



**PSA Submission to the
Royal Commission into
the Attack on
Christchurch Mosques
on 15 March 2019**

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September 2019

About the PSA

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 74,000 members. We are a democratic organisation representing people working in the public service, the wider state sector (the district health boards, crown research institutes and other crown entities), state owned enterprises, local government, tertiary education institutions and non-governmental organisations working in the health, social services and community sectors.

The PSA represents the majority of public servants and has been advocating for strong, innovative and effective public and community services since our establishment in 1913. People join the PSA to negotiate their terms of employment collectively, to have a voice within their workplace and to have an independent public voice on the quality of public and community services and how they're delivered.

Many PSA members work directly in or support public and community sector preparation for and response to emergency situations. The PSA has a strong membership in Ōtautahi Christchurch and many PSA members were affected by or involved in the response to the Mosque shootings. Following the Christchurch earthquakes, we established a representative network of members from the different agencies working across the city. This group has continued to provide invaluable support and leadership and has contributed to this submission.

This submission

We understand that the purpose of the Inquiry is to investigate what happened in the lead up to the attacks on 15 March 2019, and the performance of State sector agencies in relation to those events.

This submission provides comment on the role of State services agencies and focuses on the following questions:

- Suggestions for how government agencies should engage with New Zealanders on issues like safety and security
- What do you see as the biggest risk to the security of communities in New Zealand?
- When do you think government agencies should share information to ensure the safety of New Zealanders – whose information should be shared, when, how and why?
- What additional measures should be taken by relevant State sector agencies to prevent such attacks in the future?

The role of State sector agencies

Increased support is needed to build skills in engagement and collaboration across organisational and sector boundaries

Many State sector agencies are directly involved in and have statutory responsibility for aspects of prevention, preparedness and response to emergency situations, such as the 15 March 2019 mosque shootings. These are not limited to the emergency services like the Police, Fire and Emergency New Zealand, the District Health Boards, the Defence Force and the intelligence organisations but also include social services and regulatory agencies and schools. These State services organisations function within a wider emergency prevention, preparedness and response system. This system also includes: local government which has close relationship to communities and a key role in ensuring community and infrastructure resilience; community providers of health and disability support services; utility and service providers and other businesses; and communities themselves¹.

State sector agencies have a clear role in leading and coordinating these systems and so experience and expertise in engaging and collaborating across organisational and sectoral boundaries is key. These skills are of particular importance as the New Zealand State services are currently set up by

¹ For examples see from p31, Celebrating courageous Canterbury women, [New Zealand Census of Women's Participation, 2012](#), Human Rights Commission.

legislation² to operate largely in organisational silos. This reflects a now-dated approach to management, including public management, that saw vertical accountability of chief executives and fragmentation of services a way of achieving efficiency. We note that reform of the State Sector Act and the Public Finance Act, and a review of the health and disability system is underway, however we are concerned that these reforms will not go far enough to remove the unnecessary barriers to collaboration currently in place.

Government agencies should engage openly and transparently with New Zealanders on issues like safety and security

Openness and transparency are key to building and maintaining New Zealanders' trust in Government and agencies on safety and security. Cross-agency collaboration on actively engaging New Zealanders with these issues in open and public spaces would help.

Some of the biggest risks to the security of communities in New Zealand include poverty, and inadequate access to mental health support

Social disconnection and disenfranchisement can be significant risk factors leading to anti-social behaviour. As part of moving to a wellbeing frame, State sector agencies should put in place strategies to develop and support greater social inclusion. This includes actively countering racism and other forms of discriminatory behaviour and openly addressing the harm that continues to be caused by colonisation.

The Government has signalled its intention to institute a mental health strategy to ensure that the mental health needs of New Zealanders are better met. This should be prioritised and all mental health services should be adequately funded.

Harm caused by the current criminal justice system also risks the security of communities. Hāpaitia te Oranga Tangata, the programme of reform of the criminal justice system, is a signal that this is acknowledged. Again, this reform is essential to increasing the security of New Zealand communities and should be prioritised and properly funded.

² Including the State Sector Act 1988, the Crown Entities Act 2004, the New Zealand Public Health and Disability Act 2000, the State Owned Enterprises Act 1986 and the Public Finance Act 1989.

Government agencies should share information to ensure the safety of New Zealanders

For the safety of those working in the State services, it is important that agencies share, in appropriate circumstances and with appropriate safeguards, information about people who are likely to cause them harm. The 2014 murders of Work and Income staff in Ashburton, and ongoing threats to for example Oranga Tamariki and Department of Conservation staff illustrate the critical importance of this.

Additional measures that should be taken by relevant State sector agencies to prevent such attacks in the future

People working in emergency situations need good training and decent working conditions

The foremost responsibility of State services organisations in emergency situations is to take care of victims of those emergencies. For this to happen effectively, “all of these services need to be carried out by staff who are prepared, well-trained and who operate in conditions of decent work.”³ An April 2018 Meeting of Experts held at the International Labour Organisation adopted new Guidelines on Decent Work in Public Emergency Services⁴. We strongly submit that the Commission include in its recommendations that all State services organisations adopt and meet these guidelines as a minimum.

“The Guidelines, which can be applied to all sorts of emergencies and disasters, contain proposals for action to provide employment security, workplace safety and health guarantees and social protection to public emergency workers, including volunteer workers, so they can dedicate all their energies to protect communities against the effects of disasters. They also provide recommendations for social dialogue, training and interagency coordination so public servants can share their knowledge, have a voice in their work environment and be fully prepared to confront the growing threat of disasters, epidemics, climate change and violent attacks that affect populations.”⁵

State servants responding to emergencies often face major risks and work long, irregular hours. Among other measures, the Guidelines call for measures to protect emergency workers from excessive working time and fatigue, including:

³ <https://iloblog.org/2018/07/18/emergencies-should-be-no-barrier-to-decent-work/>

⁴ https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/normativeinstrument/wcms_626551.pdf

⁵ 2. *ibid*

- Terms and conditions of work, including working time and leave conditions, to be determined through collective bargaining.
- Efforts to protect emergency workers from the impact of fiscal austerity.
- Social protection for emergency workers and their dependants, including coverage in case of work-related sickness, injury or death.
- The right to a minimum wage, which covers the needs of emergency workers and their families.
- Compliance with Occupational Safety and Health standards. In addition to physical and psychological strain, OSH concerns for emergency workers include exposure to debris, leakages of dangerous materials, polluted air and water, asbestos and radiation, as well as extreme temperatures, the collapse of buildings, road accidents and the risk of falling.

State services employers should also work, together with their employee's unions, to alleviate potential conflicts between the responsibilities of affected and emergency workers to their community and their responsibilities to their families during emergencies. They should assist workers to develop family emergency plans such as childcare, elderly care and care for family members with special needs in case the worker needs to leave their homes and families to undertake their job.

Following, and learning from the Christchurch earthquakes, in collective agreement bargaining with many State services agencies we have put forward provisions seeking to ensure decent work and support for our members following "adverse events". Unfortunately, the adoption of these provisions has been largely resisted by State services employers.

State services agencies need to take all steps to create diverse workforces and inclusive workplaces

Agencies need to prioritise taking active steps to ensure their emergency response and support workforces reflect the diversity of the communities they serve. This will enhance their sensitivity to, and ability to engage with the needs of affected populations.

To create and maintain a diverse workforce, agencies must take active steps to ensure their workplaces are truly inclusive, including being free of bias, discrimination and harassment. As an illustration of why this is so important, the Ministry of Social Development would not have been well-placed to provide social services support to the 15 March shooting victims and their families

without the assistance of the team of 13 Muslim case managers, who were largely based out of Auckland and took time away from their families to undertake this important work.

Ethnic and gender pay gaps, along with other forms of bias and discrimination, persist within State services workforces. While plans are underway to address this, through some agency focus on diversity and inclusion and the Gender Pay Action Plan process, there is a long way to go with this. This work must be prioritised.

We note that for thirty years now State services chief executives have had a statutory duty⁶ to have in place policies that recognise among other things: the aims, aspirations and employment requirements, and the cultural differences of ethnic and minority groups; and the aims and aspirations, employment requirements and the need for greater involvement of Māori in the Public Service. Yet, in many cases over those thirty years no such policies have been in place or those that have been in place have had a limited effect.

Having policies in place is not enough. Agencies must take active steps to implement those policies, and monitor then improve their effectiveness. Chief executives must be held to account for this.

Parliament is soon to consider amendments to the legislation that provides for this duty. In our view the changes proposed will not provide meaningful enforceability of this duty. We submit that the Commission should include in its recommendations that the good employer provisions of the State Sector Act be strengthened to make Public Service chief executives accountable for creating and maintaining truly inclusive workplaces.

⁶ S56(2) State Sector Act 1988

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