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Christchurch City Council submission on the Inquiry into the 2022 Local Elections

Introduction

1. Christchurch City Council (the Council) thanks the Justice Committee (the Committee) for the opportunity to provide comment on the Inquiry into the 2022 Local Elections.
2. The Council would like the opportunity to make a presentation to the Committee in support of this submission.
3. This submission is focussed on the terms of reference for the inquiry identified by the Committee, and several additional points where amendments to legislation could support participation in local elections.
4. The Council acknowledges the Committee's recommendations from inquiries into previous local elections, that Council's submissions that have supported those recommendations, and encourages the Committee to continue to advocate for government consideration of its recommendations.

Submission

Low Voter Turnout

5. The Council and officers, along with the local government sector, continue to be concerned about the voter turnout in local government elections.
6. It is considered that the postal voting method, as required by the Local Electoral Act 2001 (the Act) is not an enduring, or reliable way to conduct local elections. It is essential that alternative or additional methods of voting in local elections are put in place for future elections.
7. The Council acknowledges that this will require changes to legislation, and submits that this is essential to increase voter turnout in local elections and to support the modernisation of voting and voting methods. This must include some form of online or electronic system, and they should be in place for the next triennial elections in 2025.
8. Councils in New Zealand collaborate nationally and regionally, including with Local Government New Zealand (LGNZ) and Taituarā Local Government Professionals Aotearoa on national campaigns relating to all aspects of

local elections; enrolment, stand and vote. The Council supports central government involvement and funding allocated to support national campaigns to increase awareness and participation in local elections.

9. Following the 2022 elections, the Council undertook research seeking community views on what can be done to improve participation and voter turnout. This research supports the points raised in this submission and will be provided as part of the presentation to the Committee on this submission.
10. The Council submits that the Committee consider the modernisation of voting methods and supports the required work to progress this. The Council acknowledges the Committee has in the past made recommendations relating to this.
11. The Council submits that Central Government should contribute and support campaigns to raise awareness and promote local elections.

The provision of election services by private organisations

12. The Council contracts election services to an external provider, electionz.com, one of the two private election services organisations providing election services to 76 of the 78 local authorities in New Zealand. This includes deputy electoral officer services. The Council's electoral officer is an appointed staff member operating independently in the delivery of elections.
13. The provision of election services by a private organisation supports delivery of elections to Christchurch's 277,108 electors¹. Some of these services, including the processing of voting documents, could not be currently be undertaken with Council resources and technology.
14. Council electoral officials and representatives from private organisations have been involved in the development of a Code of Electoral Practice published by Taituarā. This guide is considered as the industry standard and used nationally by electoral officers, officials and election service providers, providing consistency in advice and interpretations to support elections. It is updated for each electoral term.

Special voting

15. For the 2022 elections special voting documents were on request, posted to electors and issued to electors from nine Council locations.
16. The processes to support issuing of special votes is significant for electoral officials, service providers and the Electoral Commission, but are essential to enable participation by electors who do not receive or cannot use ordinary voting papers. Please refer to the point later in this submission relating to unpublished roll electors, who under current legislation are required to request special voting documents to vote in local elections.

Provision of ballot papers

17. Enrolled electors receive their voting documents by post. In Christchurch voting documents are delivered by NZ Post. As referenced elsewhere in this submission this is not an enduring or reliable way of providing voting documents. Postal delivery services are not daily and are often subject to external factors that have a significant impact on reliability, including but not limited to weather, mail theft and staff availability.
18. The requirement for voting documents to be provided in hard copy, using original documents, is not the best option for all electors, including those with accessibility needs. There are sectors of the community who are not able to independently access or complete hard copy documents.

¹ Number of enrolled electors for the 2022 local elections.

19. Electoral information, including candidate information, is available in different formats online, and via the Select app² which offer alternative options to access information, but do not provide the opportunity to vote. Council communications promote that any person who is unable to independently complete a voting document can contact the electoral officer, and arrangements will be made to provide information or assistance to enable the person to vote.
20. The Council submits that modernisation of voting methods must offer alternative or additional ways of providing ballot papers to all electors, those enrolled and those requiring special voting documents.
21. As detailed later in this submission, postal delivery is not a satisfactory way to provide voting documents to electors overseas during the three week voting period in local government elections.

Complaint processes

22. How complaints relating to local elections are dealt with can differ depending upon the nature of the complaint, which vary widely. These are dealt with as required in legislation relating to local elections, local government and other legislation, District Plan requirements or codes of conduct.
23. It has previously been submitted that the role of the Electoral Commission in local elections could include a responsibility for guidance on or management of complaints relating to local elections. Nationally, there is an awareness of a perception from electors, candidates and the public that complaints dealt with by a council, or an electoral officer employed or contracted by a council are not dealt with independently. While the Council may not support this perception, there is an opportunity for this to be considered, and if deemed appropriate recommended to become a responsibility of the Electoral Commission in local elections.

Accountability for local elections

24. The Local Electoral Act and Local Government Act detail the accountability for local elections, and representation and elector participation in elections.

Postal voting (including security of ballots and whether postal voting is an effective method of receiving votes)

25. As detailed within this submission the Council considers that postal voting is not an enduring or reliable method of receiving voting documents, or for returning voting documents. This is supported by research undertaken by the Council and many other organisations or persons over recent years.
26. The Council submits that the return of voting documents by post is not effective. Post boxes continue to be removed from the community, votes posted to the electoral officer/processing centre can take an unacceptable time to be delivered, and posting mail is no longer a service that most electors regularly use or are familiar with.
27. As an alternative to post, for the 2022 elections and previous elections, ballot boxes and vote bins were located in all council libraries and service centres and this was promoted widely in the four months prior to the election. While not all electors regularly visit council facilities, locations are visible within the community and accessible, this is not always the case with NZ Post posting services or post boxes. The Council notes that for the current by-election, in addition to vote bins being placed in Council facilities, vote bins are located in other community locations to increase awareness and access to electors. The use of vote bins located in the community will increase for future elections.

² Select mobile app: <https://ccc.govt.nz/the-council/how-the-council-works/council-elections/select-mobile-app>

The age of eligible voters

28. The Council supports consideration of lowering of the voting age to 16, for New Zealand elections. However this must be supported by an increased national focus on civic awareness and education that increases understanding of the roles of both local and national government.
29. To support participation by young people in local government elections, it is essential that voting methods are modernised to offer an alternative(s) to postal voting.

Overseas electors

30. The Council submits, in support of the modernisation of voting methods, there must be changes to legislation that allow overseas electors to have an equal and realistic opportunity to vote in local elections. It is not satisfactory to rely on a postal service to deliver hard copy voting documents overseas and allow for the return of voting documents to New Zealand within a three week voting period.
31. The Council submits that legislation should be amended to allow for the electronic transmission of special votes to and from voters overseas during the election period.

Unpublished roll electors

32. The Council submits that electoral officers, and sworn electoral officials, should be given access to the unpublished roll. The requirement for unpublished roll electors to request special voting documents is an unnecessary barrier to voting.
33. The current process, where unpublished roll electors are sent a letter from the Electoral Commission advising that if they wish to vote in local elections they must contact the Electoral Officer, is an inefficient and unfair way of providing voting documents to these electors. It is noted that only limited information is provided by the Electoral Commission to unpublished roll electors, generally just a phone number and email address. If this continues to be the process, there is an opportunity for the process to be improved by a requirement that the Electoral Commission provide complete information on special voting options to unpublished roll electors.

Electoral Commission role in local elections

34. The Council is supportive of an increased role for the Electoral Commission in local elections, including possible centralised delivery of some or all local election functions. For this to happen there should be significant investigation and consultation between central government and local authorities as part of progression of this option. This must include factors relating to costs and the ability for local or regional aspects to be incorporated.

Conclusion

35. As detailed within this submission throughout multiple points, the Council submits that the legislation must be reviewed and amended before the 2025 triennial elections to allow for modernisation of voting methods.
36. The Council supports action and progression of Committee recommendations on the modernisation of voting methods, and notes that it has submitted in support of this in its submissions to the 2016 and 2019 inquiries.
37. The Council acknowledges the submission of Taituarā - Local Government Professionals Aotearoa, and expresses general support for the recommendations within it, many of which align with this submission.

Thank you for the opportunity to provide this submission.

For any clarification on points within this submission please contact Jo Daly, jo.daly@ccc.govt.nz

Yours faithfully



Phil Mauger
MAYOR OF CHRISTCHURCH