



appendix 3

Outcomes of Consultation: Submissions  
from the Public

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# 3.1 Introduction to the analysis of Public Submissions

The Commission was established by the Governor-General in May 2000, with the gazetting of a Warrant setting out its terms of reference. The Warrant (see Appendix 1, “Operational detail: Terms of reference”) requires the Commissioners to report to Government on two matters:

- (1) the strategic options available to enable New Zealand to address, now and in the future, genetic modification, genetically modified organisms, and products; and

- (2) any changes considered desirable to the current legislative, regulatory, policy, or institutional arrangements for addressing, in New Zealand, genetic modification, genetically modified organisms, and products

The terms of reference set out 14 headings under which the Commissioners may make inquiries and receive representations. These address advantages and disadvantages; benefits and risks; cultural and ethical considerations; legal obligations, here and internationally; responsibilities arising under the Treaty of Waitangi; and economic considerations.

The Warrant requires the Commissioners to consult with the people of New Zealand in a way that allows them to express their views clearly. The Commissioners' approach to that task has been guided by the basic requirements set out in the Commissions of Inquiry Act, the directions given in the Warrant and the resources and time available. However, the details of the process have been largely up to them to set. Opportunities for public input have included:

- initial *Scoping Meetings*, which were used to determine the key questions and specific issues that needed to be addressed (see Appendix 1, "Processes of the Commission: Scoping Meetings"; this volume, "Scoping Meetings: summary of outcomes")
- *written submissions from Interested Persons*, who are defined under Section 4A(1) of the Commissions of Inquiry Act as any person (which includes organisations) who "has an interest in the Inquiry apart from any interest in common with the public", and who were entitled to appear and be heard at the Inquiry (see Appendix 1, "Processes of the Commission: Formal Hearings"; Appendix 2, "Analysis of written submissions by Interested Persons")
- *written submissions from the public*, ie, from those who were not granted Interested Persons status but who were entitled to file submissions with the Commission in written form, and for whom any further participation was a matter for the discretion of the Commission (see Appendix 1, "Processes of the Commission: Public Submissions: the process"; this volume, this section: "Analysis of Public Submissions")
- *consultation with Maori*, whereby, in accordance with the Warrant's direction to the Commission to consult and engage with Maori in a manner that specifically provided for their needs, the Commission arranged national and regional Hui and a series of workshops, where Maori and some non-Maori presented their views (see Appendix 1, "Processes of the Commission: Maori Consultation: the process"; this volume, "Analysis of Maori Consultation")

- *Public Meetings*, held in 15 regional centres throughout New Zealand (see Appendix 1, “Processes of the Commission: Public Meetings: the process”; this volume, “Public Meetings: summary of outcomes”).

## The submission process

The Warrant required the Commission to seek the views of the public, including ethical, cultural, environmental and scientific perspectives, on the use of genetic modification, genetically modified organisms and products in New Zealand. The Commission called for submissions from the general public on the subject of genetic modification as it related to the Commission’s terms of reference. The deadline for the receipt of public submissions was 1 December 2000.

The Commission provided guidelines for the written submission process. Those accorded Interested Persons status were provided with a standard template for submissions. This was designed to assist the Commission in addressing the items set out in the Warrant. The Commission provided some general formatting guidelines for public submissions. An alternative format with topic headings was also provided. The Commission informed submitters that submissions would be analysed on the basis of these topics and that it would be helpful to the Commission if submissions followed this general format.

While the Commission encouraged the use of certain forms of submission presentation, these were not prerequisites for acceptance. The Commission also indicated a preference for submissions in electronic form (either on disk, or by email) followed by hard copy in typed rather than handwritten form. The Commission strongly discouraged repeat or ‘form’ submissions based on a common template. Submitters were not required to conform to any of the formats and submissions in other written formats were also accepted.

The Commission indicated its intention to make submissions publicly accessible on its website but reserved the right to refrain from publishing all or any part of individual submissions. In cases where persons wished to submit confidential information, the Commission could limit the public availability of submitted material.

## Analysis of Public Submissions

The analysis of public submissions by the Centre for Research, Evaluation and Social Assessment (CRESA) started in early December 2000, following the closing date for acceptance of submissions.

A template was designed for the quantitative analysis of information provided by public submitters. This template broadly reflected the matters itemised in the Warrant and was designed to be consistent with that used in the analysis of Interested Persons but with appropriate amendments to better incorporate the views of public submitters.

Each submission was analysed using this template and data for each submission was entered into a database and analysed using the Statistical Package for the Social Sciences (SPSS). This analysis identified patterns of opinion on specific matters set out in the Warrant, particularly:

- common views expressed amongst public submitters
- divergent views expressed
- matters that submitters considered unresolved.

Some qualitative analysis of the submissions was also carried out throughout the analysis process. Analysts systematically recorded other themes that were not incorporated into the template. Frequency counts of these other themes were recorded and incorporated into the SPSS database for inclusion into the quantitative analysis. Workshops, structured around Warrant items, were also held with the analysts during the latter part of the analysis process. In these, analysts provided further detail about the themes, based on their notebook recordings and collective discussion.

Analysts also identified submissions that contained quotes that could be incorporated into the final report. These quotes were selected because they expressed new ideas or commonly shared views in a particularly coherent, or typical, manner.

An important part of the analysis of public submissions involved a quality check to ensure that the submissions provided were legible, readable by analysts and met other analysis criteria<sup>1</sup>.

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<sup>1</sup> Matters that needed further attention with a minority of public submissions included: the need for translation, usually from Maori but also from Samoan and some European languages; poor legibility; incomplete submissions, sometimes because of fax transmission errors; lack of relevancy; difficulties in identifying submitters, given their use of pseudonyms; inclusion of other correspondence such as letters from submitters to the Royal Commission, for instance about the submissions process; duplications of submissions; multiple submission by the same submitters; multiple submitters using one identifying email address; evidence submitted with no guidance as to how the submitter would like that evidence to be interpreted. Seeking resolution to these problems continued throughout the analysis process. While some could be sorted out, problems around legibility and incomplete fax transmissions could not. Also, the few submissions that were not relevant to the Warrant were included in this analysis in that submitter characteristics were noted. However, the content of these submissions was not relevant to the matters set out in the Warrant.

## Profile of Public Submissions

The vast majority of public submissions were from individuals (96.9%), with 2.1% from groups of individuals and less than 1% from organisations or groups. These organisations included:

- farming interests (organic, non-organic and fish)
- advocacy groups (anti-genetic modification, social, health and environmental)
- retailers and retail associations
- private companies (with and without genetic modification involvement)
- various social and political groups
- district councils.

Types of Public Submitter are shown in Table 3.1.

Also among the organisations making submissions to the Commission through the public submission process were certain government departments and agencies that either had not sought or were not granted Interested Person status. These organisations provided extensive information for the Commission to consider, mainly on matters of policy, processes, legislation and regulation relating to biotechnology issues. A brief summary of some of the relevant information is provided below as section 3.15, “Comment on policy, process and regulation provided through public submissions by public sector organisations”. This material was reviewed separately and is not part of the analysis report of sections 3.1-3.14.

**Table 3.1    Type of Public Submitter (n = 10,861)**

Submitter type	Number	%
Individual	10,524	96.9
Multiple individuals	227	2.1
Organisation/group	93	0.9
Unclear	17	0.2

Further personal information about submitters was usually not provided and, therefore, could not be systematically recorded. However, some submitters provided information, for instance identifying as Maori, male, female, Jewish, vegetarian and so on. Reference has been made to the personal qualities of some groups of submitters as appropriate to illustrate the range of views expressed.

Most submissions came to the Commission in hard copy form although some arrived via email. Most were short: 89.7% were single-page submissions. Approximately half of the remaining submissions were two pages in length, with the majority of others between three and 10 pages long. Only 3% of submissions were presented in a form format. A number of submitters (perhaps a third) used the submission format suggested by Greenpeace and other groups. These forms included headings consistent with the matters laid out in the Warrant, focusing discussion on strategic options and submitter perceptions of risk and benefit. However, most used that format to structure their own views; only a minority also used the words suggested by those groups.

## The report structure

This report summarises the views expressed in the 10,861 written submissions from the public. The structure of the report reflects the content of the Warrant, which requires the Commissioners to report on two principal matters, the first being the strategic options available to New Zealand to respond to genetic modification technologies. The other principal area addresses changes to the current legislative, regulatory, policy and institutional arrangements for addressing genetic modification. The Commission is also authorised to investigate a range of relevant matters. These matters, itemised in the Warrant, cover the use of genetic modification in New Zealand, liability, intellectual property, the Treaty of Waitangi, relevant global developments, opportunities from use or avoidance of genetic modification and main areas of public interest. Thus, the report includes sections on the following broad topic areas:

- strategic outcomes, issues and options
- statutory and regulatory system
- use of genetic modification, genetically modified organisms and products
- evidence and uncertainty
- risks and benefits
- international obligations
- liability

- intellectual property
- Treaty of Waitangi
- global developments
- opportunities from use or avoidance
- main areas of public interest.

The final section summarises the main themes presented in the submissions.