

Ombudsman

Tuia kia ōrite · Fairness for all

INSIGHTS AND OBSERVATIONS

The Chief Ombudsman's report on
extreme weather events 2023



Insights and Observations: Chief Ombudsman's extreme weather engagement and insights report

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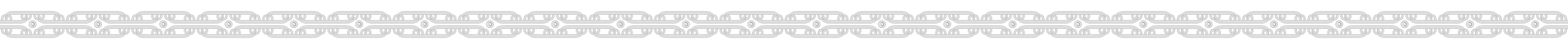
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FOREWORD



The start of 2023 saw New Zealand battered by a series of extreme weather events that ravaged the North Island.¹ Like many New Zealanders, I was shocked and deeply dismayed by the utter devastation. Homes, businesses, communities, and sadly, family members were lost to the storms.

The recovery from these events will be a monumental undertaking. The affected areas are significant—in size, and in population. Nearly half of all New Zealanders live in these regions, an incredible number of people when it comes to providing support to recover, and assurance for the future. The scale of this work should not be underestimated.

Thinking on this, I could not help but look back on the Canterbury earthquakes, and how difficult the recovery was for the people in that region and the nation as a whole. That catastrophe showed how unprepared the country was for a major disaster. When COVID-19 hit, New Zealand was again forced to adapt as best we could. I knew the response to, and recovery from, the North Island weather events would not be straightforward.

The role of Ombudsman is an important one when it comes to the day-to-day running of the country in terms of providing checks and balances. In times of crisis, it is critical for the public to know I am here to help make sure the government's treatment of all New Zealanders is fair and equitable.

In our rapidly changing world, decisions need to be made quickly. There is public expectation that solutions will be forthcoming and clear, and that action will be taken quickly. Now is the time to look at our model for how New Zealand prepares for and copes with disaster.

Scientific modelling shows that extreme weather events are becoming more frequent and severe. We must do better to be ready for the next big event.

I decided it was important for me to hear about people's experiences first-hand, by visiting the areas affected. I wanted to do two things. Firstly, to let people know I am listening, and to let them know about their right to complain about government decisions that impact their lives. Secondly, I wanted to get an indication of what complaints to me could look like, and to provide guidance to government agencies to help them meet public expectations and avoid the need for complaints. I hope my presence was a reminder to those agencies about their obligations, and my expectations that they meet their administrative responsibilities in a fair and equitable manner. I also wanted them to know I am here to support them and encourage good practice.

The communities, iwi, and local and central government agencies we visited were incredibly generous with their time and all were very candid. All of their reflections will help me in my work.

The purpose of this report is to share at least some of what I heard, explain where the Ombudsman can assist, and what my expectations are. It is not the result of an Ombudsman investigation—it does not contain formal findings and recommendations for change—but it does highlight some of the major challenges ahead in responding to these and future disasters. I hope my insights help inform other inquiries and reviews that are underway.



¹ I would like to acknowledge here that, although my visits focused on the areas of the North Island most severely hit during 2023, the upper South Island also experienced devastating weather during 2022. As I write, more extreme weather has struck the Gisborne area.



EXECUTIVE SUMMARY

The start of 2023 was a testing time for New Zealand. The extreme weather events that ravaged the country caused significant damage and loss of life. Recovery will be difficult. To ensure I understood the extent of the devastation and the challenges the country now faces, I embarked on an engagement and outreach programme. I visited some of the hardest hit areas in the North Island, and met with key government agencies, councils, iwi, community organisations and communities. This report is my endeavour to share some of what I saw and where an Ombudsman can provide people with assistance. I hope my observations might support and inform ongoing efforts to recover, and prepare for the next big weather event.

What I observed

Many regions I visited were cut off from the rest of the country due to the impacts of extreme weather. Roads were washed away, telecommunications infrastructure knocked out, and power supplies disrupted. Emergency response could not reach some places, and people could not access information, supplies or support. Some communities were isolated for several weeks. The extent of isolation regions experienced was a strong reminder of how fragile our lifeline infrastructure is.

These events brought out New Zealanders' can-do attitude, however. Many communities quickly realised they were on their own, and needed to help themselves and their communities. Iwi opened marae as emergency hubs, and provided food, housing and internet connections. Other communities were similarly resourceful. Individuals and local businesses cleared

roads, removed silt, and provided support. These local knowledge holders are a valuable resource for future planning and preparation efforts.

Timely communications and accessing useful information were a challenge for many, in some cases hampering efforts during the storms, and throughout the recovery phase. Some disabled communities, non-English speaking people, and older New Zealanders were made vulnerable during states of emergency due to communication gaps. As communities try to move forward, some are struggling to get transparent, timely information on what is happening. This can be stressful.

The extreme weather events also exposed difficulties some New Zealanders face. Some disabled people were at risk of being isolated as their care networks could not reach them. Those who are financially disadvantaged have struggled to access safe, dry rental accommodation, and replace damaged property.

Some communities also felt the seriousness of their situations was not recognised as quickly as other areas that were easier to access, or were more news-worthy. Some also felt funding was not evenly distributed. Some iwi shared how they felt they had been excluded from emergency planning, preparation, and funding.

Government agencies and community service organisations have been working incredibly hard under trying circumstances. The extent of the devastation meant they were stretched. Where possible, they relied on trusted relationships and processes to quickly get support and funding into communities. Making fast decisions was difficult when individuals did not have the authority to do so, or information from government had not been received. Agencies I talked to recognised that the centrally

coordinated/locally-led model needs improvement, and some suggested a one-stop-shop for accurate information and advice is needed.

I have heard people's concerns about property categorisation and buy-outs, and some are worried about what to do if they are not satisfied with decisions that are made about their homes and futures. I am often the last port of call for people who question government decisions, and am already contributing by supporting government agencies to make fair decisions to avoid complaints.

My role

I have considerable experience from previous disasters and national emergencies, and I know I will receive a wave of complaints as the recovery progresses. My visits helped ensure I am aware of the kinds of complaints I will receive, and I am ready to efficiently resolve these. I will publish relevant information to help others understand how I reach my findings so they can apply that to their own context. I will also continue to provide local and central government with advice and guidance to pre-empt problems and complaints, and support them to work effectively and efficiently. As I continue proactively monitoring the public sector for serious and systemic issues, I will intervene where I consider it warranted.

I also play an important role in upholding public trust and confidence in government. By providing guidance and advice, and publishing my opinions, case notes and investigations, I communicate what fair, open, transparent, and accountable public administration looks like. Central and local government take my expectations seriously.

What is needed to make good decisions

In the context of disaster preparedness, response, and recovery, it is critical for public trust and confidence that government agencies:

- have effective and appropriate processes in place to hear and consider people's needs and concerns, both immediately and in the aftermath;
- have effective and accessible communication mechanisms;
- have effective and appropriate processes in place to listen to those most at risk of being disproportionately impacted and take action;
- have systems and processes that support and promote participation in government decision-making for all stakeholders;
- have effective and transparent decision-making processes;
- provide people with the reasons for and the information about decisions that affect them;
- have systems and processes that support fair and equitable outcomes;
- have robust, clear and easily accessible internal complaints and review mechanisms;
- provide people with official information when they request it (unless there is good reason to withhold/refuse);
- consider what information can or should be released proactively, and in accessible formats;
- act consistently with Te Tiriti o Waitangi (Te Tiriti) and tikanga;
- meet their obligations under relevant international conventions to which New Zealand is a party, including the United Nations Convention on the Rights of Persons with Disabilities; and
- comply with relevant legislation and take appropriate steps to make sure the law is fit for purpose.



PART 1

BACKGROUND

The start of 2023 saw New Zealand struck by a series of extreme weather events which seriously impacted much of the North Island. In early January, Cyclone Hale caused severe flooding in areas such as Te Tai Tokerau | Northland, Tāmaki Makarau | Auckland, Waikato and Tairāwhiti | East Coast. States of emergency were put in place, reflecting the savageness of Hale's impact. Shortly after, the worst floods in Auckland's history occurred during Auckland Anniversary Weekend. More than a month's worth of rain fell in a single day on the Auckland region, leading to widespread flooding, land slips and property damage. That intense rainfall extended from Northland to the Waikato and Bay of Plenty regions where it caused more severe flooding and dangerous river conditions.

While the country was still reeling from these events, Cyclone Gabrielle struck between 12 and 16 February, with devastating effect. Gabrielle left a catastrophic trail of destruction across the North Island, and overwhelmed regions already ravaged by Hale. Homes and businesses were razed. Lifeline infrastructure was severely compromised, and critical road networks were destroyed. Sadly, four people lost their lives to the Auckland Anniversary Weekend floods and eleven more to Cyclone Gabrielle. Thousands of other people were left isolated and displaced.

The cumulative impacts of these events is significant for a country the size of New Zealand. Despite best efforts by local and central government, communities and iwi, the response and initial recovery steps were uneven, and in many places people were put under severe stress. This suggests the country was not prepared enough for a disaster of this magnitude, nor ready for the scale of recovery required to get those affected back on their feet. With hundreds of homes made



uninhabitable and billions of dollars in funding needed to restore communities, businesses, infrastructure and environments, the road to recovery is complex.

I know that when there is an extreme event of any kind in New Zealand, there is a surge of complaints to the Ombudsman. This often happens some time after the initial response to an event, as people become frustrated by what they consider to be a lack of action or unfair decisions made by central and local government, and other organisations and entities, as they try to recover and move on with their lives.

In anticipation of this surge in complaints, and to help my understanding of the impact of these events on those most affected, I established my extreme weather engagement and outreach programme—a series of visits with these communities to hear from them directly, *kanohi ki te kanohi* (face to face), to make sure I truly understood what people had endured and what issues they were facing. I also engaged with central and local government agencies to check in on how they were responding to events, the impact on them, and how they were managing the recovery.



My engagement activities have given me a broad understanding of the impacts of these extreme weather events on people and their communities. This means I am able to provide good information and guidance, to government agencies and the public alike, to support the recovery. I continue to foster these relationships so that people know I am listening and ready to help when the time comes. I am preparing for a future where these kinds of events become more frequent and severe.



PART 2

MY ENGAGEMENT ACTIVITIES

My engagement and outreach programme took me to some of the most affected areas over several months. I wanted to hear as many voices as possible, at different points in time, so I could understand what was happening across the response, recovery and readiness phases of the country's emergency management process.² I made special note of the insights provided by communities that were already preparing for the next big event. This gave me a first-hand understanding of the complex challenges New Zealand is facing during the recovery period, and the range of challenges people continue to deal with.

This experience has helped me prepare for the predicted surge of extreme weather-related complaints I expect my office to receive.

Who I met

I connected with a wide range of people, support organisations, iwi Māori, district, regional and city councils, as well as central government agencies in Wellington. Many of the iwi leaders I spoke to had been at the heart of emergency response and recovery activities in their regions. The manaakitanga (hospitality) these rangatira (leaders) showed me mirrored the generous and spirited response they gave to their communities when they needed them most. I also met with community organisations including Community Law Centres and Citizens Advice Bureaux, and organisations for disabled people and ethnic communities, to learn of their support work and hear their stories.

Mayors, councillors, council chief executives and other local authority leaders were also part of my engagement and outreach programme. I heard about their efforts to support their communities when the North Island weather events hit, and to progress recovery. We talked about the importance of maintaining fairness and transparency in all processes, even in the most challenging of circumstances.

I also met with a number of central government's key response and recovery agencies to hear about their activities, and any concerns or issues they have identified. I continue to connect and meet with these agencies, including the Cyclone Recovery Unit, the Cyclone Response Taskforce, the National Emergency Management Agency (NEMA), and the Ministry of Business, Innovation and Employment (MBIE). This allows me to keep up to date with the latest developments, share my observations and insights, and provide guidance. My aim is to support them in their efforts to provide fair and equitable treatment while meeting public expectations in terms of recovery.

I also connected with the recently established [New Zealand Claims Resolution Service \(NZCRS\)](#).³ We discussed the scale of North Island weather events, the role of the NZCRS in mediating insurance claims resolutions, and its assessment of the types of complaints to come. I will stay in touch with the NZCRS as this will help me prepare for the forecasted surge of complaints to my Office.

² Note NEMA uses the 4 Rs model as a framework for its emergency management work. The 4 Rs sit on a continuum of reduction, readiness, response and recovery with respect to disaster preparation and response. See <https://www.civildefence.govt.nz/cdem-sector/the-4rs/>

³ NZCRS (established in 2023) replaced the Greater Christchurch Claims Resolution Service (GCCRS) and the Residential Advisory Service (RAS), and carries on the work of these two services but with an expanded remit to include the recent severe weather events, and ongoing natural disaster claims resolution work.



Where I visited

Although the extreme weather events at the start of the year impacted regions all over the country, my visits to areas that were hardest hit have helped me to understand the severity of damage and the complexities of the recovery.

My first engagement was to the Hawke’s Bay and Gisborne regions in April.⁴ This five day visit provided me with opportunities to see the breadth of devastation, and the challenges small rural communities were dealing with so soon after Cyclone Gabrielle.

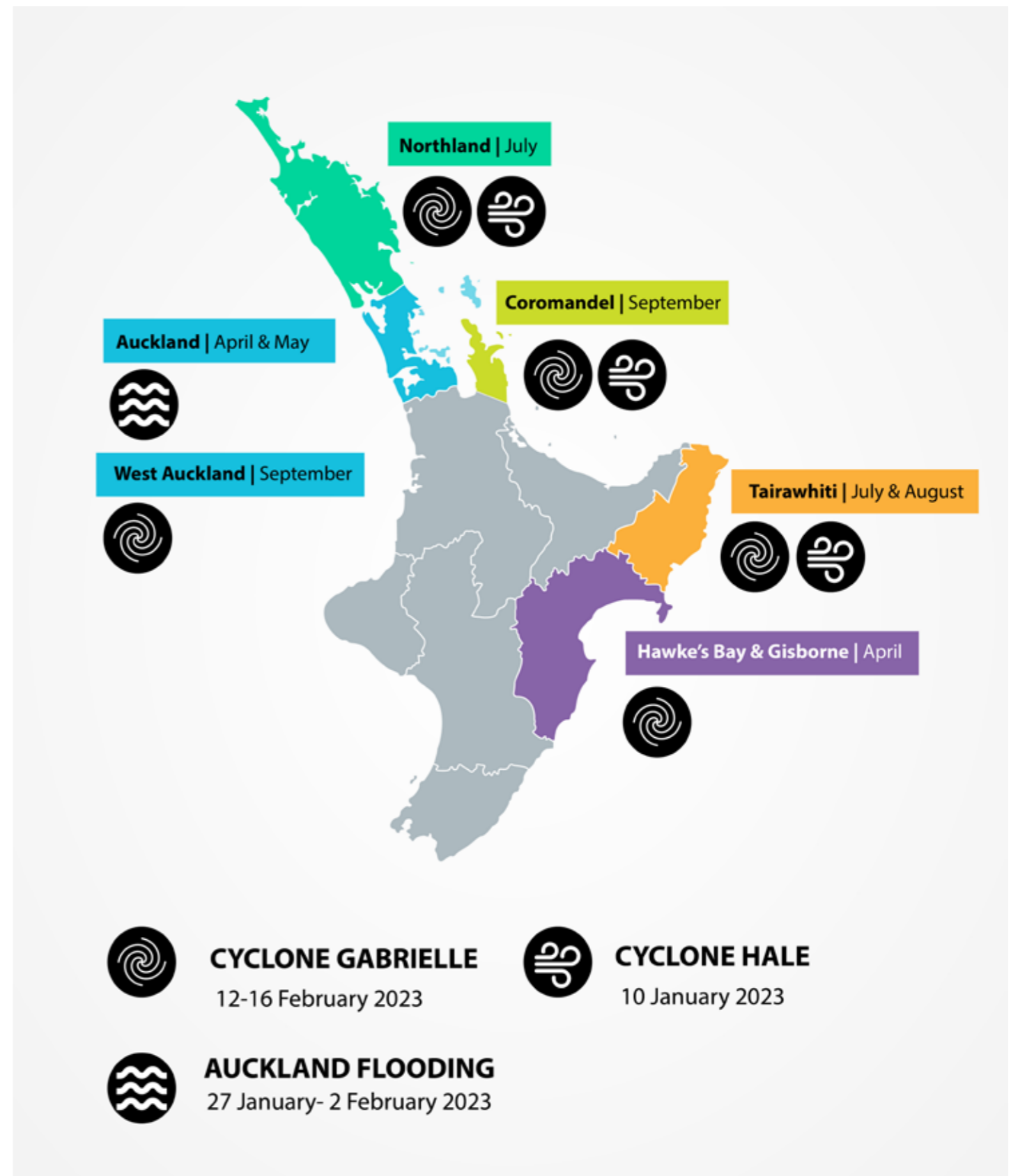
At the end of April, I travelled to Auckland to survey the extent of the damage caused by the Auckland Anniversary Weekend floods and Cyclone Gabrielle.⁵ This visit was an important opportunity to identify the similarities and differences between rural and metropolitan communities and their experiences and needs.

In July, my staff travelled to Northland⁶ to meet with communities and to understand the ongoing issues and challenges this part of the country was experiencing as a result of the twelve or more extreme weather events the region had been subjected to since July 2022. Here, my staff saw the cumulative effect of severe weather on land, infrastructure and communities.

At the end of July and beginning of August, I returned to the Gisborne region and travelled to Te Karaka and along the coastline to Tolaga Bay, Tokomaru Bay and Ruatoria.⁷ Almost six months after Cyclone Hale—the first of this year’s weather events to wreak havoc on the area—I heard people say how slow the pace of the recovery process was for these communities, and that people continued to experience challenges as a result.

My last visit was at the end of September to the Coromandel region and the West Auckland coastal communities of Piha, Karekare and Muriwai.⁸ I saw the impacts not only of severe floods but also landslides—for homes, communities and businesses.

4 11-14 April.
 5 27 April-3 May.
 6 10-12 July.
 7 31 July-2 August.
 8 25-27 September.









DAVID & CHRISTINE SIDWELL'S STORY

KAREKARE, WEST AUCKLAND

Karekare residents David and Christine Sidwell were asleep when Cyclone Gabrielle struck.

David says at about 4am they woke with a thump as their house slid down the hill. *'Our house was steel framed [...]. The chunk of the steel frame came up through the floor, through the middle of our bed and tossed me out.'*

'The noise of the cyclone, the rain and the wind. It was pitch black. The strength of the house meant that it did not crumble,' says Christine.

'The three tonnes of steel kept it intact,' she says. *'We got dressed and it was so cold we put on layers and layers of clothing. We shone our torches around. The rain was horrific. The slope of the floor was so bad. Everything was smashed. Walls split away from the floor. We crawled and we were able to shine our torch over. We realised that the house was way above the slip.'*

David says there was at least a four-metre drop at that point from the house down to the ground. *'The ground was quite steeply sloping. There was mud and water flowing down it.'*

The couple weren't able to get out by themselves as Christine was recovering from an operation she'd had a week before. They spent about six hours trapped in their home. Luckily, a neighbour came to their rescue. He found a wooden plank which he passed to David through a hole in the wall of the house *'the size of a dog kennel.'*

'I put it on the floor and we crawled down that plank,' says David.

'Once we escaped,' says Christine, *'our experience of councils, emergency and recovery people has been utterly superb. We are [an example of one of] the most extreme cases in terms of we've lost everything, land, house, possessions, everything. We are still in the valley. We were looked after beautifully. We are in a tiny flat. We cannot fault the recovery.'*

Christine says she is now the chair of the local surf club. *'Karekare is a very strong, long standing community. Our way of doing it is to [...] acknowledge what went wrong and addressing it with compassion.'*

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How I engaged with Māori

When I investigate public sector agencies I look at how they have considered Te Tiriti o Waitangi | Treaty of Waitangi⁹ and tikanga (protocol) in their decision making. I am personally committed to working in ways that honour Te Tiriti o Waitangi, Te Ao Māori (the Māori world), and tikanga.¹⁰ These principles were at the heart of my extreme weather events engagement and outreach programme.

The extreme weather events of 2023 disproportionately impacted tangata whenua (local people) across the North Island, and iwi and hapū (kinship group/tribe) Māori were often at the forefront of response and recovery activities. It was particularly important that my team and I engaged in a mana-enhancing manner. When visiting a region, I first connected with local iwi kanohi ki te kanohi.

I am especially grateful to iwi Māori who shared their time with me during these challenging periods. Without their support I would not have gained the insights I have during my engagement visits—not only into the experiences of tangata whenua, but also of their role in helping and protecting their communities during dire times.



9 I acknowledge that there are two texts with different meanings.

10 As set out in my [Strategic Intentions 2023-2028](#).



PART 3

WHAT I OBSERVED

I want to make sure the voices and experiences of those I visited are heard. Some of the stories and information people shared with me were unique, while others reflected common experiences and sentiments. Many highlight the barriers whānau and communities navigated—and continue to navigate—during response and recovery, and the solutions they implemented then and now. I hope to provide valuable insights—informed by my role and experience as Ombudsman—to support the important mahi (work) being done as communities recover, and ready themselves for the next big event.

Isolation

It is easy to underestimate just how isolated some towns, communities and regions were as a result of the North Island weather events. In areas like the East Coast and Northland, Cyclone Gabrielle washed away roads and bridges that in some places were the only access routes in and out of communities. Across Northland, damage to roads meant damage to critical services built alongside them, like power and telecommunications. In other regions, flooding and slips disabled substations and telecommunications towers, resulting in lost phone and internet connections. Places like Tokomaru Bay, Hokianga, Piha, Wairoa and Eskdale, to name but a few, were completely isolated from the rest of the country—in some cases for weeks.

When I talked with people from these communities about the severity of the damage, and their recovery journey, many spoke of the isolation. Loss of key roads

and bridges meant locals struggled to escape to safety, and emergency services were unable to get to those in need. Many of these routes are also critical links in the supply chain, meaning whānau often had to survive on what they had, and rely on neighbours, community and iwi. People told me that the pace of repairing this infrastructure, especially in remote areas, seemed to be prolonging that sense of isolation for some regions. Some locals spoke of how they felt like they had been forgotten, and many commented on the effects on their mental health and dwindling resilience.

Local resourcefulness and manaakitanga helped offset some of this sense of disconnection. Across some rohe (district), I heard how iwi, local groups and businesses used their own machinery to clear and create access roads so people could get around, and found ways to get supplies to those who were physically isolated. I was also told about how some iwi, local fire services and other service providers, and groups and locals who could afford to, or had access to funding to, provided communications access via Starlink satellite internet connections so whānau and communities could communicate and get information.

These events highlight how vital infrastructure is, and how vulnerable it is to worsening extreme weather. This is a thorny issue for New Zealand. New Zealand has nearly 95,000 kilometres¹¹ of roading, much of it in rural and remote areas. We also have a large number of rivers, streams, bridges and culverts to maintain—over 20,000 bridges across the country,¹² and 20,000 kilometres of permanent and intermittent streams. The Auckland region alone has 6,300 kilometres of stormwater pipes.¹³

Building and maintaining roading and bridges, and clearing and maintaining streams and drains, is vital but expensive, challenging and time-consuming.

Despite being recognised for its advanced digital infrastructure,¹⁴ recent events illustrated the current fragility of New Zealand's telecommunications infrastructure. With so much of daily life now conducted online, losing phone and internet connections in times of extreme need is highly problematic.

New Zealand cannot put a halt to extreme weather events, but it is essential that the country's infrastructure is made as reliable as possible so that when extreme weather events occur, the risk of people being isolated and disconnected from the rest of the country is minimised.

Self-reliance

Some of the communities I visited told me they quickly realised they would need to be self-sufficient, not just for a few days, but in some cases for weeks and months. Groups from the East Coast, Northland, Coromandel and Auckland's west coast communities said that, from past experience, they knew they must rely on themselves. But even in larger towns and cities, some people shared how they felt a lack of presence and leadership from local and central government and, consequently, made their own decisions about steps forward. Thankfully, New Zealand has great strength in our whanaungatanga (family connection), our can-do attitude, our willingness to pitch in and help our friends and whānau (family), and to get on with it when times are tough. This incredible self-reliance was on display wherever I visited.

¹¹ See [FAQ page](#) from New Zealand Transport Agency (NZTA).

¹² See [Figures New Zealand](#) for up to date count, using data from NZTA.

¹³ [Auckland Council's Stormwater Plan Summary](#)

¹⁴ [New Zealand – Commercial Country Guide – International Trade Administration](#)





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**THEY WERE
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IT CAME BACK
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TO SUPPORT
OURSELVES.**

HORIATA RAIHANIA'S STORY

TOKOMARU BAY, EAST COAST

When Tokomaru Bay was cut off after Cyclone Gabrielle, residents needed to improvise to get vital supplies to the coastal settlement. State Highway 35 was blocked from the north at Te Puia Springs and south to Tolaga Bay, leaving Tokomaru Bay isolated. Forestry supervisor and Civil Defence and Emergency volunteer Horiata Raihania was closely involved in the response.

'At that point, the bridge to the south at Hikuwai was gone. There was no way around that one. Even getting to the bridge was a challenge at that stage and then to the north, a big slip had come down... the Mangahauini River was running down the old road so the road became the river and was impassable.'

'The North Island links that we usually can call on to bring in support, they were affected. So the help wasn't coming because they were in a state of emergency as well. Auckland was in a state of emergency, Coromandel, Hawke's Bay and there's all our arterial routes to supply our regions. They were all in crisis as well. So it came back to ourselves to support ourselves.'

While all the roads were closed, Horiata realised there could be a way to access Tokomaru overland from the north after talking to the manager of Marotiri Station who'd used a farm track to reach the local store. They came up with a plan to turn that track into a supply route.

They used side-by-side all-terrain vehicles (ATV) to make the three-kilometre trip around a big slip and ferry goods to Tokomaru Bay from the north. The two of them volunteered to make the journey between three and eight times a day.

'That's how supplies started getting in to Tokomaru... other people would mobilise the big truck... and they drove down to as far as they could drive on State Highway 35 north of Tokomaru and then we met them there with our side-by-sides and we started loading boxes of materials and stuff onto our vehicles and ferrying them over.'

'There was fuel and everything people needed to get by. We even started to ferry in the mail for people. We ferried stuff to the shops, whatever needed to get brought in by vehicle including bread and milk.'

Horiata attributes the preparations made by Ngāti Porou during the earlier COVID-19 pandemic for putting a network of the right people in place. He says that system was later adapted by Civil Defence.

'We've had two to three big storms before Gabrielle... we've had the rehearsal... everybody had already lived it. And so when Gabrielle struck, we knew our system that we'd sort of created in the past.'

'Certainly there's a lot of people that are proud, proud of our community, of their community and it showed in Cyclone Gabrielle that people put others before themselves and were willing to sacrifice their time for the betterment of others.'

Photo on left: Horiata Raihania from Tokomaru Bay shares his story





In many regions, hapū and iwi were at the forefront of this mahi, as help via official channels was sometimes unavailable. I heard many accounts of Māori stepping in to secure local communities and infrastructure. I was told how many iwi quickly mobilised when Cyclone Gabrielle struck, rescuing people who were trapped or stranded, providing food and shelter for those who had been displaced, finding ways to get food to isolated whānau, and driving people who needed medical support to hospital.

I heard on several occasions that money machines and bank cards in stores were not always working because they relied on an internet connection, meaning people were unable to pay for food and essential supplies. Some iwi gave their own money and set up store credit facilities to help those who needed it the most, which also helped to keep local businesses going and people in work. Many iwi worked to reconnect their communities by clearing roads of debris and trees, and removing silt. Others were able to supply housing for displaced people. In many areas, I heard how marae became community hubs for emergency support and activities. Where iwi and local councils worked well together, the community response and support is credited with saving lives. But local councils told me they know more needs to be done to ensure marae are sufficiently equipped for this vital community role, as many were over-stretched, under-funded and unrecognised.



JACKIE EDWARDS-BRUCE'S STORY

TE RŪNANGA O WHAINGAROA, KAEO, NORTHLAND

Jackie Edwards-Bruce was in the thick of it when Cyclone Gabrielle struck the Far North. She led the initial response on behalf of Te Rūnanga o Whaingaroa—an iwi authority based in Kaeo, north west of Kerikeri in the Far North.

Te Rūnanga o Whaingaroa was established in 1991, to access resources and deliver services for the whānau of Whaingaroa, who are of Ngāpuhi and Ngāti Kahu descent. Jackie says the Rūnanga is governed by 18 marae, and each has their own delegate or Kaimanaaki. They had plans in place before the storm struck.

'At the time I think I only had a few staff on with me. And the reality is as an iwi organisation, you cannot cover the whole area on your own so it's about collaboration with your people.'

'We did check-ins every morning, lunch and afternoon, three times a day. ... and then when it did come. ... our Kaimanaaki. ... [were] able to go out [to] the villages around our marae to check on the whānau.'

'Even though the warnings went out, whānau were stubborn to move. ... and sometimes it's just common sense to just get to higher ground and wait it out. ... It's ensuring that the person you're sending out into the village has that relationship where someone's going to listen to them.'

'You can have government assistance, but if you don't know the people, then sometimes our people can say no or shut you out.'

Jackie says the Kaimanaaki were also there to provide comfort.

'We had two mums with their babies. Trees had come down on their house. We had kaumātua and kuia coming for connecting, just to have a cup of tea and a feed and to be able to sit with someone during that time.'

She says another father with four children urgently needed accommodation after falling trees took out their home.

'We were able to assist with two (mobile) cabins. So, you know, we've been able to support, also, that way. It means that they don't have to go and live anywhere else. They can stay on their whenua.'

Jackie says the Rūnanga were supporting whānau for several months after the storm.

'Some of the whānau were two weeks without power; they had lost a big amount of food in their freezers. We supported kaumātua [and] kuia to clean out their freezers and [we were] able to koha some kai to refill the freezers. Not fully refill it, but, you know, to be able to assist.'

Now, after receiving government funding, they are distributing emergency equipment to each marae.

'Through the funding, we've got generators, food and petrol vouchers, cookers, blankets, towels, chilly bins, UHF radios and lighting. We're trying to make our marae as resilient as possible. And defibrillators and first aid so that they're not relying on anyone else. ... For us, it's about a hand up and taking ownership and to be resilient and not always relying on someone else.'

'We believe if we re-energise our marae to energise our people and our whenua, it is going to be a better outcome for our people.'



“ WE BELIEVE IF WE RE-ENERGISE OUR MARAE TO ENERGISE OUR PEOPLE AND OUR WHENUA, IT IS GOING TO BE A BETTER OUTCOME FOR OUR PEOPLE. ”



Self-sufficiency was not limited to rural areas where isolation required iwi and communities to act. During the Auckland Anniversary Weekend floods, I was told about how Māngere locals quickly established their own ‘information hub’ as a place for people to evacuate to, because the civil defence hub was too far away and too dangerous to get to.¹⁵ I heard of similar activities in Karekare, where the community banded together in the absence of a civil defence team, and Muriwai, where local businesses became the centre of the community, supporting wellbeing and social connection.

Iwi have been quick to demonstrate their readiness to respond to extreme events, and learn from their experiences. I was told on several occasions about local Māori leaders working to implement emergency plans to make sure they are ready for the next severe weather event. Some are stock-piling supplies, others are establishing emergency management hubs in their regions, or are looking at training that will allow them to engage in rescue activities when called for. Some iwi are moving forward on their own, while others are actively partnering with government agencies to inform what happens in their local communities and ensure proposed changes are ones that work for the local context. There is much the country could learn from iwi with respect to emergency preparation and response.

I also heard how other councils and communities are turning their eye to future self-sufficiency, particularly because they were isolated from outside help. Many recognise that central government’s locally-led ideal must be implemented as soon as possible, given the patterns of extreme weather they will continue to experience. Some told me they are in the process of putting plans in place, connecting with government to shape agency support, and forging their own way. Because the weather does not wait until communities are prepared, they know they cannot wait either.

Local leaders, communities and iwi, and not-for-profit organisations that provide advocacy services, information and support for disabled people are incredible knowledge holders when it comes to understanding regional strengths and vulnerabilities. They are well placed to know what needs to happen to ensure their communities are protected when catastrophe strikes. Supporting local leaders, communities and iwi to share their knowledge broadly, and to leverage their self-reliance and capacity, will help protect people from the impacts of these events, today and into the future. At the same time, it is important not to overload local leaders and iwi, as this can impact their mental health and wellbeing. Locally-led, and iwi-informed, should not add to the trauma some have experienced, nor burn through community and individual resources, resilience and good will.



Communication

Regardless of where I visited on my engagement programme—from central Auckland to the country’s most remote communities—I heard people’s frustrations about the accessibility, quality and timeliness of communications they were receiving from authorities about the extreme weather events themselves, and the response and recovery efforts.

In several communities I was told that alerts about the severity of the weather and cyclones were not communicated quickly enough to enable people to sufficiently prepare, or to evacuate soon enough to avoid harm and loss of property. For some communities, this was life-threatening and for others, traumatic. I also heard how seldom some councils ran community hui (meeting) to update locals on recovery efforts, and share vital information.

Disabled communities, older New Zealanders, and non-English speaking communities were particularly at risk due to communication gaps. I heard how some members of these groups were made vulnerable due to the digital divide.¹⁶ A reliance on websites and digital information presents challenges for many people. Plain English and alternative formats of publications, information sheets and webpages are also not always available or can be delayed, which puts people at risk as they do not get vital emergency-related information at the right time. Service organisations told me of several cases where disabled and older people did not know what was happening, were unable to leave their homes, and were left to fend for

¹⁶ The ‘digital divide’ is the barrier experienced by people who do not have access to digital information or communications. Digital inclusion (reducing the digital divide) is a government priority, as ‘those who identify as living in social housing, being disabled, unemployed, and/or in older age groups’ are less likely to have internet access (see [Digital Government](#) for more information).

¹⁵ Also highlighted in the [Auckland Flood Response Review](#).



themselves. I also heard of members of different ethnic communities¹⁷ not knowing what was going on, where to go, or how to access services and support.

Concerns about timely and transparent communication were also raised with me in respect of the recovery phase. As people and communities try to move forward, I heard about the struggle to get information from local and central government, with phone numbers, webpages and information being hard to locate. People also spoke about the uncertainty as they waited for information about the condition and status of their properties and businesses, whether they could return to their homes, or if and when they will receive compensation. People told me how a lack of timely communication and transparency of process seems to be exacerbating community stress and impacting trust in local and central government.

Clear and timely communication from central and local government agencies and support organisations is a fundamental aspect of effective response in times of emergency. To ensure public safety, no one should be uninformed. Events like those recently experienced provide considerable insights into how well this element of the country's emergency messaging is working, and where and how emergency and ongoing communications could be improved.

17 New Zealand is very ethnically diverse, with people speaking more than 160 languages. See <https://www.ethniccommunities.govt.nz/community-directory/>



Those made vulnerable by extreme weather events

When extreme events occur, inequities can be exposed and exacerbated. The situation earlier this year for many people in our communities became even more challenging—not just because of the severe weather events themselves, but because they felt they were not always taken into account during the response and recovery phases.

What I heard from and about our disabled communities

For many tāngata whaikaha (disabled Māori) and disabled communities, I was told they found recent events especially frightening and isolating. During my engagement visits, I heard of a disabled person who was left alone during the Auckland Anniversary Weekend floods, with no phone or internet connection, and no food or support. Their story served as an important reminder of why New Zealand needs to ensure the safety and wellbeing of our disabled communities.

Service providers and advocates for disabled people I talked to explained that many in our disabled communities are under-employed and/or on low incomes when compared to those without a disability,¹⁸ and that their financial disadvantage placed some disabled people at risk. For others, their financial situation means access to smart phones or Wi-Fi and data was unaffordable. I was told that, without a smartphone connection, disabled

18 For example, ODI lists the weekly medium income for a disabled person aged 15-64 at \$451 in 2022, compared to \$1000 for a non-disabled person in the same age group.

19 See <https://www.odi.govt.nz/home/about-disability/key-facts-about-disability-in-new-zealand/>

20 New Zealand has obligations under Articles 5, 9 and 11 of the Disability Convention to ensure disabled people's rights are upheld during a humanitarian crisis. This includes consultation and inclusion in planning for emergency events.

people may not be able to connect with emergency or support services because emergency messaging is deployed through smartphone technology, and council and central government messaging and information is available first and foremost via websites and social media—and seldom in accessible formats.

I heard this impacted some disabled people's ability to stay connected to their support networks, upon which they often rely for varying levels of support. If they cannot connect with their carers or their carers are unable to reach them, they must rely on other family members or the community—if they are fortunate enough to have those people nearby. When those people cannot reach them, I was told, disabled people can become isolated, which in turn can have serious consequences for their physical safety and mental wellbeing.

The disability service providers and advocates I spoke with also shared details of how unsuitable some evacuation centres were because they were completely inaccessible for some disabled people, or had facilities such as toilets and showers that were inaccessible.

One in four New Zealanders is disabled,¹⁹ with many becoming disabled (either temporarily or permanently) during their lifetime. As an inclusive society, it is important our disabled communities are actively involved in our emergency response planning to help ensure their safety.²⁰



“
PEOPLE FORGOT
THAT THERE
ARE DISABLED
PEOPLE IN THESE
FLOODED HOUSES
WHO NOW CAN'T
GET OUT.”

SONIA THURSBY AND LAVINIA LOVO'S STORY

YES DISABILITY RESOURCE CENTRE, AUCKLAND

YES Disability Resource Centre on Auckland's North Shore is a not-for-profit organisation that provides advocacy services and support for disabled youth and their families. When the cyclone struck in Auckland, YES Chief Executive Sonia Thursby and Pacific Projects Co-ordinator Lavinia Lovo and their team were on hand to help.

'It's like disabled people were forgotten. People forgot that there are disabled people in these flooded houses who now can't get out. No one's going to them. And they were the bottom of the pile,' says Sonia.

'You know, we are months and months and months on from the floods and we are still dealing with this. There are still people who don't have the correct equipment. There are services that are still taking six weeks to get back to a family.

'We need to future proof to know where accessible emergency housing is. We need to be promoting a crisis emergency phone and text line now, not in the middle of the war. So that disabled people, you know, maybe we never get another flood, another cyclone, or another COVID but if we start teaching now in an emergency, be it a flood, an earthquake or whatever, here is your number. Not when it happens.'

Lavinia says the needs of young people would have been better met if a text service had been made available to disabled youth.

'We had like a phone, like a support line for disabled people. But we as disabled people couldn't get through to that. As young people we would have appreciated it if there was like a text line... because phone calls make us anxious, emailing makes us anxious, and I think emailing makes us more anxious in terms of language because we have to, like, we see it as a way to be formal, but... when we're texting, we're, like, really our authentic selves and in an emergency will be able to tell you everything detailed of what's going on.'

Sonia says after the first flood, some people were evacuated without their wheelchairs.

'What we had was people, families, in particular wheelchair users, going home to still flooded houses, so, unsafe houses because the carpets were soaking, the bags were soaking. They were going home and doing their best because that's where the wheelchair was.

'We needed the needs assessment service at the evacuation centres.'

Sonia says forward planning is vital to avoid repeating the past.

'It's like, where are they? What's the plan to get them out? And this is stuff, in all honesty, what we should have learned from the Christchurch earthquakes and we didn't. So equipment, where is the pot of equipment we can call on? The phone number or the text line. This is it, teach everybody now and use the learnings because we don't seem to use the learnings.'

Photo on left: Sonia Thursby (left) and Lavinia Lovo (right)
from YES Disability Resource Centre



What I heard from and about those who are financially disadvantaged

Many of those in our communities who are financially disadvantaged have found these events—and recovering from them—especially challenging. In some regions I visited, I heard how difficult it was for some homeless people to get support. I was told of one person being turned away from a civil defence hub because they could not prove they lived in the area, and of others struggling to access funding, or being inadequately compensated and supported in the aftermath. Most of New Zealand’s homeless population are temporarily without accommodation,²¹ but events like Gabrielle have significant potential to prolong this situation for them.

Approximately a third of people in the flood and cyclone-affected areas live in rented accommodation. People I talked with shared information about a raft of tenancy challenges. For those displaced from homes they own or rent due to flooding and slips, finding alternative places to live was difficult, particularly when bonds were high and few affordable properties were available. Tenants on limited incomes found this especially difficult without home insurance pay-outs to help. The impacts of this kind of stress are wide-reaching, and can result in poor mental health and wellbeing, and relationship breakdowns.

I was also told that many renters were not aware of their rights under the Residential Tenancies Act 1986. I heard of instances where tenants who wished to remain in their homes had been moved on so landlords could repair their properties at a pace that suited them. These tenants then struggled to find alternative accommodation. Some tenants reported the opposite problem of having to remain in damaged properties when landlords either did not understand the extent of the damage or were unable to repair damage quickly enough so properties were liveable and safe.

Along with losing their homes, people also lost possessions, including their vehicles. Only 70% of New Zealanders have contents insurance,²² and for people in rental accommodation or public housing, I was told

²¹ See <https://www.thepeoplesproject.org.nz/homelessness/#homelessness-tabs|2>

²² Statement from Tim Grafton, Chair of ICNZ, as quoted by Stuff.co.nz.



contents and comprehensive car insurance is often unaffordable. I heard of people who had lost all their possessions with no insurance to replace it, and of some who struggled to access funding to replace essentials, making daily living especially challenging.

I recognise the difficulties both renters and rental property owners must deal with in such extreme circumstances. Although councils and central government put mechanisms in place to help people find alternative accommodation and offset some of the financial burdens of relocating and replacing lost possessions, the precariousness of living in rental housing in New Zealand is made far worse during these kinds of events.

Feelings of inequity

Many communities I visited felt central and local government were not visible in their areas, when compared to more ‘news-worthy’ suburbs or regions. I was told there was a perception that government officials visited places that were easy to access, missing harder-to-reach areas where the devastation was just as serious. Some of the more remote communities I visited, which have been dealing with the impacts of severe weather events for many years, said they felt their plight was not worthy of government attention until major cities, affluent suburbs, or economic hubs were also struck by devastating weather. For them, government action looked reactive and crisis-driven rather than proactive and future-focused.

People also felt local and central government funding and support were provided unevenly. Rural communities discussed with me that they believed investment in their communities and infrastructure was viewed as remedial rather than proactive and designed with the local context in mind. They felt this again after Gabrielle when other regions received funding or support before them, despite the urgency of their needs.

Many iwi leaders I spoke with also shared experiences of feeling excluded. I heard of iwi being left out of civil defence planning despite their extensive knowledge of their regions, not being listened to or consulted with

when it came to recovery efforts, or not receiving funding despite their readiness to get moving. Local iwi were relied on to provide support and swing into action when this was needed, but some felt there was less trust when it came to allocating funding to support or recompense their efforts.

Government agency and community service response

While communities expressed their frustrations, councils and central government agencies told me how thinly spread they were during and after the North Island weather events. Finding time to meet individuals and small community groups was often a challenge when thousands of people were displaced and hundreds of homes destroyed or damaged.

Government officials talked about relying on tried and trusted ways to get funding out to communities as quickly as possible, with as little bureaucracy as possible, using established communication routes and relationships to get things done without delay. Some were aware there were other means to provide support, but circumstances did not allow time to innovate or find alternatives.

Government officials acknowledged there is still work to be done to ensure the country has a resilient and robust emergency management system that can meet the needs of communities as extreme weather events increase in severity and frequency. Agencies also discussed the need to improve the implementation of the centrally coordinated/locally-led approach. They considered that roles need to be clarified and strong foundations of trust and mutual understanding built. There was also some recognition of the need for a ‘one-stop-shop’, where affected people can go and be assured of accurate, clear, coordinated advice regardless of what the issue is and whose responsibility it is. I acknowledge there are a number of national and local initiatives and inquiries that are identifying areas for improvement.

Councils shared how they had to do a considerable amount of emergency management and community support work, and respond to an increase in official information requests, on top of normal operations. I was



told of small teams doing significant work in what was described as extraordinarily stressful circumstances—particularly for staff who were also personally impacted by these events.²³ Sometimes those teams were made up of whoever was available, due to the need to get people to as many affected areas as possible.

I was told that some teams did not have the authority or expertise to make decisions or provide answers, which could be frustrating for residents and community leaders. Some councils expressed frustration at the pace of central government decision making. They said the time it took for decisions to be made impacted on their ability to support their communities, provide information and be transparent about what would be happening and when. For those who had good working relationships with local iwi, supporting their communities appeared easier.

Organisations like Citizens Advice Bureaux and Community Law Centres were also there for people needing information and support. Staff from these organisations were often providing extraordinary levels of advice—again while sometimes contending with their own weather related challenges. These agencies found themselves filling information gaps when councils were overloaded, so that people understood their legal rights and the way ahead. Many said they were under-resourced for the volume of work they were doing. I offered advice where needed, and reminded some organisations about the NZCRS and the services available to their clients.

The tensions between communities and iwi, and local and central government reflect the broader challenges associated with our local/central government arrangements. These tensions were only made more visible by the complex nature of these events, the

practical difficulties of mobilising quickly, and the challenges New Zealand's geography presents when attempting to support, provide for, and communicate with communities during such extraordinary times.

The need for dispute resolution

I heard a lot of concern about how long it took before government was able to provide details about home categorisations and buy-outs. I also heard about people's frustrations with the lack of information from councils about when final decisions will be made, and what they will be offered. Many are concerned they will not receive a fair price for their properties—whether that is for remedial works or a buy-out. Those whose properties have been damaged by slips, or have been displaced as a result of slips nearby, are particularly concerned about fair and equitable treatment. Among these concerns are questions about whether council decisions can be reviewed, and how this will happen.

From previous experience, and the impressions I gathered from my engagement visits—impressions which grew stronger as time moved on—I know there will be more calls from those affected by the North Island weather events on disputes resolution processes. These need to be clear, well-communicated and easily accessible.

Closing thoughts

I have commented in the media about how significantly my engagement visits have affected me. Seeing the enormity of the destruction and devastation, and hearing about how deeply communities have suffered and continue to suffer, will remain with me. I also acknowledge the commitment of those involved in the response and recovery efforts. I saw that everyone wants to do the right thing and be responsive—from central government through to local council officials, community organisations and iwi. Many of these people were personally affected by these events. I am assured that central government also moved to act swiftly, both in the immediate recovery efforts and in preparing for the longer term. I acknowledge this is not easy when you are dealing with novel situations out of your control.

As New Zealand's Ombudsman, it was important I travelled to some of the affected regions to understand the reality and experiences of those who were impacted, as best I could. I am grateful for the opportunity to have visited so many places, and to the people who have shared their profoundly personal experiences with me. This has reinforced for me the importance of my role, and the roles of central and local government in ensuring the fair and equitable treatment of all New Zealanders and the need for me to share with Parliament my own insights.



KAITIAKI MANA TANGATA AOTEAROA | OMBUDSMAN NEW ZEALAND

²³ This was also true for many working for government agencies.



PART 4

PREPARED TO SUPPORT NEW ZEALAND

The impact of events like those that occurred at the start of this year are enormous, and the costs are high—lost lives, livelihoods, security, homes, productive land, marae, wāhi tapu (sacred place) and taonga (treasure). These economic, environmental, and social effects are taking a toll on the mental and physical health, well-being and mana of individuals and communities. The impact can be immediate and tangible, but it can also build up over the long-term, and remain largely hidden. I know from the Canterbury earthquakes in particular, just how long recovery can take. At the same time, New Zealand must continue preparing for future events.

Due to my work following the Canterbury earthquakes, the COVID-19 pandemic and local flooding events, I am very familiar with the types of complaints that can arise in the aftermath of natural disasters and other significant events. Concerns about delays and lack of access to information often feature highly in the first wave of complaints I receive after an extreme event, followed later by complaints raising concerns about the decisions being made—which can be complex. I know from experience that the impacts of these events, and of decisions made during the recovery, can emerge slowly and take time to work through. But I also know how the stresses people experience—financial, physical, mental and emotional—can increase over time. This is particularly true when timeframes are uncertain, or people do not know what is happening or why critical decisions cannot be made sooner.

My role

As noted earlier, one of the reasons I established my engagement and outreach programme was to give me a good understanding of people’s experiences and concerns, ahead of the complaints I expect to receive. I am continuing to prepare for these, and to support central and local government agencies to meet their obligations in ways that are more likely to meet public expectations and less likely to give rise to complaints.

This is consistent with the part I play in our democracy through a range of activities aimed at safeguarding the rights of people and promoting government accountability and transparency. My overall goal is that people are treated fairly.²⁴

While I have already dealt with enquiries and complaints relating to the North Island weather events (around 80 to date), past experience and data modelling tell me I will receive a surge in the 12-18 months following the events. To make sure my Office is prepared for this, I continue to improve internal processes and practices, both for responding to individual complaints and for initiating proactive interventions on critical issues. This includes ensuring I have ways of triaging complaints, and identifying opportunities for early resolution. Where early resolution is not possible, investigations are conducted and recommendations made. In some circumstances, the investigation of an individual complaint may lead to findings and remedies that can be applied more broadly to improve the system overall.

²⁴ See [Appendix 1](#) for further information about the Ombudsman’s role.



There is no doubt I will receive further complaints about acts and decisions by central and local government generally, as well as complaints about decisions on requests for official information, relating to the North Island weather events. Where relevant, I intend to publish the results of my investigations into these sorts of complaints to help others understand how I have reached my findings and recommendations.

The flow of information at times of extreme stress and uncertainty is crucial. People need regular communications from the agencies at the centre of the emergency response and recovery. They have a right to know how and why decisions that affect them are made, and to receive this information in a timely manner so they can participate effectively in decision-making.

The importance of this was highlighted in the report into Toka Tū Ake EQC’s compliance with the Official Information Act 1982 and the Privacy Act 1993, following the Canterbury Earthquakes, by former Chief Ombudsman Dame Beverley Wakem and former Privacy Commissioner Marie Shroff.²⁵ As they said, information ‘*complements and strengthens the rebuild effort by involving the community in its own recovery and enabling broad participation in an otherwise impossible task*’. They also noted the danger in thinking about home repair and access to information as ‘*competing priorities, rather than complementary essentials*’.

At the same time, it can be challenging for government agencies to deal with information requests in the face of so many other priorities and obligations.

I will continue to support local and central government agencies with advice and guidance to pre-empt problems and complaints, and support them to work together effectively and efficiently.

I will also continue to proactively monitor serious and systemic issues in the public sector. Matters of concern I identify can be addressed with an early resolution approach where appropriate. I may also initiate an investigation where I consider this to be in the public interest, or release follow-up reports like this one where necessary.

²⁵ [Information faultlines: accessing EQC information in Canterbury](#). I note that when the report was published, Toka Tū Ake EQC was known as the Earthquake Commission.



All of this work—preparing for the expected increase in complaints, providing guidance and advice to support local and central government in good decision making and access to information, and proactive monitoring and intervention—occurs in a number of ways, including by:

- maintaining contact with central government agencies (including the Cyclone Recovery Unit, Toka Tū Ake EQC, NZCRS, and NEMA) and local government, to make sure I am aware of key developments, where progress is being made and any areas of difficulty, and how I can help, whether it is in recovering from these events or preparing for future events;
- maintaining contact with those affected, through iwi and community organisations, to ensure I remain well-informed about people’s concerns; and
- continuing to:
 - › produce and publish resources to assist both the public and government agencies (see [Appendix 3](#) for examples);
 - › provide training/workshops for public sector agencies and community organisations;
 - › provide advice to public sector agencies;²⁶ and
 - › comment on relevant legislative, policy and administrative proposals.



Examples of steps I have taken

- I worked with Toka Tū Ake EQC, to ensure there was a clear process and direction for claimants to progress their Natural Disaster Recovery Insurance Complaints. See our guide: [When to contact the Ombudsman: Natural Disaster Insurance Guide](#)
- I published a [FAQ about official information requests during or following extreme emergency events](#). This includes tools and strategies to help agencies deal with requests, and provides requesters with guidance on what to consider when making requests.
- Through my complaints role, I was alerted to a potential concern about the programme set up to award business recovery grants. I made enquiries with the Ministry of Business, Innovation and Employment (MBIE), as the agency responsible for developing and implementing that programme. MBIE’s response confirmed that there was provision to deal with complaints relating to decisions made under the 2023 programme. I also sought and received assurances that any future programmes will include appropriate complaints processes, along with clear, publicly available information about those processes.

²⁶ I regularly provide advice to public sector agencies. This is primarily in relation to official information requests. While I do not tell agencies what to do with ‘live’ requests, I provide guidance around an agency’s obligations and options an agency can consider.



Public trust and confidence

One of the most important ways that I, as Chief Ombudsman, contribute to government that is fair, open, transparent and accountable, is by being clear about what good public administration looks like. I do this in a number of ways, including providing guidance and advice as noted above, and by publishing my opinions and case notes on individual complaints and self-initiated investigations.

For example, I recently published [Open for Business](#), a report on my investigation into local council meetings and workshops. Acknowledging the significant challenges facing local councils today, I talked about the importance of being transparent about decisions affecting communities, and also about *decision-making processes* that are open to public involvement and scrutiny. Transparency supports accountability, encourages high performance and increases public confidence. While this is important for everyone, it is not difficult to see why and how it matters for people after a natural disaster—people whose ability to get on with rebuilding their lives and livelihoods is directly impacted by the decisions and actions of government.

There are important lessons from past events about what people need in the aftermath of an extreme weather event or other natural disaster. These lessons were very clearly echoed in the concerns I heard about during my engagement and outreach programme.

In the context of disaster preparedness, response, and recovery, it is critical for public trust and confidence that government agencies:

- have effective and appropriate processes in place to hear and consider people’s needs and concerns, both immediately and in the aftermath;
- have effective and accessible communication mechanisms;
- have effective and appropriate processes in place to listen to those most at risk of being disproportionately impacted and take action;

- have systems and processes that support and promote participation in government decision-making for all stakeholders;
- have effective and transparent decision-making processes;
- provide people with the reasons for and the information about decisions that affect them;
- have systems and processes that support fair and equitable outcomes;
- have robust, clear and easily accessible internal complaints and review mechanisms;
- provide people with official information when they request it (unless there is good reason to withhold/refuse);
- consider what information can or should be released proactively, and in accessible formats;
- act consistently with Te Tiriti o Waitangi (Te Tiriti) and tikanga;
- meet their obligations under relevant international conventions to which New Zealand is a party, including the United Nations Convention on the Rights of Persons with Disabilities; and
- comply with relevant legislation and take appropriate steps to make sure the law is fit for purpose.

What I heard during my engagement and outreach programme clearly reinforces that where these elements are not present or are deficient, there can be a loss of confidence in the ability of government to act lawfully, fairly, transparently, reasonably and with integrity.



CLARE BRADLEY'S STORY

MURIWAI, WEST AUCKLAND

Clare Bradley owns the historic Muriwai Lodge on Motutara Road in Muriwai, Auckland. When Cyclone Gabrielle struck on the night of February 13, the seaside settlement was hit by a series of massive landslides.

Two local volunteer firefighters, Dave van Zwanenberg and Craig Stevens, lost their lives that night after responding to a landslide across the road from the Muriwai Lodge building.

Clare's residents and guests were told to leave that night. The following morning, at about 5:00am, an even bigger landslide struck the northern part of the Lodge property.

'By that stage, everybody in the area had been evacuated or the death toll would have been much higher', she says.

The original 1920s Lodge building survived but four of the 6 cabins along with an amenity block were destroyed.

The whole site was red-placarded by the Auckland Council at the time and no one was able to return to live or work there. By the end of August, the Council had released an interim decision allowing the lodge to be used but not the damaged part of the site. In November, the Council confirmed that decision and the Lodge has now opened for business.

'Living with the trauma of the events of the night and being excluded from your home is one thing, but being uncertain about what your future is going to be has been hard for everybody—at whatever stage of life you're at. For us, that business represents an investment of a significant amount of our retirement savings but for others with young families, it represents everything. ...

'Disasters happen and disasters change lives. We all know that. But having a recognised, well-thought out and expertly led disaster management process would have made an enormous difference to this community.

'I guess my thought had always been that a lot would have been learned from Christchurch, a lot more would have been learned from Kaikōura, but there was no evidence of an established process, what I call a playbook of what people do in situations of massive disasters like this.

'People were just making it up, doing their best. Nobody, nobody set out to make it harder. But it's extraordinary to me that there just was no understanding of what needed to happen and I think so many of us now really very much understand what needs to happen.

'It's incredible to me that there is no centralised or even organised emergency management leadership team available to communities that suffer this sort of devastation. ...

'I'm talking about a small, highly trained, highly effective leadership team. I'm not talking about another bureaucracy. I'm talking about... a small team that would be made up of communications, an insurance expert, a banking expert, a building expert and engineering geo-tech experts like a handful of people who can, who have got proven leadership skills, who can go into a community or a council and say: this is what you're going to do, and here is the timeline in which it is going to be done, and this is the way we are going to communicate with this community.'

Clare says Muriwai's experience should be studied in the future.

'There'll be other communities around New Zealand that are identified as being vulnerable to climate change, severe weather events, who won't believe it could happen to them—that would have been Muriwai's reaction if anyone had suggested the landslips on the scale of that night were a real risk—for those who don't believe it could and will happen to them and their community...they need to come and have a look.'

Photo on right: Clare Bradley from Muriwai shares her story



||
**DISASTERS
HAPPEN AND
DISASTERS
CHANGE LIVES.
WE ALL KNOW
THAT.**



PART 5

CLOSING REFLECTIONS

The New Zealand Ombudsman is a critical part of the country's constitutional framework. As the 8th Chief Ombudsman, my role is to provide Parliament and the public with an independent and impartial check on the quality, fairness and integrity of the actions and decisions of central and local government agencies.

When Sir Guy Powles was appointed the first Ombudsman by Parliament 60 years ago, he stated: ²⁷

The Ombudsman is Parliament's [person] – put there for the protection of the individual, and if you protect the individual you protect society [...] I shall look for reason, justice, sympathy and honour, and if I don't find them, then I shall report accordingly.

This commitment has not changed over the decades and has underpinned my work since I became Chief Ombudsman eight years ago.

The role and credibility of my Office and its work is widely recognised and well respected. My ability to act independently to make sure people are treated fairly, and to hold government to account where necessary, gives the public trust and confidence in the actions and decisions of government.

I am able to make recommendations to resolve individual complaints, and to ensure system-wide changes within an agency to prevent similar injustices occurring to other people. More than 1,300 remedies for the benefit of an individual or public administration were obtained last year alone.²⁸

With 60 years of experience, and a trained and experienced workforce of more than 200, my Office was ready to respond when the extreme weather events occurred in New Zealand at the beginning of 2023. I moved swiftly to:

- establish my external extreme weather engagement and outreach programme, forging strong links with central and local government agencies, affected communities and community organisations and local iwi;
- set up an internal extreme weather steering group to provide strategic oversight of any decisions affecting the practice of the Office arising from extreme weather and other emergency events, and to monitor the activities and responses of central and local government agencies;
- issue advice and guidance for agencies on good decision-making and complaints handling, and for the public on how to make requests for information;
- ensure my complaints handling and monitoring functions are prepared for a potential surge of complaints and issue internal guidance to my frontline staff; and
- discuss with Parliament its support for temporary staff to deal with the complaints ahead.

The engagement work I have outlined in this report was designed to build on these initiatives and help ensure my Office's preparedness for the expected surge of complaints.

Many people I spoke with emphasised the importance of speed and efficiency in the handling of complaints during these times. I am a strong proponent of this.

Since I was appointed Chief Ombudsman in 2015, I have been very clear with Parliament about what I need to effectively deliver on its expectations, and I have met these year on year.

Without the Ombudsman being able to provide the public and the New Zealand Parliament with timely, independent reports on the actions and decisions of the government, there is a heightened risk of the public's trust and confidence in the government deteriorating at a time when it is needed most.

What is clear to me from my experience—and which was reinforced by my extreme weather engagements—is this:

- Extreme weather-related events will have a profound and enduring impact on individuals, communities, regions and, indeed, our country as a whole. They should no longer be considered novel. They are part of New Zealand's reality.
- Government agencies (both central and local) should expect these events to occur. They should have plans in place, which are tested regularly with relevant parties and ready to activate. These plans should deal with both the immediate response and longer term recovery. They need to be agile enough to provide for resilience and not so rigid they cannot be adapted to the new and unexpected. These plans should be developed collaboratively and tested with the community—namely, those who will be affected by them, and in a way that reflects the concept of 'nothing about us, without us'.
- It is never more important than in times of crisis for government agencies to be transparent, accountable, and fair.
- Complaints provide agencies with good information about how their communities are feeling, and what they consider is missing from agency communications and planning. As an Ombudsman, I expect agencies to deal with individual complaints, look for systemic learnings and act immediately to make improvements in order to prevent those issues happening to others.

I am set up and ready to receive complaints when people are unhappy with delays, or decisions affecting their ability to move on with their lives. I have a clear understanding of the work and decision making processes of local and central government agencies, and can understand the frustrations and desires of those affected. As an independent Officer of Parliament I can provide them with assurance about whether they have been treated fairly.

With Parliament's support, I am ready to act to provide individuals and the public with the reassurance they need and, if necessary, recommend actions to remedy any injustice and to prevent others from experiencing any similar unfairness.

²⁷ Sir Guy Powles 'The New Zealand Ombudsman – the early days' (1982) 12 VUWLR 207, at page 207.

²⁸ Ombudsman Annual Report 2022/23, at page 6



APPENDIX 1

ROLE OF THE OMBUDSMAN

My role as Chief Ombudsman | Kaitiaki Mana Tangata is to help give effect to a number of key democratic and human rights measures, aimed at safeguarding the rights of individuals and promoting government accountability and transparency.

I provide independent oversight of administrative conduct by the public sector. I can investigate the acts and decisions of central and local government agencies, as well as some other organisations contracted to provide government services. I also have a number of other oversight functions, including:

- investigation and review of decisions by Ministers and government agencies on official information requests;
- examination of places of detention;
- consideration of the rights of disabled people; and
- advice and investigation in relation to whistleblowing.

I may investigate following a complaint or on my own initiative. A self-initiated investigation is usually undertaken where an Ombudsman thinks their intervention has the potential to result in wider administrative improvement.

Essentially, I form opinions on administrative conduct and make recommendations when necessary, both to remedy individual wrongs for people and to prevent it from happening to others in the future by improving the system as a whole.

My overall goal is that people are treated fairly. Key outcomes aimed at achieving this goal are that:

- there is a high level of public trust in government;
- people's rights are respected, protected, and fulfilled; and
- Parliament is assured robust, independent oversight is taking place.



APPENDIX 2

GLOSSARY OF KUPU MĀORI

- Hapū: kinship group/tribe
- Hui: meeting
- Kai: food/meal
- Kaimanaaki: support leaders
- Kanohi ki te kanohi: face to face
- Kaumātua: elder
- Koha: gift/donation
- Kuia: elder/grandmother
- Iwi: extended kinship group/tribe
- Mahi: work
- Mana: status, spiritual power
- Manaakitanga: hospitality
- Marae: a place or area of cultural significance to Māori
- Marae ātea: courtyard or area in front of Wharenui
- Rangatira: leader
- Rohe: district/territory
- Tāngata whenua: local people
- Tāngata whaikaha: disabled Māori
- Taonga: treasure
- Te Ao Māori: the Māori world
- Tikanga: protocol
- Wāhi tapu: sacred/restricted place
- Whānau: family
- Whanaungatanga: family connection/kinship
- Wharenui: meeting house
- Whenua: land



APPENDIX 3

OMBUDSMAN RESOURCES FOR THE PUBLIC AND GOVERNMENT AGENCIES

- [FAQ about official information requests during or following extreme emergency event](#)
- [Making official information requests: A guide for requestors](#)
- [Good decision making](#)
- [Effective complaint handling](#)
- [Removing Barriers: reasonable accommodation of disabled people in Aotearoa](#)
- [Open for business: A report on the Chief Ombudsman's investigation into local council meetings and workshops](#)
- [Good practice for proactive release of official information](#)
- [OIA self-assessment tool](#)
- [Regulatory policy design during COVID-19 pandemic](#)
- [Making Disability Rights Real in a Pandemic](#)
- [A guide to processing OIA requests for Ministers and Agencies](#)
- [A guide to the LGOIMA for local government agencies](#)
- [Other guides on specific provisions of the OIA and the LGOIMA](#)
- [Information fault lines](#)
- [He rauemi tataki ea – A resource for offering an effective apology](#)
- [Chief Ombudsman's final opinion on Managed Isolation Allocation System](#)



