

New Zealand Ombudsman Public Survey 2024/25

PSGR Feedback. July 29, 2025.

PSGR

New Zealand Charitable Trust

A recent decision of the Ombudsman reflects the cultural and political 'turning away' from society and communicates a reluctance of the Ombudsman to ensure that public servants serve the public interest and do not prioritise sector interests. The ethos of the Ombudsman concerns your role as an independent arbiter of justice and accountability, balancing impartial investigation with advocacy for the citizen. The Ombudsman is a key component of the machinery of democratic government

The Ombudsman elected to claim a narrow and technical interpretation of no personal interest. When governance breaks down and officials and their agencies/Ministries, act as they are above the law: they fail to adhere to regulatory protocol, bias policy-making to favour the opinions of stakeholders with political and financial conflicts of interest, and fail to conduct risk assessment in the development of the regulation of a risky technology, - these are examples of failure of governance, and are of broad personal interest to the public and hence the members of PSGR.

This MBIE – gene technology regulation case is all the more concerning where that agency, MBIE which is charged with advancing corporate and economic interests, claims regulatory and scientific authority when in fact, they demonstrably lack such authority, and their primary responsibility of advancing the interests of corporate business directly conflicts with any capacity to protect human and environmental health.

The decline of public trust is intricately related to deliberate decisions by Ministers and officials to step away from transparent and accountable process.

As we see with this case of the Ombudsman finding of no personal interest, the deflection occurs without addressing the broader issues at stake, including conduct by officials and agencies that suggests that they are either ignorant of, or above the law.

The decline of public trust in the machinery of government is also firmly associated with a demonstrated unwillingness or political incapacity of important institutions which are charged with speaking truth to power, including the Ombudsman and the judiciary to pursue objectives of holding power to account.

Values of independence, transparency and fairness are only guarded with difficulty – protected – if the Ombudsman has the integrity and grit to recognise that powerful government agencies always have potential to subvert the policy and legal process in order to achieve political agendas.

As more of these cases come to light, the silence and the refusal of the Ombudsman to address these (usually complex, scientific and sociopolitical) issues, demonstrates a corruption and restraining of the role of the Ombudsman.

If trust in democracy and public faith in the rule of law is to be sustained, - if the machinery of government is to have working checks and balances - institutions such as the Ombudsman must have the moral courage to address complex sociolegal issues.

The Ombudsman's office emphasis on service delivery in the questionnaire, contrasts deeply with interests of the Office about their role in long-term governance and holding power to account. The correspondence with the Ombudsman meant that we could identify and communicate the issues of concern and at stake, however, the Ombudsman's office appeared to have little knowledge or awareness of broader issues of constitutional and administrative law that was central to our concerns.

As such, each communication with the Ombudsman was polite, but each communication demonstrated the intended deflection of our complex concerns by failing to address the substance of the matter. I.e. if MBIE were not following regulatory process, what this might infer. The communications from the office demonstrated that staff's primary concerns revolved around minimising the issues, to resolve or defuse them in such a way that the Ombudsman's office could permit that staff member to move on to the next complaint.

The Ombudsman, instead of a priority on truth and justice, were plainly uninterested and were therefore silent on the broader legal and ethical (long-term governance) issues that would arise in the future if MBIE continued unimpeded to create deficient policies to secure control over the regulation of genetically modified technologies, including future regulatory standards.

Our Mission

Providing scientific & medical information & analysis in the service of the public's right to be independently informed on issues relating to human & environmental health.

Our Objectives

Physicians and Scientists for Global Responsibility New Zealand Charitable Trust

To educate the public concerning the risks of the release into the environment of genetically engineered organisms and to promote scientific research and analysis of those risks, and to educate the public on relevant matters of science and medicine.

To educate physicians and scientists about issues of science, medicine and technology, particularly those involving genetics.

To provide scientific and medical information and analysis in the service of the public's right to be independently informed on issues concerning genetics, including genetic engineering and biotechnology, and other relevant matters of science and technology.

To encourage scientists and physicians to engage in public debate on issues of science, medicine and technology, particularly those involving genetics.

To co-operate with and support other organisations which are working towards the same goals as PSGR.

To educate physicians and scientists about the issues in science and technology and at present genetic engineering, that require independent professional advocacy of the precautionary principles.

To encourage scientist and physicians, as those members of our society who carry specialised knowledge in science and technology, to take up their responsibility to engage in public debate to serve the public's right to quality independent information.