

POST-CABINET PRESS CONFERENCE: MONDAY, 8 JUNE 2015

[Start Time 16:05:31]

PM: OK, good afternoon. I don't have a huge amount of time because I'm racing back up to Auckland to do an interview on native affairs, so I'll really just sort of be brief and cut straight to a few things. As you know, Lecretia Seales lost her hard-fought battle with cancer last week. Obviously, this is an extremely difficult time for Lecretia's family, who have been through an awful lot. It took a lot of courage and energy for her to spend those last few months testing the boundaries of law on euthanasia, particularly as her cancer progressed. In the end, the judge ruled that the complex legal, philosophical, moral, and clinical issues raised by Ms Seales' proceedings can only be addressed by Parliament's passing legislation to amend the effect of the Crimes Act. We would agree with that. Each caucus and party will need to have their own discussions on this, but the Government's starting position is that euthanasia, or assisted death, is a conscience issue that is a matter for each individual. Justice Collins' was absolutely right saying the issues raised are complex legal, philosophical, and moral issues.

I understand a petition is being raised to request the Justice and Electoral select committee undertake an inquiry into the matter. The Government is open to that course of action if the select committee sees it fit. However, I would caution that while this would facilitate a debate allowing the public a forum in which to participate, it would not satisfy Lecretia's ultimate wish for the law to be changed. That can only be done by specific legislation being put before the House. Any MP is free to do just that, and if drawn from the ballot, Parliament will debate it. There will be no Government-sponsored bill for the very reason it's a conscience issue, and the process needs to reflect that. Striking the right legislative balance, with clear definitions and adequately strong protections to protect a robust law, is an extremely difficult task, and the fact no bill has yet passed is testament to that. However, Lecretia has certainly succeeded in sparking a debate on this issue. The public, politicians, and the media are now having that discussion.

Just in terms of my activities this week, as you're well and truly aware, it's a recess week. I'll be in Auckland tomorrow. I'll be at the field days on Wednesday. I'm in Christchurch on Thursday, and a number of other meetings during the weekend.

Media: Prime Minister, how concerned are you about fuel poverty; about people such as, obviously, Emma-Lita Bourne in that house—that damp, cold house—not having the money to put the heater on? Is it time for the Government to be more generous with cash for families struggling to pay the power bill?

PM: We're obviously deeply disturbed about the loss of their child, and Housing New Zealand is looking at that situation, as you're well and truly aware. I mean, yes, the Government is always concerned about the less well-off in our society, and that's why we moved in Budget 2015 to increase benefits and to increase support for New Zealanders. It's one of the reasons, also, we've driven reforms in the electricity sector to make sure that electricity is cheaper and more options are available. I just make the point, really, that when it comes to the situation, potentially, of that family and maybe others, there are other options available. So despite the fact that benefits will eventually rise and all of those other issues, there are always emergency benefits and emergency support that can be provided for people.

Media: Could you look at a one-off grant though? I mean, a system during the coldest months of the winter to get these families through, because they're clearly not putting the heater on.

PM: Look, we will always try to do our best to provide support and additional support for families that are in need. I think going to a one-off grant which would involve potentially

a payment to all people in say, for instance, a certain category or a certain age group would likely mis-target that spending. We've seen it in other countries around the world—for instance, in the UK. I think they have a particular payment they make for pensioners, for instance. But in the end, they'll be paying that to some people who don't need it, and probably not enough to some that do. I think it's a better system to manage as we do at the moment, by exception.

Media: Do you think we need a warrant of fitness for rentals, both State housing and private rentals?

PM: I think the concept of a warrant of fitness is one of those things that sound really good when you talk about it, and as soon as you start delving into it—and we've done a bit of work on it—it just becomes more challenging. So the first thing is: how do you administer it? So if it's self-administration—which is one of the arguments that's been put up—then the only time it actually comes to the surface is when there's a dispute between the tenant and the land lord. If you say “No, it's going to be administered by the State.”, for instance, then there's a lot of resource that would have to be applied to that. You'd have a lot of people walking around with clipboards.

What might fit within that warrant of fitness is also an interesting definitional issue. So some of the earlier advice that I saw was really advice that literally went as specific as saying how big a bedroom could be, you know; how many light sockets should be there; whether there should be separations of certain rooms. So I think we can all agree there are certain things it would be good to have a house having, and the more houses that are insulated the better. Obviously, smoke alarms are important things. But I just caution that if we ultimately went to a really rigid warrant of fitness, I think you would see more costs on landlords. Some of that would be warranted, but some of it would, without question, be passed on, and some of the advice we've seen is not only would rents rise but it's likely that some landlords would pull out of the market. So we've just got to be careful of unintended consequences.

Media: Do you think, though, that it's acceptable in this day and age for so many New Zealand houses to be so cold and damp?

PM: When it's the State's responsibility, no. And I think this Government deserves some credit, actually, for the work it's done in the time that we've been in office, because we did inherit a very run-down Housing New Zealand stock, and over the course of the last, you know, 5 or 6 years, we have spent a considerable amount of money, ultimately, on improving that stock and insulating every home we could insulate. I think even the home that was in question—the roof was insulated. I might be wrong on this, but I think the floor wasn't because it was concrete. So we can't insulate everything, but we can insulate a fair bit. We've also insulated a huge number of homes in the Heat Start Warm Up New Zealand campaign, and in recent years that's been heavily targeted on very low-income New Zealanders. So we have been doing quite a bit. The question is: do we need to do more? I think the preference is, yes, it would be better for us to do more, but how that works and who pays for that is a different issue.

Media: Prime Minister, when are we going to see the papers of the Saudi sheep deal from the Labour Government?

PM: It's a matter for the individual agencies to release them, but as soon as they're happy to release them, they'll let them go, I'm sure.

Media: Just back on voluntary euthanasia. The Government could lead a conscience vote, couldn't it? It could lead a bill that goes to a conscience vote.

PM: Yes, it could do. It could put it on the Government work programme, but the Government's not going to be doing that. So, in our view, it is truly a conscience issue, and it's one of those issues where we wouldn't whip our caucus to vote for that. So, for instance, even if someone was to introduce a bill by leave of Parliament, it would require no parliamentarian to object to that. I'd be very surprised if you got that situation. So Government understands the issue. In fact, I have, personally, you know, a lot of sympathy

for Lecretia's family, and I think it is a legitimate debate that people are having. But, ultimately, the complexity with this issue is probably, in a way, summarised by Lecretia herself when, I think on the *Sunday* programme, she said words to the effect of that in the end, her husband, Matt, would know when the time was right. And that's the challenge for law makers—is actually defining that point, you know, in legislation. And how broad the legislation would be set would depend, you know, for a lot of people on whether they were prepared to support it. So I think it's one of those things where, ultimately, it is the appropriate thing that it's a member's bill.

Media: Do you, personally, support assisted dying?

PM: I have in the past. I voted for Peter Brown's bill to go to select committee because I thought it was actually useful for it to go and have that debate, and, in all probability, if it was set in similar kinds of—get similar terms, I would almost certainly personally vote for it to go to a select committee.

Media: Would you, personally, lobby other MPs to support such a bill?

PM: No, I wouldn't lobby them. I think it's a personal choice. They're really, really strongly held views. I know at the moment the debate might be skewed in the way of people currently saying that there's a lot of support for the stance that Lecretia took, and I'm sure that does reflect the view of many New Zealanders. But I'll tell you something for nothing: there'll be a hell of a lot of New Zealanders that will be deeply opposed, for religious reasons and a variety of other reasons. There are very strongly held views on both sides of this debate.

Media: The Skycity convention centre deal: that was Government-driven and it was a conscience vote. And also the alcohol age amendment. What differentiates this from those?

PM: Yes. Well, the Skycity convention centre was different inasmuch that, if you had a look at it, it was around public policy of a convention centre. There are just different issues there that are involved. So, yes, there are differences. But if you look at euthanasia, it's been through our Parliament on two occasions, I think, in the past. It's always been a conscience issue, and all I can tell you is that in our caucus there would be some people with very, very strong views that would be opposed, and they would not support a Government bill—and that'll be true across Labour's caucus and other political parties as well.

Media: But then they can have their say during the conscience vote stage of the legislation, couldn't they?

PM: Yeah, but in the end, there are just some people that are philosophically opposed to assisted death.

Media: So you wouldn't get it past your caucus, is more the concern?

PM: I don't think we would, but I don't think—some caucuses might; it depends on the size of them and the sort of nature and make up of them, but all I'm telling you—like abortion law, euthanasia law—they're very strongly held views by some individuals.

Media: Is it appropriate for Government departments to have spent \$360,000 on paid TV subscriptions?

PM: Yeah. I mean, I think you're trying to put up a number which looks big on the basis of "Shock, horror!", but, actually, it's spread across a huge number of Government departments.

Media: It's spread across 11 Government departments.

PM: Yeah, but there's a hell of a lot of people. I mean, do you really not think that Ministers and their staff should be able to access Sky television, for instance, and Sky News, and BBC News, and CNN, and Al Jazeera? That's also true of MFAT. In the end, it's just a modern tool. I mean, it would be like saying "What's people's mobile phone bills?".

Well, yeah, it's a lot, and it's a lot more than it was years ago. It's just a function of the world that we operate in, that the vast bulk of stuff now goes across a paid platform.

Media: Prime Minister, at the field days what are you going to be able to say to farmers about the changes to the health and safety and employment reform bill?

PM: I'll say that the Government's continuing to work on it. We recognise some of the issues that that sector has raised, because they have raised, you know, quite a number of issues. But we'll also be making the case to them that on-farm accidents register quite high and there have been too many deaths on-farm for there not to be changes. So in our view, you know, it is necessary that there's change. But we've also got to make sure it's something that's workable and can be implemented.

Media: Critics are saying that you're watering it down too much already, because you're specifically going to exempt small businesses from the requirement to have, say, health and safety representatives. So, I mean, do you accept that that's going to weaken the [Inaudible]

PM: Well, I think that that's the view of the unions. I mean, they do take that view—that, essentially, there should be a health and safety inspector in every workplace, if you like. But, you know, in the end, the Government actually hasn't made the call yet, and the select committee hasn't reported back yet. And, ultimately, we have to [Inaudible]. But what is true is that in small workplaces, it is more challenging for them to have this structure than a big company might have. That doesn't mean that they won't be affected by changes in health and safety legislation. Every company and every business will be affected. It's just a question of how much they're affected.

Media: But that's just [Inaudible] question of them having an elected representative from their workforce that can engage as well.

PM: Yeah.

Media: And you look at the statistics—it would appear that probably most deaths occur mainly in smaller businesses, rather than large ones.

PM: Yeah, and whether you need an elected health and safety official to do that is something the select committee needs to consider—and is considering. Certainly, some of the submissions don't support that view, as I understand it.

Media: The select committee was pretty close to reporting back when the report back was delayed by a couple of months, what do you envisage it doing in the next couple of months? Taking submissions, or is the Government going to put some amendments to it?

PM: Well, despite some of the media commentary on the issue, there isn't a particular caucus member or a particular small group of people that are driving this. What has been true in our caucus is that there's been wide-ranging feedback from people that we meet out and about in the community every day. So it's one of the issues that gets raised with me almost in any organisation that I go to. And there's a really, really broad set of views on the issue. What we are concerned about is making sure that we set the law in the right place. In other words, we improve health and safety in the workplace, but not in such a way that we either pass legislation that's far too difficult for companies—you know, particularly small ones—to follow, or that it's just too expensive for them to follow.

Media: What's the select committee going to be doing for those 2 months? Is it going to be listening to submissions from the public, or are you going to send, through the caucus or through the Cabinet, instructions for it to amend the legislation as it stands?

PM: Well, I can't answer that. You need to direct that to the select committee chair.

Media: Prime Minister, would you support a member's bill or a select committee inquiry into greater access to medicinal marijuana?

PM: Would I support it? Probably not, but that's just a personal view. You know, it's something that is, again, a legitimate topic to be looked at. But my understanding is that there are conditions under which medical marijuana can be used, and I accept that they are experimental and they're very high-threshold and they require the sign-off for the Minister. At this stage, you know, I haven't seen any advice yet that supports the view that we should be taking a broader view in terms of the use of medical marijuana. And I've asked my chief scientist, I think, and others, for a perspective on that over the years. It doesn't mean that that position can't change, but it's not something I'm actively looking to progress.

Media: Peter Dunne is looking into it and is looking at the research and the evidence behind it. If he comes to Cabinet about that, what will your take be on it?

PM: Well, if he comes with a series of advice and reasons why we should look to go further, we will always consider that. At the moment, the advice that I have always received has been that there are other alternatives available. Now, obviously, we're all aware of the case at the moment with the young man that's in Wellington Hospital, and, you know, obviously, again I feel enormous sympathy for the family. They're going through enormous anxiety, but there's no guarantee that even if they were given this medical marijuana product—medicinal product—that it would actually, you know, achieve better outcomes for their son. And there's a process that, you know, they would have to go through and thresholds that would have to be met, but there's no guarantee it would actually work.

Media: So, given they've tried all of the conventional treatments and the bureaucratic process is quite longwinded, is it not a little bit unfair that this kid who needs lifesaving treatment—and this could be the answer—doesn't have greater access and there isn't a faster process through the Minister to get that?

PM: Well, my understanding, for a start-off, is that the clinicians haven't actually filed an application, or at least the ministry hasn't received an application from the clinicians in relation to the young man. Now, I suspect that they are going to receive that and, on the basis that they do, then there is a threshold that has to be met. I accept that that threshold is very high, and on the basis that the threshold was met for what would be, effectively, an experimental drug, then the Minister would have to sign that off. So there is a process that they could get through, but I accept that it's a long way away from what some people would want. But the advice that we've had to date—and it could change—is simply that there are other alternatives available.

Media: Prime Minister, tomorrow Relationships Aotearoa close their doors. Are you worried that New Zealanders could fall through the cracks?

PM: Well, I'm certainly hopeful that that won't be the case. If you look at the situation, it's obviously been a difficult time, but on the other side of the coin, the advice that we've had is that quite a number of the staff will be picked up by other providers, that there are other providers, and that the clients will get the service that they require. In the end, I mean, you know, as I said, it's difficult, but the Government has a responsibility not only to the clients but actually to the taxpayers. And the responsibility to the taxpayers is to make sure that they're getting value for money.

Media: Do you think the Government could've handled this better, though?

PM: I don't, no.

Media: Prime Minister, there's been a man trapped in a quarry in the South Island today. There's already been two quarry deaths this year. Are you concerned about the level of safety in the quarry industry?

PM: We need to continue to work with the quarry industry to make sure the settings are right. So you'll remember when Pike River occurred and we went away and looked at specific provisions around underground mining, at that time there was an argument about whether quarries should be included or excluded. The advice we had—in fact, the strong petitioning we got from the quarries association—was to exclude them and to work

specifically with them. And that's what the Minister of labour is, effectively, doing. And that's because of—there are different risks in quarries. I mean, clearly some risks, as you've pointed out, and there's been accidents. But also, there are a lot more quarries in New Zealand; some of them are very small. They just have different characteristics. So the Minister is working with them, and I suspect there will be a new, improved set of guidelines that will be introduced fairly shortly.

Media: So you stand by your Government's decision to exclude quarries at that point, given what's happened now?

PM: I do, yeah.

Media: You don't think it would've made a difference if, for instance, they had chief inspectors, like mines—for these three cases?

PM: That was the strong advice from the quarries association. Firstly, the legislation actually hasn't been passed yet, so no one's been affected by the legislation in the last few years. But if you look at the specific provisions, they are just, I think, different from what's required for underground mining, as opposed to quarries. The advice we had at the time—and, actually, the strong petitioning we got from the quarries association—was that there's a huge number of quarries around New Zealand. They're in different sizes, different scales, and different levels of risk, and it's better to work directly with the association.

Media: On the question of health and safety—sort of pulling off that a bit—where do you try and draw the balance between, you know, concern that there'll be too much red tape that will bury smaller firms in particular, against, you know, the need to keep workplaces safe?

PM: Well, it's a judgment call, isn't it? I mean, in the end we've got a set of health and safety legislation already on the books, and I think what we're saying as a country is that there needs to be improvements upon that and we need, as a country, to have a better record than we've currently got. So I don't think anyone's arguing that the current settings aren't in the right place and that they need to change. The debate is what that change ultimately looks like, and within differing industries there are, you know, different concerns and, actually, fundamentally different levels of risk. It's not completely straightforward.

PM: We know that the bigger, riskier industries, like agriculture or forestry or mining—we can understand those as more riskier industries, but it's not solely the case that they're the ones that are responsible for workplace deaths. So, I mean, that's what the select committee and the Government's been attempting to do over the last period of time, post-the royal commission's work—is, really, to go out there and say, you know, "Where do we need to improve, and how do we best do that?". But it is a balancing act between that and the natural, commercial activities of a huge number of businesses, from the very tiny to the large.

Media: Is there any possibility that a National MP would put up a bill on euthanasia as a member's bill? And would you block it simply because it would be too risky?

PM: We wouldn't block it. I can't ever recall anyone in our caucus wanting to do that before. I don't think we would block that. If a member wanted to do it, we would probably let them put it in the ballot, but I'm aware of at least two other MPs that want to put a bill in, and I suspect they'll get there first.

Media: Have you spoken to Te Ururoa Flavell about the allegations of political interference in Māori Television?

PM: No.

Media: What do you make of those rumours?

PM: Well, they're just rumours. I don't have anything to base them on.

Media: Do you think they need following up?

PM: Well, you're probably better to follow them up with him.

Media: Have you been to speak to him about it?

PM: No, I don't think so, no.

Media: Are you concerned about the Māori Party's concerns about right of first refusal on land in Auckland?

PM: No. I mean, as I said last week, there's a well-defined path here, which is whether it's, you know, under the Public Works Act or whether it's under the right of first refusal under Treaty legislation. Those provisions are only triggered when the Government no longer has the need or use for land. Now, I accept there'll be some people that—you know, the argument was put up last week that in the case of Ngāti Whātua, and possibly Tainui, they would make the case that, you know, this is development, so it's going to happen by potentially private developers, but it is for the stated goal of what the Government's trying to achieve, which is much greater land supply. Not all of the land in Auckland that's on the list that Nick Smith's been talking about fits within that category, where it could even be subject to at least those debates. My understanding is that Nick Smith and, I think, one of the other Ministers' offices met with the Tāmaki Collective last week. They're likely to meet again with them this week, so we're working our way through the process, and who knows what might come out the other end, but there may be a workable solution that benefits everybody.

Media: So you're saying some of the land might be made available under the right of first refusal?

PM: Not necessarily that, but there might be another way through the issue.

Media: With your tourism hat on, Whangarei have decided to support the Hundertwasser. You said, at one point, that you would provide support to that. Does that still stand, and does that mean financial support from the Government?

PM: Well, in the first instance, we always wanted to see whether the local community wanted to get in behind it and whether they were prepared to put up the bulk of the funds. I haven't seen any sort of advice on it for quite a long period of time, but, in principle, I mean, we'll certainly be happy to talk to them at some point. We know that Whangarei has been working on this issue for a long period of time, and a desire to see people stay in their city for longer. That's, really, the aim behind it. Now that the ratepayers have had their vote, then, obviously, we'll naturally continue with the discussions. I don't know what, if anything, would be available. At the moment, there's not a lot in the coffers, but you never know, and I'll have a discussion with them.

Media: James Shaw's sacked his chief of staff and had a bit of a reshuffle [*Inaudible*]. Have you got anything to say about that?

PM: I mean, other than knowing Ken, I don't know his replacement, so, yeah. It's a matter for him. OK, perfect.

[End Time 16:29:29]

Conclusion of press conference.