

Flags of New Zealand (MCH, 2016p)

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Referenda

In 2014 Prime Minister John Key announced a two-stage referendum process to determine whether New Zealanders wanted a new national flag. Those who voted in the first referendum in November 2015 selected a black, white and blue design featuring a silver fern and the stars of the Southern Cross from among five shortlisted options for a new flag. In March 2016 voters in the second referendum chose between this and the current flag – nearly 57% preferred the latter.

Two-stage referendum process

Just before the 2014 general election, Prime Minister John Key announced that should his government be re-elected he would seek to hold a vote on New Zealand's flag. He outlined his intention to set up a cross-party group of MPs to oversee the process. Shortly after the return of a National-led government in September 2014, Key announced that Cabinet had agreed on details surrounding the flag referendum process and appointed Deputy Prime Minister Bill English as the Minister responsible for the New Zealand Flag Consideration Process. English announced steps to form the cross-party group, which would nominate prominent New Zealanders for the 'Flag Consideration Panel' and contribute to the development of draft legislation enabling a two-stage referendum process. A first binding referendum would select a preferred alternative flag design from a shortlist put forward by the panel. In a second referendum, voters would choose between the preferred alternative flag and the current one.

The Cross-Party MPs Group (CPG) included members of all parties represented in Parliament except New Zealand First, whose leader, Winston Peters, refused to take part:

A change of flag might need to be considered but now is not the time. Poverty and housing are at crisis level, it's no time for a government to be raising a distraction.

Prime Minister John Key responded that, in his view, the absence of New Zealand First would not 'inhibit the process in any way' [1]. Six political parties were represented on the CPG:

- Jonathan Young — National (chair)
- Trevor Mallard — Labour
- Hedy Graham — Green



- Marama Fox — Māori
- David Seymour — ACT
- Peter Dunne — United Future

Flag Consideration Panel

In February 2015 the government announced the appointment of the Flag Consideration Panel, which would ‘design and lead the public engagement process’ around the flag. [2] The 12 members of the panel were chosen after nominations were received from the cross-party group:

- Nicky Bell — CEO of Saatchi & Saatchi New Zealand and board director, Auckland
- John Burrows, ONZM — Queen’s Counsel, deputy vice-chancellor of the University of Canterbury, emeritus professor, Christchurch (Panel chair)
- Peter Chin, CNZM — Former Mayor of Dunedin, director and trustee, Dunedin
- Julie Christie, ONZM — Director of Julie Christie Inc. and board member, Auckland
- Kate De Goldi — Writer and reviewer, Wellington (Panel deputy chair)
- Rod Drury — CEO of Xero and technology entrepreneur, Havelock North
- Beatrice Faumuina, ONZM — Olympian, Commonwealth gold medallist, ASB Head of Talent & People Strategy, board member and trustee, Waitākere
- Lt Gen (Rtd) Rhys Jones, CNZM — Former Chief of NZ Defence Force, Wellington
- Stephen Jones — Invercargill Youth Councillor, Invercargill
- Sir Brian Lochore, ONZ, KNZM, OBE — Former All Blacks captain, coach and administrator, Masterton
- Malcolm Mulholland — Academic and flag historian, Palmerston North
- Hana O’Regan — Academic, Māori studies and te reo Māori, Christchurch

Public engagement

The panel engaged with the public on a number of fronts – ‘telling the flag story’, asking people for their views on what they ‘stand for’ and encouraging them to suggest flag designs. They used direct mail, print and television advertising, social media, two dedicated websites (standfor.co.nz and flag.govt.nz), an 0800 number, information stands and a series of hui and workshops around the country.

Although the panel’s public meetings attracted an average attendance of only 29, around 6000 people took part in workshops and hui or visited information stands. Many more people engaged online, with more than 1.75 million visits to the two flag websites.

The suggested flag designs attracted significant national and international public interest. By the deadline of 16 July 2015 the public had suggested 10,292 designs, all of which were displayed on flag.govt.nz. Many entries featured the colours red, blue, white, black or green and iconic symbols such as the Southern Cross, silver fern and koru. Quirky entries such as James Gray’s ‘Fire the Lazar’ (Laser Kiwi) and Jesse Gibb’s ‘Sheep and Hokey Pokey’ also captured the imagination of many,

The official long and shortlists and Red Peak

In August 2015 the Flag Consideration Panel announced a long list of 40 designs they would subject to 'robust checks and verification, including intensive intellectual property review, to ensure they are workable and that there are no impediments'. [3] 'Modern Hundertwasser' was removed from the long list following a copyright claim by the Hundertwasser Non-Profit Foundation.

In September 2015 the panel announced the shortlist of four designs which would be voted on in the first referendum:

- Alofi Kanter Silver Fern (Black and White)
- Kyle Lockwood Silver Fern (Red, White and Blue)
- Kyle Lockwood Silver Fern (Black, White and Blue)
- Andrew Fyfe Koru (Black)

Public feedback on the shortlist included criticism of the similarity of the designs, particularly the two Kyle Lockwood silver ferns. In an open letter to John Key, Trade Me co-founder Rowan Simpson said he was 'saddened and disappointed'.

I know you want this to be a democratic process, but frankly, given those choices it feels like no choice at all, since three of the designs are so similar and two are identical except for substituted colours. At the moment it's like being asked to choose between a Carl Jr, a Big Mac, a Whopper and ... actually I don't know the burger equivalent of the hypnoflag, so I'll leave that to your imagination. [4]

Simpson called on Key to replace one of the Lockwood silver fern designs with Aaron Dustin's 'Red Peak'. The idea gathered momentum on social media with an online petition organised by Simpson gathering over 50,000 signatures. Eventually the government responded to this campaign, adopting a bill by Green Party MP Gareth Hughes which added 'Red Peak' as a fifth option in the referendum.

November 2015 referendum

The postal referendum to decide which of the five alternative flags would be pitted against the New Zealand flag took place in November 2015. This referendum involved preferential voting – voters were asked to rank the five alternative designs selected through the flag consideration process. Those opposed to the process, including some politicians, and those opposed to changing the flag, including the Returned and Services' Association, encouraged the public to protest by voting for one of the weaker contenders or by destroying or spoiling their ballot papers. The chair of the Flag Consideration Panel, John Burrows, cautioned against this:

I hope there won't be much gerrymandering because I think people have got to see what an important occasion this is. It's the one chance people have in their lifetimes to do it. So to actually waste a vote for political or other reasons I think will appear to most people as unpalatable and unattractive. [5]

The most preferred alternative flag design was Kyle Lockwood's Silver Fern (Black, White and Blue), followed in descending order by Silver Fern (Red, White and Blue), Red Peak, Silver Fern (Black and White) and Koru. Overall voter turnout was 48.78%. Detailed results can be viewed on the Electoral Commission's website.

March 2016 referendum

In March 2016 New Zealanders voted in a second postal referendum to choose between the current New Zealand flag and the Silver Fern flag. Nearly 57% of those voting preferred the current flag. Overall voter turnout was 67.78%. Detailed results can be viewed on the Electoral Commission's website.

Prime Minister John Key, who had actively supported the Silver Fern option, acknowledged that he was 'a little bit disappointed that the flag didn't change' but encouraged all New Zealanders to continue to use the current flag, 'embrace it and, more importantly, be proud of it'. [6]

Activists on both sides of the debate described the result as 'heartening'. [7] The president of the Returned and Services' Association, B.J. Clark, hoped that the country would now focus on more important issues, while Lewis Holden, chairman of the the 'Change the NZ Flag' movement, believed the debate would continue.

Notes

[1] *NZ Herald*, 18 November 2014 (both quotes)

[2] The Panel (NZ Government)

[3] 'It's official – long list of 40 potential flag designs announced', 10 August 2015 (NZ Government)

[4] 'Dear John' (rowansimpson.com)

[5] *NZ Herald*, 2 September 2015

[6] *NZ Herald*, 24 March 2016; twitter.com/johnkeypm, 24 March 2016

[7] *NZ Herald*, 24 March 2016

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