

# In memory

## of Ivan Kwok ONZM

**Ivan Kwok trained as a lawyer, and after a short period in private practice, he joined the Treasury, where he remained for the rest of his career.**

There is an old cliché about there being two sorts of lawyers: those who tell you why you can't do what you want to do, and those who tell you how to do it. Ivan was emphatically the latter. His wisdom came not from knowing every intricacy of statute or case law, but from a deep understanding and reverence for constitutional and legal principles, a superb capacity to recognise what was really motivating the other parties, and a respect for the facts.

Ivan brought a set of professional qualities to his work, which set an example for his colleagues.

- He was driven to get stuff done. If something good was attainable but perfection wasn't, he would not let the quest for the perfect get in the way of achieving the good.
- He was accepting and understanding of the positions of others – and thus able to craft solutions that respected all parties' needs.
- He had a deep understanding of the challenges facing Ministers.
- He knew how to cut a deal – when to hold, when to fold, and when to walk.
- He enjoyed working with young people and provided them with wise counsel, as well as coaching and support in the intricacies of public law.

Ivan would be the first to say that his career had many highs and lows. Those experiences helped him better understand others who were facing difficulties, making him always supportive and non-judgmental.

Ivan's career in Treasury saw him playing a major role in two areas of policy. From the 1980s through to the early 2000s, he played a major role in almost every privatisation or government recapitalisation of businesses. His experience with the partial privatisation of the BNZ – and its subsequent financial problems with the government having to bail it out – seared his views of the risks and roles of government and the private sector in business. Ivan became the repository of knowledge within the Treasury about major transactions between the Crown and the private sector.

The second area was his work with Treaty settlement processes, which became his dominant focus in the latter part of his career. The Treaty settlement process fascinated him, and it gave him a window into the Māori world, which he came to love. By the end of his life, he regarded the Treaty work as the most important work he had done, making our country a better and fairer place.

Ivan developed a strong commitment to partnership with Māori (based on respect for restoring mana). Ivan argued that Pākehā policy makers have underestimated the importance of mana in settlements. That is to say the Crown apology, the moves to co-management, and the renaming of mountains were right up with the cash settlements in importance. This was a reflection of his superb capacity to see where other parties were coming from.

Ivan was extremely well-respected by Ministers. The turnout of current and former finance and Treaty settlement Ministers at his funeral was evidence of that. Ministers valued his sage counsel. One official recalled going to see Michael Cullen with Ivan. Cullen said as they came in the door, "This must be serious. They've brought Ivan with them."

Ivan always claimed that he didn't do policy. That was never exactly true. He was a model of the public service advisor, providing Ministers with shrewd practical and pragmatic advice on how to achieve their goals and implement their decisions effectively, while also warning them clearly and politely of the unintended and bad consequences, as well as the legal or constitutional principles.

Ivan was a first-class exemplar of the public service principles of political neutrality and free and frank advice. Ivan would have been reassured to learn that those principles are reaffirmed in the new Public Service Act.

### John Wilson

*(on behalf of all the Treasury alumni who had the privilege of working with Ivan)*

