
Briefing

To **Hon. Bill English**
Deputy Prime Minister

From **Professor John Burrows**
Chair, New Zealand Flag Consideration Panel

Subject **Update on the process to select four alternative designs**

Action sought **Note** the reach and findings of the Panel's public engagement
Note the progress made in selecting the four alternative designs for inclusion in the first binding postal referendum
Note the long-list of designs selected by the Panel
Note the Panel will report back on its findings by 28 August 2015

Date 7 August 2015

Deadline 10 August 2015

The public engagement phase

1. The New Zealand Flag Consideration Panel (the Panel) concluded the first phase of its public engagement on 16 July 2015. At that point, 10,292 flag designs meeting the minimum standards had been suggested, the Panel's websites had attracted 850,000 online visits and traditional media activities were estimated to be reaching an average of 2.6 million people per week.
2. A further breakdown of the reach of and participation in the Panel's engagement activities is attached as appendix 1 to this report. The findings of this engagement phase have been summarised and taken into account by the Panel in its subsequent selection of designs. This included a summary of what over 43,000 people said that they 'stand for' through the website and in postcards returned to the Panel, which is attached as appendix 2.

The flag selection process

3. The Panel has met twice (on 23 and 30 July 2015) as part of its process to select the four flag designs for inclusion in the first referendum.
4. In addition to these sessions, the Advisory Group met as scheduled on 29 July, with four members of the Panel in attendance to respond to any questions and receive the collective advice of the group. This proved to be a very informative and beneficial session, the results of which were reported back to the full Panel at its 30 July meeting.

Long-list of alternative flag designs

5. At its meeting on 17 June 2015, the Panel agreed in-principle to publish a long-list of alternative flag designs in order to:
 - continue the transparent approach employed to date; and,
 - flush out any copyright or other issues with any of the long-listed designs.

6. The Panel has now agreed this long-list and it is attached to this report as appendix 3. It intends to release this to the public on 10 August 2015.

Risks and mitigations

7. To identify issues with any design that could potentially become the official New Zealand flag, designs included in the long-list are going through an initial due diligence process, which includes intellectual property matters and criminal checks for the designers. To date, we have completed New Zealand criminal conviction checks for all the designers who have flags on the long-list. These checks have not raised any matters of concern to the Panel.
8. It is noted that five of the designers are New Zealanders living overseas and two are not New Zealand nationals. We have not been able to complete additional overseas criminal conviction checks on these designers. We will undertake this check on the three designers that are based in Australia and the results of these will be available within three weeks. Four of the designers are based in countries (Britain, China and Indonesia) where the process to undertake criminal checks is lengthy or particularly complicated. We do not propose to undertake overseas criminal conviction checks on these designers. It is noted that all designers have already been asked to inform the Panel if any issues that are likely to arise from a criminal check and none have been identified by these people.
9. As a matter of courtesy, members of the Panel have met with representatives of the designers of the Tino Rangatiratanga Flag to inform them that the design, and those based on it, will not be considered as part of the Panel's process as a consequence of the views the Panel heard very firmly expressed at its Waitangi engagement hui.
10. Several websites have been established that enable the public to rate and comment on alternative flag designs, including those suggested to the Panel. There is a risk that designs profiled through these mechanisms will gain public support resulting in an expectation that the Panel will select them for inclusion in its long-list and or the four designs to be included in the first referendum. When it first developed its selection process, the Panel agreed that it would not run a 'competition' as such, for the reasons outlined in its 7 April report to you. Rather, it will explain its selection criteria and emphasise that it has to take into account a wide range of considerations when arriving at its selections, including the principles of good flag design, intellectual property rights and cultural matters. To aid this communication, the Panel will release the 'open letter', attached as appendix 4, with the long-list of designs when these are announced.
11. There continues to be comment on and interest in the process that the Panel is using to select the final four designs. The Panel has been and will continue to be as transparent about its process as it feels that it can be, and respond to queries as they arise.
12. The Panel has maintained and regularly updated its risk register. This includes a process by which Panel members regularly consider and declare any potential conflicts of interest.
13. The Panel notes that there will be commemorations taking place on 8 August 2015 to mark the centenary of the Battle for Chunuk Bair on the Gallipoli Peninsula. These will have taken place before the release of the long-list of designs on 10 August.

Next steps

14. As noted above, the Panel has been undertaking due diligence on the suggested designs throughout the selection process. The results of this will be presented to the Panel at its next meeting on 11 August 2015.
15. At this meeting, the Panel will select the provisional four designs, and reserve designs. These will then be subjected to final due diligence checks to ensure there are no known legal impediments to the choice of proposed designs.
16. The Secretariat has been in regular and ongoing contact with the Electoral Commission to ensure the Panel's activities will be separate from, and complementary to, that agency's role in providing information to the public about how to vote in the referendum process.

17. On 28 August 2015, the Panel will provide a report to you, as specified in its terms of reference. As highlighted to you last week, this report will be provided one week later than the 21 August date in the Panel's terms of reference. This will provide the Panel with the necessary time to complete its due diligence.
18. As agreed with you, the Panel will announce the final four designs for inclusion in the first referendum on 1 September 2015. It will consult with your office regarding the media release that will accompany this announcement.
19. Consistent with its terms of reference, once the final four alternative designs have been released publicly in September, the Panel will continue in its public communications role in the lead-up to the first and second referendums, to help provide information to the public about the alternative flag designs.
20. I recommend that you:
 - **Note** the reach and findings of the Panel's public engagement
NOTED
 - **Note** the progress made in selecting the final four designs for inclusion in the first binding postal referendum
NOTED
 - **Note** the long-list of designs selected by the Panel
NOTED
 - **Note** the Panel will report back on its findings by 28 August 2015
NOTED

Professor John Burrows
Chair, New Zealand Flag Consideration Panel

Date: / / 2015

Hon. Bill English
Deputy Prime Minister

Date: / / 2015

Distribution:

Michael Webster, Clerk of the Executive Council

Rachel Hayward, Deputy Secretary of Cabinet (Constitutional and Honours)

Appendix 1 – Summary of the reach of the Panel's engagement activities

Appendix 2 – Summary of the input received through the Panel's 'stand for' activities

Appendix 3 – Long-list of alternative designs as agreed by the Flag Consideration Panel

Appendix 4 – Open letter from the Panel to accompany the long-list of designs

Appendix 1 – Summary of the reach of the Panel’s engagement activities

<p>Social media Influencers/conversations</p> <p>850,000+ visits to websites</p> <p>1.18m+ reached by Facebook</p> <p>92 posts, 121 tweets</p> <p>2m+ page views of flag gallery</p> <p>43,000+ standfor contributions</p>	<p>info@flag.govt.nz queries</p> <p>3,701</p> <hr/> <p>0800 36 76 56 queries</p> <p>350</p> <hr/> <p>Video content views (all)</p> <p>518,498</p>	<p>Average audience reach each week</p> <p>2.6m</p> <p>(media, excluding paid advertising)</p> <p>Image of schoolchildren holding up their flag designs redacted under s. 9(2)(a) of the OIA</p>	<p>Media</p> <p>1,616 news items</p> <p>170 media queries & associated Panel interviews</p> <p>14 media releases and associated publicity</p>
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10,000+ flags published (10,292)

If laid end-to-end, 10,000 flags almost cover the length of the North Island (or Picton to Invercargill)



6,000+ visits to workshops and info stands

Appendix 2 – Summary of the input received through the Panel’s ‘stand for’ activities



Appendix 3 –Long-list of alternative designs as agreed by the Flag Consideration Panel



Raranga
Designed by: Pax Zwanikken



Silver Fern (Black, White and Red)
Designed by: Kyle Lockwood



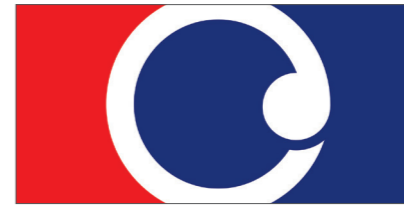
Curly Koru
Designed by: Daniel Crayford & Leon Cayford



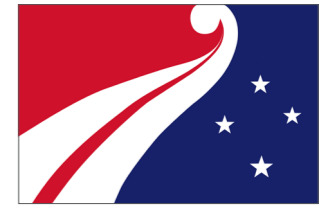
Silver Fern (Black with Red Stars)
Designed by: Kyle Lockwood



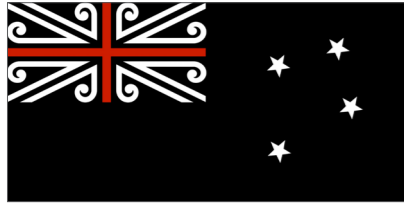
Red Peak
Designed by: Aaron Dustin



Unity Koru (Red & Blue)
Designed by: Sven Baker



Embrace (Red & Blue)
Designed by: Denise Fung



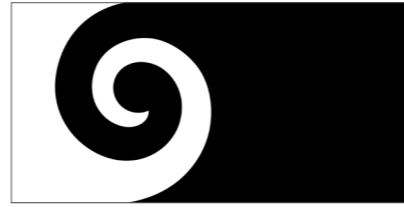
Black Jack
Designed by: Mike Davison



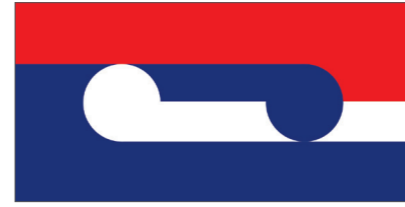
Pikopiko
Designed by: Grant Pascoe



Koru and Stars
Designed by: Alan Tran



Koru (Black)
Designed by: Andrew Fyfe



Huihui/Together
Designed by: Sven Baker



Manawa (Blue & Green)
Designed by: Otis Frizzell



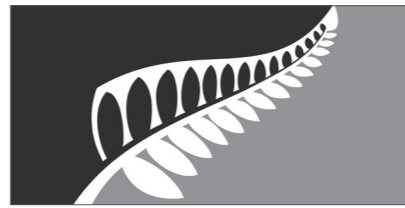
Silver Fern (Black & White)
Designed by: Kyle Lockwood



Silver Fern (Black, White and Blue)
Designed by: Kyle Lockwood



Southern Cross Horizon
Designed by: Sven Baker



Silver Fern (Black & Silver)
Designed by: Sven Baker



Manawa (Black & Green)
Designed by: Otis Frizzell



White & Black Fern
Designed by: Alofi Kanter



Finding Unity in Community
Designed by: Dave Sauvage



Wā kāinga/Home
Designed by: Grant Alexander (Principal),
Alice Murray, Thomas Lawlor, Jared McDowell



Unity Fern (Red & Blue)
Designed by: Paul Jackways



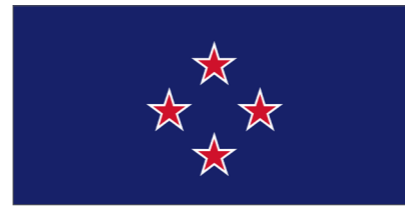
Land Of The Long White Cloud (Ocean Blue)
Designed by: Mike Archer



Moving Forward
Designed by: Dominic Carroll



Tukutuku
Designed by: Pax Zwanikken



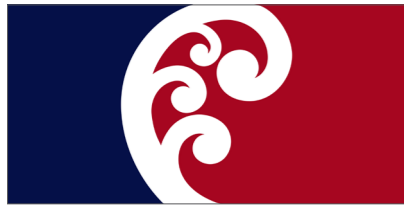
New Southern Cross
Designed by: Wayne William Doyle



Koru (Blue)
Designed by: Andrew Fyfe



Silver Fern (Green)
Designed by: Roger Clarke



Unity Koru
Designed by: Paul Densem



Fern (Green, Black & White)
Designed by: Clay Sinclair & Sandra Ellmers



Land Of The Long White Cloud (Traditional Blue)
Designed by: Mike Archer



Inclusive
Designed by: Dominic Carroll



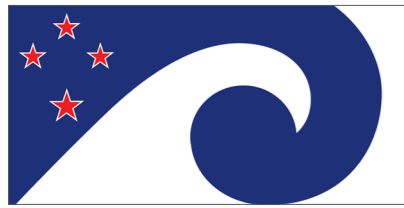
Silver Fern (Red, White and Blue)
Designed by: Kyle Lockwood



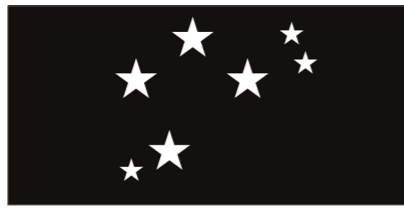
NZ One
Designed by: Travis Cunningham



New Zealand Matariki
Designed by: John Kelleher



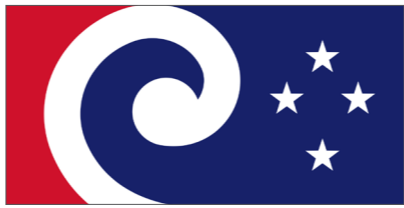
Southern Koru
Designed by: Sven Baker



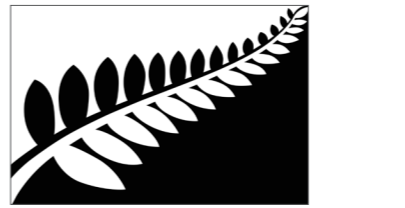
The Seven Stars of Matariki
Designed by: Matthew Clare



Modern Hundertwasser
Designed by: Tomas Cottle



Koru Fin
Designed by: Daniel Crayford & Leon Cayford



Black & White Fern
Designed by: Alofi Kanter

The official long list

For further details
call 0800 36 76 56
or visit flag.govt.nz

Authorised by the Flag Consideration Panel



**Flag
Consideration
Project**

Appendix 4 – Open letter from the Panel to accompany the long-list of designs

OPEN LETTER FROM THE FLAG CONSIDERATION PANEL

E ngā iwi, e ngā karangatanga, te iti me te rahi, tēnā koutou, tēnā tātou

We want to thank everyone for the 10,292 design you've suggested. Each of these was viewed by every Panel member. We have been impressed with the very high standard and greatly appreciate the thought and hard work that went into these designs. As a Panel, we have now selected a long list of designs for further investigation as part of the design review process.

A great flag should be distinctive and so simple it can be drawn by a child from memory. A great flag is timeless and communicates swiftly and potently the essence of the country it represents. A flag should carry sufficient dignity to be appropriate for all situations in which New Zealanders might be represented. It should speak to all Kiwis. Our hope is that New Zealanders will see themselves reflected in these flags' symbols, colour and stories.

In reviewing flag designs, first and foremost, we were guided by what thousands of Kiwis across a range of communities told us when they shared what is special to them about New Zealand. This provided the Panel, and flag designers, with valuable direction as to how New Zealanders see our country and how those values might best be expressed in a new flag.

The message was clear, and the Panel agreed. A potential new flag should unmistakably be from New Zealand and celebrate us as a progressive, inclusive nation that is connected to its environment, and has a sense of its past and a vision for its future.

In finalising the long list we invited a number of cultural (including tikanga), vexillology, art and design experts to review the selection, to ensure the designs are workable and there are no known impediments. Detailed due diligence will now be completed on these designs, including robust intellectual property checks.

As a Panel, we've been appointed by government to determine the four alternative flag designs in a neutral and unbiased way. We are committed to doing that. We have selected for the long list designs that we believe best reflect the values New Zealanders have shared with us and you can view these on www.flag.govt.nz.

By mid-September we will select the four alternatives which eligible voters will rank in the first binding referendum later this year. This will be the opportunity for people to express their preferences and make choices. We encourage you to make sure you are enrolled to vote so that you can take part in this nationally significant process. In March next year, New Zealand will make history when it votes between the current flag and the preferred alternative.

Ngā mihi nui kia koutou katoa

Regards

Flag Consideration Panel

Prof John Burrows (Chair)
ONZM, QC

Kate De Goldi
(Deputy chair)

Nicky Bell

Peter Chin CNZM

Julie Christie ONZM

Rod Drury

Beatrice Faumuina
ONZM

Lt Gen (Rtd) Rhys
Jones CNZM

Stephen Jones

Sir Brian Lochore ONZ,
KNZM, QBE

Malcolm Mulholland

Hana O'Regan