

// SUBMISSION



INQUIRY INTO THE 2022 LOCAL ELECTIONS

// Local Government New Zealand's submission on the Inquiry into the 2022
Local Elections

// FEBRUARY 2023





Ko Tātou LGNZ.

Local Government New Zealand's (LGNZ) purpose is to be local democracy's vision and voice in Aotearoa, in pursuit of the most active and inclusive local democracy in the world. We believe this is essential for local government to thrive. We support and advocate for our member councils across New Zealand, ensuring the needs and priorities of their communities are heard at the highest levels of central government. We also promote the good governance of councils and communities, as well as providing business support, advice, and training to our members.

INTRODUCTION

Local Government New Zealand (LGNZ) welcomes the opportunity to submit on the Inquiry into the 2022 Local Elections. We wish to speak to this submission.

Local Government is a critical layer of our democratic landscape. It is crucial that local government elections are recognised and supported, so that councils reflect and are relevant to the communities they serve. Local government elections are equally important as parliamentary elections.

LGNZ's vision is for Aotearoa New Zealand to be the most active and inclusive local democracy in the world, so we're actively thinking about what we can do to strengthen local democracy and increase diverse participation. Removing barriers to people voting, participating and creating genuinely safe environments for people to meaningfully contribute are critical to building a thriving democracy.

Last year LGNZ ran a multi-faceted campaign to increase voter turnout as well as increase the diversity of candidates in the local body elections. Our goal was to ensure our council tables better reflected the communities they represent. We also successfully advocated for the removal of the requirement for private address details to be published to help lessen the abuse suffered by some candidates, and secured funding for more ballot boxes around the motu. Despite attempts to raise the profile of local government elections and encourage more and more diverse people to stand for office and vote, the voter turnout in the October 2022 elections was just 40%. This continues a negative trend of disengagement and declining interest in local democracy across Aotearoa – one that must be reversed if we're to have a healthy, functioning democracy. The Justice Committee's Inquiry is one important way to address this.

Previous Justice Select Committees have made a number of viable recommendations for improving voter turnout. Very few have been adopted. LGNZ has made increasing turnout and engagement a priority. We call on the Government to do so too. It will be a wasted opportunity if this process just repeats previous reviews with no tangible outcomes.

While we know there are other factors that play into entrenched disengagement, we also know that voting processes are an important lever for change. Sustained change will inevitably take more than one election cycle and will require the collective mahi of councils, central government and communities. But we have to get on with it.

At a high level we recommend that the Select Committee takes a much more citizen focussed approach to the issue of voting processes - what makes it fairer, easier and more accessible for people to vote.

Our submission focuses on four key high-level areas with recommendations around these:

1. The need to act on previous inquiries' recommendations
2. Centralisation of local election operations and promotions
3. Voting methods and systems
4. Education and awareness

We also comment at the end of this submission on the electoral term, which local government wants to shift to four years for both local and central government.

Appendix A includes an analysis of the 2022 local elections and historic trends.

High level recommendations

1. Adoption of earlier Select Committee recommendations

We recommend that:

// The Select Committee identifies why its past recommendations haven't been acted on and strongly encourage adoption of key changes.

2. Centralisation of election delivery and promotion

We recommend that:

// The administration of local elections be conducted by the Electoral Commission. That should include design and oversight, standard setting, promotion of elections (while allowing local councils to customise campaigns to suit local needs), specific initiatives to encourage diversity of candidates, determination of the election method, and conduct of the election process.

// A single agency should be responsible for national and triennial campaigns about local elections in collaboration with local government.

3. Alternative voting methods

We recommend that:

// The option of online voting for local elections is seriously re-considered.

// If online voting is not possible in the short term, a much stronger hybrid model should be enabled to shift away from the current reliance on post with much more focus and provision for ballot boxes. This would need to be properly funded by central government; or Government provides funding for councils to have a higher number of additional ballot boxes until online voting is available as an option for local elections.

// Other possibilities such as a 'voting day' should be in the mix in the voting period.

4. Education and awareness

We recommend that:

// Government provide funding to support local government to develop a programme of engaging, customisable, locally-focussed civics education and/or civics processes in high schools to help build communities' understanding of the importance of engaging with and participating in local government decision-making. 93 per cent of LGNZ's members supported a remit calling for central government investment in locally delivered civics education initiatives in 2021.

Previous inquiries

From 2004 onwards the Justice and Electoral Select Committee has held an inquiry into local body elections after each election. We are disappointed that despite numerous rounds of inquiries, successive governments have failed to action key recommendations. A lack of political will and a fast-moving election cycle which shifts focus to the general elections are key contributors.

In addition, numerous studies, research projects and inquiries have been conducted repeatedly examining the 'why' and 'what' behind widespread disengagement with local government elections in comparison to central government elections. A lot of this body of information traverses already well covered paths and solutions on how we might improve participation and turnout. LGNZ is disappointed that there has been little or no action on these long-standing issues.

The Justice Committee should closely examine the barriers to adoption of its recommendations in the past and the key steps to mitigate this happening again. Otherwise there is a very real risk that this inquiry process once again has no teeth or tangible outcomes. The Committee may need to engage with the Ministry of Justice and DIA and other stakeholders to understand the barriers fully, and options for overcoming them.

Centralisation of elections operations

Local and regional councils are responsible for administering their own local elections. Councils appoint an electoral officer to conduct elections under the provisions of the Local Electoral Act. Most local authorities currently employ independent contractors in the role of electoral officers to run their election process. Councils are also responsible for communicating and promoting their local elections.

In Australia, local body elections are predominantly operationalised and delivered by state electoral commissions.

In 2022 and 2019 the Electoral Commission was involved in local elections by:

- // reminding people to update their enrolment details
- // providing electoral roll data to electoral officers
- // checking special vote declarations to confirm voting eligibility

Operational issues of a localised delivery

In 2022, there were several operational issues with the delivery of local elections.

In September, a North Island electoral official said they were getting dozens of queries every day from people who still hadn't received their voting papers as the deadline for posting ballots neared. At the time, the Postal Workers Union noted that NZ Post did not have enough staff to deal with

high workloads (in addition to the postal election) and that they had been raising the issue of short staffing and a lack of post boxes since 2016.¹

There was also concern that tens of thousands of people recently granted residency could miss out on voting in the local body elections. At least 55,000 individuals who were granted a one-time residency visa, of voting age and potentially eligible to vote, may have been turned away due to a lack of clarity regarding their voting rights.²

While local delivery may result in a more effective adaptation of election procedures to the needs of local conditions, communities and constituents, it can also result in variation and inconsistency in how electoral law is interpreted, applied and communicated. The inquiry into the 2019 local elections by the Justice Select Committee considered that ‘one of the main reasons for voter turnout decreasing since 1989 is the poor coordination and resourcing of local election campaigns.’

Council resources and funding vary across the motu which can also result in inconsistencies in how voters and candidates are supported. Many councils have been facing significant resourcing strains and the Future for Local Government Review Draft Report describes the workload involved in elections as “surge capabilities” in addition to councils’ high BAU workload. This strain on resources can also be a contributing factor in operational and promotional issues that arise during election periods.

LGNZ strongly supports the Electoral Commission playing a greater role in the running of local elections:

- // In 2021, 91 per cent of LGNZ’s members passed a remit advocating for the Electoral Commission to play a greater role, in addition to council chief executives, in facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act.
- // The 2019 Justice Committee’s inquiry process flagged the potential to ‘centralise’ the running of local elections through the Electoral Commission. A significant number of submitters supported this as a key mechanism to improve consistency in the application of local electoral law and delivery of local elections.
- // The 2022 Future for Local Government Review Draft Report makes the recommendation that “the administration of local elections should be conducted by the Electoral Commission, including design and oversight, standard setting, promotional activity, specific initiatives to promote diversity of candidates, determination of the election method, and the conduct of the election process.”

¹ *Local body elections: Undelivered voting papers will deter some – official:*

<https://www.rnz.co.nz/news/national/475774/local-body-elections-undelivered-voting-papers-will-deter-some-official>

² *Local elections: Thousands could be missing out on voting after confusion on residents' eligibility:*

<https://www.rnz.co.nz/news/national/475798/local-elections-thousands-could-be-missing-out-on-voting-after-confusion-on-residents-eligibility>

We agree with all of these recommendations. It is critical that a single agency such as the Electoral Commission is responsible for the delivery and oversight of local elections as they are with parliamentary elections.

Local elections are an important layer of our democratic landscape, and we severely undermine our democracy if we don't deliver them consistently across the country and at scale. However, while the approach needs to be centralised, we need a degree of flexibility and customisation at the local level to responsively meet the needs of particular communities.

Promotion of elections

Councils currently run their own election campaigns encouraging their communities to stand and vote in local elections. There is significant variance in how much marketing and communications budget and people resourcing councils have, with smaller councils often working with very limited budget and resources.

In both the Justice Committee's 2016 and 2019 inquiries, a recommendation was made to "make the Electoral Commission responsible for leading and co-ordinating triennial, nationwide campaigns to encourage and support people standing for and voting in local elections, using the same imagery and branding as the publicity campaigns for national elections." This recommendation has not been further considered and we strongly recommend that it is.

Election awareness campaigns are crucial for raising public knowledge of the electoral process and motivating people to vote and stand. The main objective is to encourage more people to take part in our local democracy by using their voice, and their vote. These campaigns can disseminate information about voter registration, candidate information, and postal and special voting. Voting campaigns can also aid in dispelling any rumours or false beliefs that people may have regarding the elections and the electoral process.

In 2022, LGNZ (with Taituarā) ran a national Vote 2022 campaign to support a national approach and provide resource to councils. The campaign was co-funded by LGNZ, Taituarā, councils and DIA. 28 councils (37%) participated and ran localised campaigns that aligned with the national Vote 2022 branding via a toolkit of creative assets.

The Vote 22 campaign kicked off in April in two phases – phase one, the Stand campaign encouraged more diverse people to stand; and phase two, the Vote campaign, encouraged more people to actually vote. In total, the Vote 2022 campaign had 10,466,463 impressions across its digital channels. This is in addition to the localised Vote 2022 campaigns that participating councils ran.

We recommend that a single agency should be responsible for national and triennial campaigns about local elections. However, we recommend further testing the idea of using the same imagery and branding that is used for national elections to understand how this may resonate for the voter in a local context. Any national campaign will also need to work together with the engagement efforts of individual councils to align communications and ensure there aren't competing or conflicting messages.

Voting methods and systems

Making voting more accessible is an important part of increasing voter turnout. We acknowledge that it may take more than one election cycle to see a noticeable difference as international trends show but we have to be intentional about this.

The reality is, we're using post less and less. Post-boxes across the country are declining (particularly in more remote, rural areas) and are often hard to find. Over the past 15 years, NZ Post has seen an 84 per cent drop in letters posted, and decommissioned around half of its Auckland post boxes in the past decade.

LGNZ's 2022 voter survey of 1000 respondents, shows that 52 per cent of people who didn't vote said they would be more likely to vote if there were other voting methods available.

Two thirds (67%) of all respondents said they would prefer online voting as an option.

On other methods:

// Postal voting was the second most popular as the first preference at 19 per cent

// Booth voting on a polling day (as happens for parliamentary elections) was the first preference of 8 per cent

// A combination of booth voting like parliament and postal was the first preference of 3 per cent

Postal voting can also be difficult for people who change residences on a regular basis such as renters, people on lower incomes and students. Throughout the election period we heard anecdotally that a huge number of voters weren't even sure where their local post box was.

Further, as noted above, in September 2022, the Postal Workers Union noted that NZ Post did not have enough staff to deal with both current high workloads and postal election and that they had been raising the issue of short staffing and a lack of post boxes since 2016.³

We recommend that other voting methods are reconsidered in addition to postal voting for future local government elections.

One of these should be online voting which should be seriously reconsidered.

We recognise that this will take time to work given technology and security issues. However, online voting is being considered, trialled and implemented across the globe. Some local authorities, including several American states and New South Wales, allow limited online voting, for example by certain groups of voters, such disabled people and the military. In Estonia, online voting was

³ *Local body elections: Undelivered voting papers will deter some – official:*

<https://www.rnz.co.nz/news/national/475774/local-body-elections-undelivered-voting-papers-will-deter-some-official>

introduced in 2005, with about 44 per cent of ballots cast electronically at the 2019 parliamentary election.

In the meantime, a focus on shifting away from post is still critical. More and dedicated ballot boxes will be needed to make voting more accessible which will require a funding injection from central government. In 2022, LGNZ facilitated and secured the funding for an additional 500 ballot boxes for 44 participating councils. These additional ballot boxes were funded by DIA and placed in supermarkets, libraries and community centres and hubs to make voting easier in lieu of post boxes. For some councils, more than one third of their votes were received through ballot boxes, demonstrating the growing need for accessibility.

We recommend that central government funds a significant pool to enable councils to have additional ballot boxes available. This is critical to ensuring an equitable approach for voters due to the pitfalls of the current postal voting system.

We also think thought should be given to whether a “polling day” could help to increase voter turnout.

Any future combination of voting methods such as online voting, ballot boxes and postal voting for example, will always need to balance equity considerations as well as ‘simplicity’. We recommend that a combination of options remain to cater for varying needs of all our communities.

Voting systems

In the last election 15 councils used Single Transferable Voting (STV) and 63 used First Past the Post (FPP). Both voting systems have advantages and disadvantages. We have heard a wide range of views from our members on their preferred voting system. Not all councils are confident that STV is the best for their community.

LGNZ’s 2022 voter survey of 1000 respondents found that:

// 47 per cent preferred FPP

// 26 per cent preferred STV

// 14 per cent didn’t know what they preferred

// Those who preferred FPP referred to its ease and less time-consuming nature

// Those who preferred STV referred to the opportunity for ‘fairer’ and more range in representation

// A common theme was that most people understood that both systems had advantages and disadvantages around ease and representation.

We think there’s a need for a much more informed conversation with local government (and communities) to debate the pros and cons of each system, before coming to a view on a position.

Education and awareness

We recognise that improving voter turnout will require more than just improving voting processes and promotion of elections. To bridge the gap in public understanding about the role and value of local government, education is critical. We need an engaging civics education curriculum. This could cover topics such as how laws are made and how voting works. It could also address what services councils are responsible for delivering, and how they provide value for communities such as, services like public libraries, vocational training/job support initiatives, community infrastructure and emergency responses.

While we think civics education should be included in the national curriculum, we know this will take time. That's why, in the interim, we think local government should be enabled, with funding support from central government, to develop engaging, informative, interactive and modern programmes that can be taken up by schools. This is something that LGNZ could lead. These programmes should be able to be customised to meet local needs, and there could be a role for councils in supporting the delivery of them.

If the voting age is lowered to 16, most young people will still be at school, making civics education more immediately relevant. This could also provide opportunities for the voting process to be embedded into the curriculum.

A four-year term – for local government and parliament

While not directly related to the issue of voting processes and promotion of elections, we strongly support a shift to a four-year electoral term – for both local government and parliament. This will help governments and local governments to implement longer-term, strategic policies – rather than the current short-term decision-making and electioneering cycle. We think this will help to build stronger interest in the outcomes of elections, as longer terms will enable central and local government to get more done and deliver better outcomes for communities.



Conclusion

We welcome the opportunity to work with the Government on the recommendations and issues raised in our submission. We think our recommendations will help to improve voter turnout – while recognising that change will take time and require input from a number of different players. We hope that successive Governments will seriously consider and adopt the recommendations that this Inquiry makes.

For further information or if we can be of any assistance, please contact Grace Hall, Director of Policy and Advocacy at grace.hall@lgnz.co.nz

Appendix A: Key features of the 2022 local elections and historic trends

In terms of voter turnout, candidate interest, and unopposed seats, the 2022 local elections continued long standing trends. These are described below.

1. Turnout since local government reform

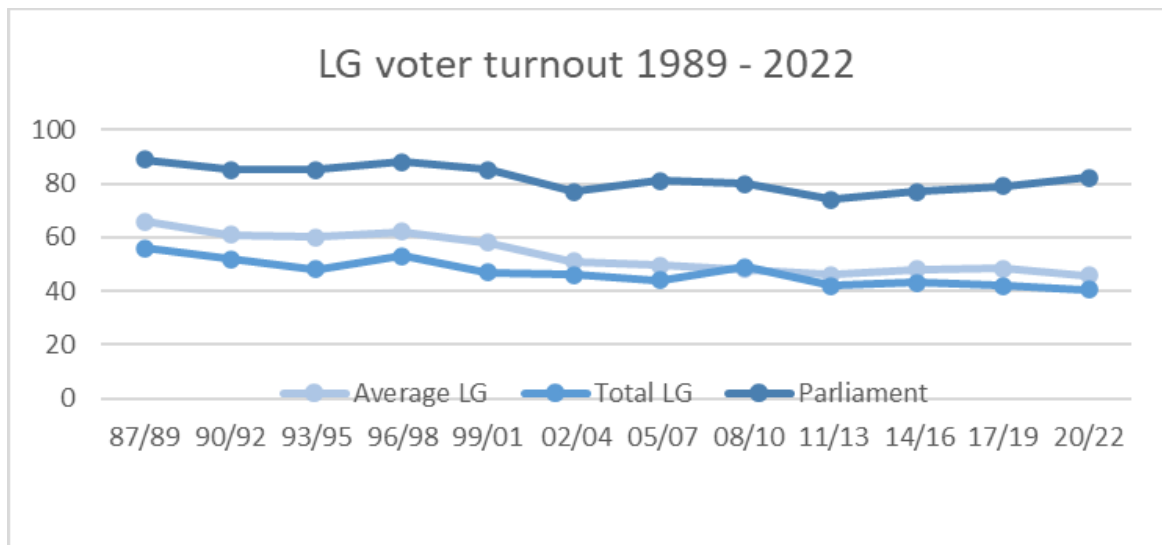


Figure 1: Turnout since local government reform

- // Since 1989 turnout has been on a gradual decline, particularly since the 2001 elections. With the exception of 2010, which saw a high turnout in Auckland following amalgamation, total turnout in local elections has been between 40 and 45 per cent.
- // Average turnout, which is the average of all 67 territorial councils, tends to be higher than total turnout (total turnout is heavily influenced by turnout in Auckland, Christchurch and Wellington). Since 2004 average turnout has fluctuated between 45 and 51 per cent.
- // Until 2011 local government turnout mirrored turnout for parliamentary elections. Unlike turnout in local elections, parliamentary turnout began to increase (from record lows) in 2013, an increase of nearly 10 per cent.

2. Historic trends

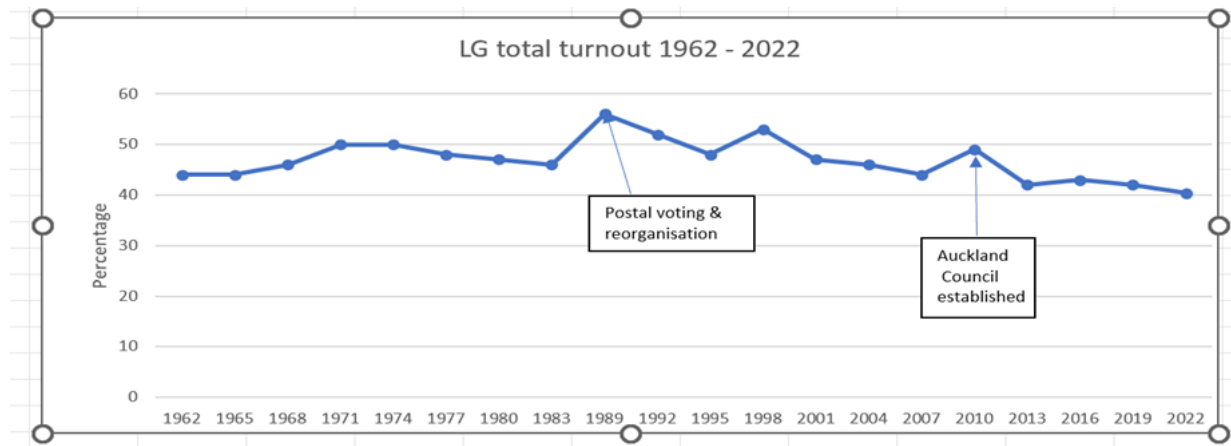


Figure 2: Historic trends

- // 60 years ago, turnout in local elections was 44 per cent, in 2022 it was 40.4 per cent based on preliminary results.
- // Fluctuations in turnout tend to reflect exogenous events, such as the introduction of universal postal voting in the 1989 elections and local government reorganisation, which occurred in 1989 and 2010.

3. Turnout rates are diverse

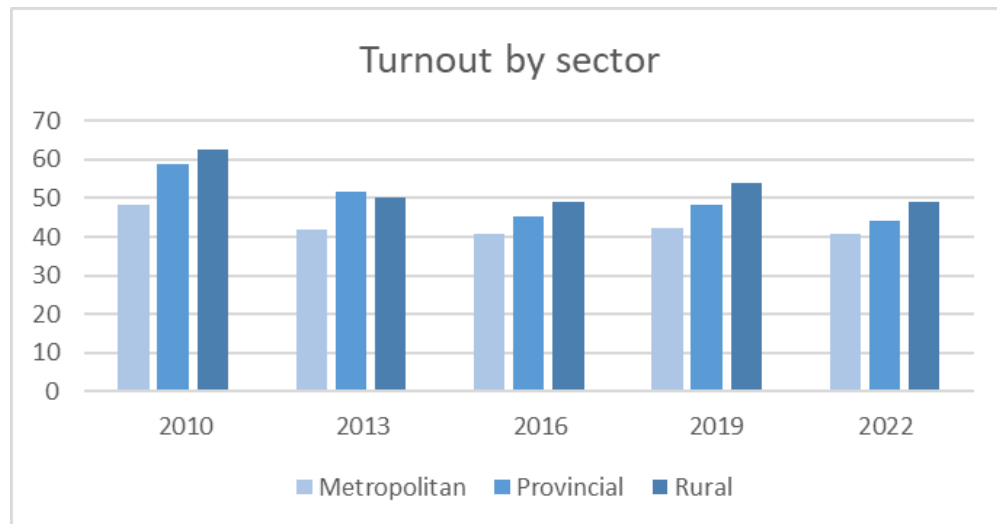


Figure 3: Turnout by sector

- // LGNZ divides councils into four sectors, rural (populations under 20,000); provincial (populations between 20,000 and 90,000), metropolitan: (populations larger than 90,000 (or part of a metropolitan area like Upper Hutt); and regional. Regional council turnout data was not available.
- // With the exception of the 2013 elections, turnout in rural councils is consistently higher than turnout in either the provincial or metropolitan councils.
- // Turnout in the metropolitan councils experienced a very minor decline between 2019 and 2022 (less than 1.5 per cent). In contrast, turnout in rural councils fell almost 5 per cent. That may be due to a number of high-profile mayoral races in the larger cities in 2022.

4. Turnout is higher in councils with smaller populations

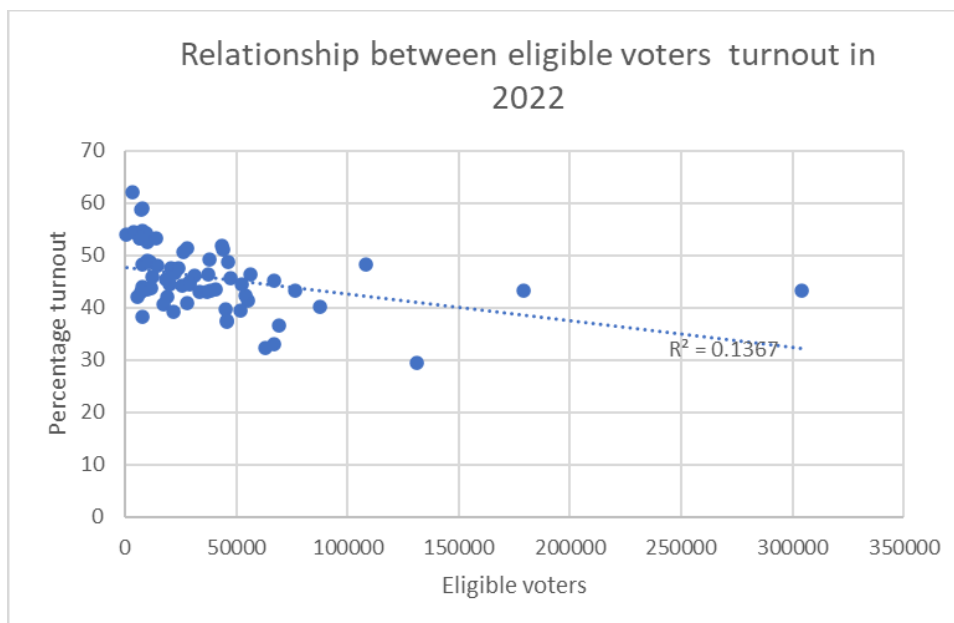


Figure 4: Relationship between eligible voters and turnout in 2022

- // There is a positive correlation between small councils, that is councils with populations under 20,000, and higher voter turnout. (Please note that the graph does not include Auckland Council.)
- // The relationship between small populations and higher turnout is a trend that has been documented internationally, including in South and Western Australia – where voting in local elections is discretionary.

5. Members elected unopposed

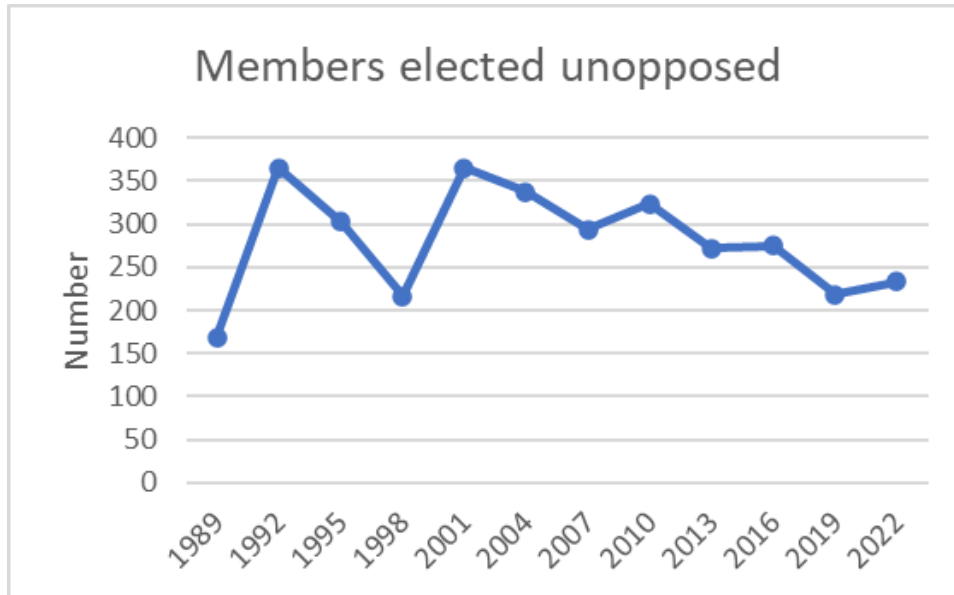


Figure 5: Members elected unopposed

- // The number of members who are elected without competition is often used as a measure of the strength of local democracy.
- // The two years where competition for seats was highest (the lowest number of unopposed members) also reflected the two elections that saw the highest voter turnout, 1989 and 1998.
- // More than 140 candidates had put themselves forward for Māori ward and constituency seats across 34 councils in 2022. This is the first year that many of these councils have implemented Māori wards, which will see more than 60 new Māori ward councillors with 2.2 candidates per position.
- // While 2022 saw a slight rise in the number of members elected unopposed (an increase of 15 members) it was still the fourth lowest number since 1989 (despite concerns during the nomination period that there might be a record number of uncontested seats).

6. Competition for mayoral seats

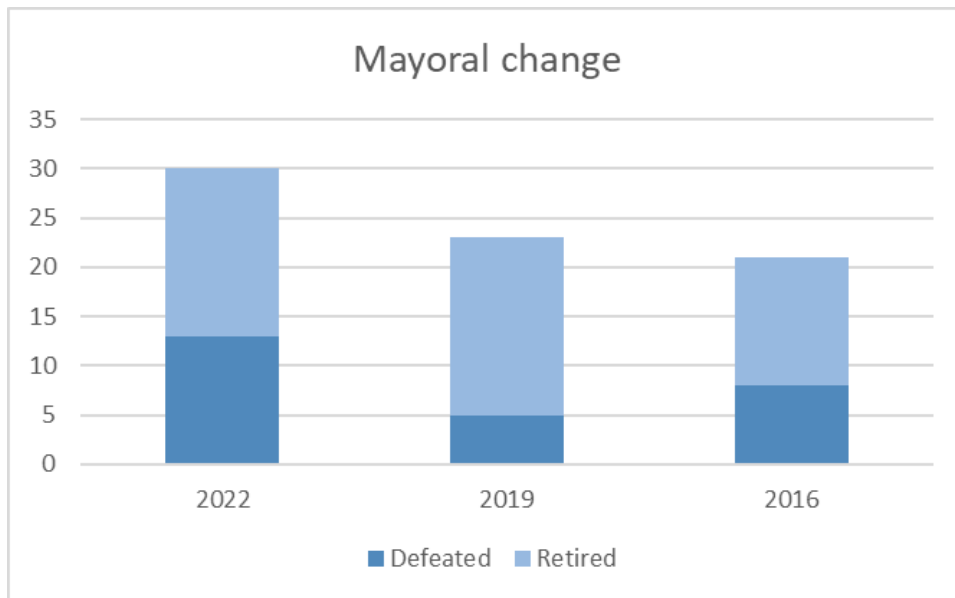


Figure 6: Mayoral change

- // Competition for mayoral seats is also regarded as indicating an interest in local elections. The 2022 elections saw almost half (45.5 per cent) of the mayoral seats in our territorial authorities change.
- // Of the 30 new mayors, 17 took office as a result of their predecessor retiring, while 13 of the new mayors defeated the incumbent.
- // There was little change from the 2019 elections in the number of mayors who retired, with 18 retiring in 2019.
- // There was a significant change in the number of incumbents who were defeated; 13 mayors lost their seats in 2022 compared to 5 in 2019 and 8 in 2016.

7. How Aotearoa New Zealand compares



Figure 7: International turnout rates

- // Compared to similar countries elsewhere in the world, local government turnout in Aotearoa New Zealand tends to be towards the middle.
- // We have an Anglophone type of local government, which means it has relatively small number of responsibilities and raises a small share of taxation (approximately 2 per cent of gross domestic product).
- // Countries, like Norway, Denmark and Iceland, in which local governments play a major role in social services, such as education, and which spend a much greater share of GDP, have materially higher turnout levels.