all four seats it holds) then the results are:

	Percent seats	
National	43.22	55
Labour	39.20	49
Greens	7.18	9
NZ First	3.02	0
Maori Party	2.75	4
United Future	1.50	2
Act	1.39	2
Progressive	0.16	1

It is a 122 seat House with one Progressive and one Maori Party overhang seat. The required 62 seats for a majority are still hard to come by for National unless we assume a deal with either the Maori Party plus Act and United Future or the Greens. A two party Blue-Green Government would be the simplest to form. (I can't believe I just wrote that either!)

Labour, Jim Anderton and the Greens would need the Maori Party too - United Future would not quite be enough. The combinations are even more complex than the current Parliament, but the Maori Party is in an extraordinarily strong position to determine the shape of the next Government, as are the Greens to a lesser extent, once NZ First falls out of the equation.



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Weekend update

The Privileges Committee recommendations on the protection of witnesses before select committees should be scrutinised especially by state agencies who regularly appear.

The Privileges Committee has tabled its recommendations flowing from the spat between Ian Fraser and TVNZ over the evidence he gave to the select committee, and the broadcaster's subsequent action against him.

TVNZ had already been slapped and ordered to pay a \$1000 fine, but the committee has since considered the broader question of the protections - and the limit to those protections - that are offered to witnesses who appear before select committees.

The committee has stopped short of insisting everything a person says to the committee is completely protected. It would add to the considerations that are relevant in deciding whether to punish for contempt (a) the conduct of any person taking part in parliamentary proceedings, and (b) the nature of any action taken against any person on account of that person's parliamentary actions.

"A person who acts irresponsibly in their parliamentary evidence by making extravagant or unjustifiable assertions cannot expect to be defended by the House if this leads to action outside the House," the report says.

"The rule of law preventing the calling into question of their evidence would still operate, but the House may take no affirmative action to protect the witness by using its power to punish for contempt. On the other hand, even if a witness's evidence is justified or responsible, the House may decide not to use its power to punish for contempt if the action complained of (the disadvantage) could be seen as justifiable or understandable from the point of view of the person taking it. Thus a public servant who, in evidence to a committee, criticised a Minister or Government policy could hardly expect to retain the confidence of the Minister or of his or her department. Moving the public servant to a position that involved no contact with the Minister or to one where the official no longer worked on that policy would be seen as justifiable in these circumstances."

However, it also makes clear that evidence given to a select committee cannot form the sole basis for an action against the person who gave it, though it might act as a prompt for an employer to establish a separate inquiry.

Parliamentary funding

We have little doubt parties were warned about the nature of their spending before the 2005 general election and that some decided on a strategy of asking for forgiveness rather than permission, believing they they could change the auditor-general's mind later. They are deservedly paying the price.

But the issue of whether they were adequately warned and adequately managed their risks should not obscure the stance the auditor general has taken toward the definition of parliamentary purpose: His finding is far too narrow and it needs to be tidied up before the next election.

At the heart of the Auditor-General's findings is a view that MPs have a dual role. One is a venal vote-monger, seeking to gain the support of the public; these activities are not parliamentary. The other is an honourable servant of the public, conducting parliamentary business without a moment's thought for mere politics. The distinction exists only in the imagination of an accountant, and as far as it tries separate politics from parliament it veers from naiveté into outright idiocy.

Take a humble news release - it is likely to be prepared by a paid staffer on letterhead decorated in party colours then faxed around New Zealand on the public coin. Almost all releases are calculated to gather public support. By what calculation can they be separated from a billboard that expresses the same view in a more concise and more direct form? How is it different from working with members of the party to develop a policy, summarising it in a pamphlet and making the pamphlet available to members of the public? A news release is part of the everyday work of MPs. Other forms of communications should be as well. In a representative democracy, representatives should be accountable to their constituents - and to do so they have to formulate ideas and communicate them to voters.

The process demands advocacy. In New Zealand we constitutionally give that role to parliamentary parties. MMP relies on parties to make our system work. Yet restrictions on parliamentary communication would require parties to privately fund some of the necessary steps in making our constitutional system work. As things stand, MPs' newsletters keeping constituents up to date with what they're doing can't be funded - but newsletters are the least voters might expect to hear from their representatives and how else are they going to be paid for?

...continued

...from above

Though we think his report was weak (at best) and shot to pieces by the opinion of Chapman Tripp's Jack Hodder, the auditor-general's view stands as a declaration of what the existing rules say. To clear things up, the rules need to be clearly amended. Parliamentary parties should be restrained from explicitly soliciting votes or cash. Beyond that, the taxpayer should foot the bill as part of the price of making our form of democracy work - just as we expect to foot the bill for the cost of MPs addressing public meetings and meeting their constituents. If we stop doing that, groups which can afford the airfare will have better access to MPs than, say, Grey Power and bowling clubs. If there are concerns about electioneering, operational funding could be limited to prevent any (or some) parliamentary funded communications for a set pre-election period. It took some logical jujitsu to import a three month period from the Electoral Act into the auditor-general's report, but that time would do as well as any.

UK considers public funding of parliamentary parties

It's ironic a controversy over parliamentary funding has arisen here when also this week a review of political funding in the UK suggested taxpayers there should pick up more of the bill. The review began because of an ugly scandal where the governing Labour Party has been accused of selling peerages for donations (three people, including Tony Blair's personal fundraiser, have been arrested.) The Times report of the recommendations for reform, quotes its author saying parties are "of central importance to the quality of leadership, the prosperity and the reputation of our country...As members of the public we cannot have it both ways. Party politics costs...We cannot expect to have a vibrant, healthy democracy for nothing."

North Korea

"New Zealand will now be giving thought to what further measures can be taken with respect to North Korea," prime minister Helen Clark announced after the North Koreans set off a nuclear bomb. We could cancel diplomatic recognition, established in 2001. (NZAid has given about \$700,000 a year of humanitarian aid through multilateral agencies such as the World Food Programme). But it's a pity we can't go back to 1995 when we contributed \$4.5 million towards a light water nuclear power plant in North Korea. (We paid for heavy fuel oil while the reactor was being built). The idea was that outside co-operation would supplant North Korea's indigenous nuclear power scheme, which was suspected of being a cover for a nuke weapons programme. The project was suspended in late 2003. It was formally cancelled last year, but Kim Jong Il's government has pinched about \$45 million of gear that was being used to build the plant.

Media

TVNZ may confirm Jane Wilson as Head of Programming next week. She would replace Annemarie Duff who has had not much to do since Ms Wilson added One to her duties as TV2 programmer after One's programmer Liz Fraser headed out the door. The relationship between Ms Wilson and Ms Duff was not considered to be the warmest in the industry. Now that Ms Wilson is moving up into the Head of Programming job, there is a vacancy below and Irene Gardiner is rumoured to be taking over as One's programmer. The newly appointed associate programmer of TV2, John Kelly, will step up to the main job. Meanwhile others are asking why Ms Duff is staying on until Christmas.

The realignment of media empires in Australia is underway

Fairfax is first against the wall. It looks like spill-over effects will see Fairfax in New Zealand broken up as purchasers pick off bits and pieces.

Australia last week tossed out decades old laws that prevented media moguls owning both newspapers and tv stations in the same market. They are still subject to competition regulation and the new rules restrict media companies to two out of three - radio, tv and papers - in the same market.

Now Kerry Packer's heir, James, is pushing to buy Fairfax - owner of half New Zealand's dailies as well as TradeMe. It's thought Mr Packer's PBL would strip Fairfax's star assets, the Sydney Morning Herald and Melbourne's Age. PBL would keep regional newspapers, which are earning a higher rate of return.

The strategy emphasises the threats to newspaper asset valuations from declining classified advertising revenues, so a new owner would be likely to keep TradeMe and Stuff. (One rumour doing the rounds when TradeMe was sold was that Fairfax moved quickly to ensure the website didn't end up in PBL's ownership). The prospects for print mastheads is less clear.

Scuttlebutt says the Fairfax board would be removed. Our own David Kirk would probably be job-hunting.

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