

## Comment on Fair Chance: Interim report

Thank you for the opportunity to comment on the NZPC's *Fair Chance* Inquiry Interim Report.

The NZPC team has worked hard on this Report and has canvassed many perspectives and cited some useful literature. I agree with the proposed focus on equity, which seeks equality of outcomes through complementary but distinct initiatives for disadvantaged groups.

However, there are big weaknesses in the Report. It is narrow and inward-looking, and in places racially partisan. The Report's framing is dominated by Māori perspectives to the exclusion of those of most other New Zealanders. Whilst there is significant coverage of the Pacific community, Asian New Zealanders are hardly considered at all.

In my view the *Fair Chance* Inquiry should be based on need and on horizontal equity not on racialism. A horizontal equity approach will still overlap significantly with a Māori-centric approach.

I disagree that Māori disadvantage results from colonisation and institutional racism. A more convincing argument is that too much focus has been placed on culture and identity and too little on socio-economic class issues (see Michaels, 2006).

The Report has inadequate focus on improving educational and labour market performance and lifting productivity as the key drivers of reducing disadvantage.

The Report makes some questionable assertions and claims with weak supporting rationale or evidence. Examples relate to Te Tiriti o Waitangi, and to colonisation and its impacts:

### Te Tiriti o Waitangi

The Report states that "despite the Crown's obligations under the Treaty of Waitangi they fail to provide equitable outcomes for Māori." The Treaty/Te Tiriti does not obligate the Crown to provide equitable outcomes. It is an international agreement to create a central government and rule of law, to protect property rights, and to make Māori Crown subjects (with all the rights this implies).

As the distinguished scholar Dame Anne Salmond has pointed out, Te Tiriti is a colour-blind document that protects the rights of all the people of New Zealand, not just Māori. Te Tiriti was never intended to determine specific outcomes.

### Colonisation and its impacts

The Report states that "the decline in the socio-economic status of Māori began with a deliberate assimilation policy and laws such as the Native Lands Act 1865 that alienated Māori from their lands and broke down traditional collective social structures." This statement ignores the devastating impacts of the "Musket Wars" fought between Māori tribes from about 1807 to around 1837. These wars cost around 40,000 Māori lives, compared to total losses of less than 3000 people from all sides in all the "New Zealand Wars" (see Crosby 2020).

New Zealand ceased to be a British colony in 1907, and the fact that we have freely chosen to retain institutions we inherited from Britain suggests that these institutions have served us well. Māori-centric institutions we have developed, for example wananga, have had a patchy track record.

Colonisation delivered great benefits to Māori when we compare living conditions of Māori before European contact with conditions after colonisation began in the 19<sup>th</sup> century.

No Māori today would be prepared to return to the institutions and living standards of precolonial New Zealand. The challenge is how we can lift living standards and wellbeing for all New Zealanders,

putting most emphasis on those who are the most disadvantaged. This suggests a focus on education and labour market interventions, housing, tax policies and economic development initiatives. Change to some institutions we adopted from Britain may be needed, however no case has been made for fundamental decolonisation (whatever that might look like).

#### Failure to address some key determinants of permanent disadvantage

The Report fails to address adequately some key determinants of permanent disadvantage. A good example is the long-standing poor performance of our schooling system, as tracked through PISA, PERLs and other internationally comparable data. The Report does not draw effectively on work done by the NZ Initiative, and by academics such as Professor Elizabeth Rata on educational issues. The Report shows almost no awareness of the IDI-based Post Study Outcomes (PSO) data available to both the Ministry of Education and the TEC. This data has huge but underutilised potential to guide improved performance in tertiary education as gauged by employment, incomes, and other benefits of tertiary education.

#### Failure to draw adequately on the research evidence

The Report lacks analytical depth in some key areas, and this is reflected in the paucity of the literature cited in the References section from p. 142. While Lusitini (2022) makes good use of data from the Christchurch Health and Development Study, the Report does not draw in depth on many findings from the 50 years of research by the Dunedin Multidisciplinary Health and Development Research Unit on factors relevant to permanent disadvantage.

Furthermore, the Report does not draw significantly on the work of such international researchers as Sendhil Mullainathan, Martha Farah, James Heckman, Raj Chetty and (at a more philosophical level) Michael Sandel). There seems to be little if any awareness of leading-edge work by for example K Paige Harden.

At the end of my comments below I have included references to some further reading that might help future work on the *Fair Chance* Inquiry. I am happy to discuss some of the insights from this work with NZPC staff if that is useful.

#### **Responses to key questions**

My specific comments on some key questions are:

Q. 6.10: What do you see as the necessary changes to our policymaking and funding frameworks so that they respond better to supporting those in persistent disadvantage and prevent the intergenerational transmission of that disadvantage?

I believe that a life course development approach should be taken. I also strongly recommend an analysis of [individual development accounts to address both our equity and our economy-wide productivity challenges](#).

Q6.17 Do you think that our fiscal rules and approach to accounting for future government liabilities constrain our ability to address persistent disadvantage?

Our current fiscal rules and processes are essential to provide both macro-economic stability and micro-economic flexibility. Without them we face serious economic risks, including the exacerbation of permanent disadvantage.

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Thank you for considering my comments.

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