

REPORT 2
1215/52/IM

INQUIRY INTO THE 2007 LOCAL AUTHORITY ELECTIONS

1. Purpose of the Report

To present for the Committee's consideration and approval the proposed submission to the Justice and Electoral Committee's inquiry into the 2007 local authority elections. The proposed submission is attached as Appendix 1.

2. Recommendations

It is recommended that the Committee:

1. *Receive the information.*
2. *Agree to the draft submission to the Justice and Electoral Committee's Inquiry into the 2007 Local Authority Elections attached as Appendix 1, subject to any amendments recommended by the Committee.*
3. *Agree to delegate to the Portfolio Leader-Governance and Chief Executive the authority to make any drafting changes necessary before forwarding the submission to the Justice and Electoral Committee.*

3. Background

The Justice and Electoral Committee (JEC) has advised that it will be conducting an inquiry into the 2007 local authority elections held on 13 October 2007.

The Terms of Reference (TOR) for the inquiry are:

To inquire generally into the 2007 local authority elections, including specifically (but not limited to) the following matters:

1. ***Electoral systems and processes***
 - (a) *Review the effectiveness of the electoral systems and processes used in the local authority elections;*
 - (b) *Review the law relating to the order of listing of candidates on the ballot paper.*

2. Representation

- (a) Review whether current mechanisms ensure adequate representation of communities of interest;*
- (b) Review Maori representation and participation in local authority elections.*

3. Voter turnout

- (a) Consider the implications of local authority election turnout figures and the trends in those figures;*
- (b) Identify what factors influenced elector turnout, including examination of how the systems and processes used may have impacted on voter turnout;*
- (c) Assess how voter turn-out could be encouraged, including assessment of whether technological advances could be used to encourage voter turnout.*

4. Education

- (a) Examine whether current education campaigns are sufficient and the extent to which education affected voter turnout;*
- (b) Identify how voter turnout could be improved;*
- (c) Examine whether youth are sufficiently aware of the importance of local authority elections and the processes by which they are conducted.*

Submissions close with the JEC on Friday 8 February 2007. The late notification of the Inquiry, combined with the Christmas holidays, has meant that there has been limited opportunity to discuss the submission with interested parties.

4. Discussion

The attached draft submission provides the Committee with a basis for considering the questions raised by the Justice and Electoral Committee's TOR for its inquiry.

Given that most of the recommendations made to the JEC following its inquiry into the 2004 local elections have still to be implemented, a number of the issues raised in the earlier submission have been repeated in this latest draft submission. The submission also takes into account any issues that arose during the 2007 elections.

Local Government New Zealand (LGNZ) and the Society of Local Government Managers (SOLGM) will be making comprehensive submissions to the Committee. The LGNZ submission will represent the views of its members on policy/political issues while the submission from SOLGM will concentrate on practical/technical matters.

As with the Council's proposed submission, the submissions from both these organisations are likely to reinforce the comments and recommendations they made to the Justice and Electoral Committee following the 2004 elections.

Councillors will also be aware that the Local Government Commission (LGC) is required to undertake a review and provide a report on the operation of the Local Government Act 2002 and the Local Electoral Act 2001 as soon as possible after the 2007 election.

The LGC invited input from councils into the review and the Council lodged its submission in September 2007. A number of the issues raised in the attached draft submission were included in the Council's submission to the LGC in respect of the Local Electoral Act 2001.

The Committee is asked to consider the draft submission and approve it for forwarding to the Justice and Electoral Committee prior to the closing date for the receipt of submissions on 8 February 2008.

4. Conclusion

The Justice and Electoral Committee have invited public submissions on the Inquiry it is conducting into the 2007 local authority elections. If the Council decides to lodge a submission, it will need to be submitted to the Committee by Friday 8 February 2008.

Report prepared by: Ross Bly, Special Projects and Electoral Officer.

Supporting information

1) Strategic Fit/Strategic Outcome

This project supports Long-term outcome 7.2.2 “Wellington will operate an open and honest decision making process that generates confidence and trust in the democratic system”.

2) LTCCP/Annual Plan reference and long term financial impact

The project relates to C534: Elections, Governance and Democratic Process.

3) Treaty of Waitangi implications

There are no Treaty of Waitangi implications.

4) Decision-making

This is not a significant decision.

5) Consultation

No general consultation or consultation with Maori is required.

6) Legal implications

There are no legal implications.

7) Consistency with existing policy

This report is consistent with existing Wellington City Council policy

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SUBMISSION ON THE INQUIRY INTO THE 2007 LOCAL ELECTIONS

To: Justice and Electoral Committee

From: Wellington City Council

Date: 8 February 2008

1. Introduction

- 1.1 The Council appreciates the invitation extended by the Justice and Electoral Committee to provide input into this Inquiry and hopes that this submission will provide useful information on the issues identified in the Committee's terms of reference for the inquiry.
- 1.2 The Wellington City Council was one of only 8 local authorities that used the Single Transferable Vote (STV) electoral system for 2007 local elections. The voter turn-out was down 2.4% on the previous election in 2004 (i.e. from 42.2% to 39.8%) which was also held under the STV system and although this was disappointing it was in line with the average decline in voter participation (i.e. 2.1%) across the country.

In 2007 the following elections were held under the STV electoral system:

- Wellington City Council:
 - Mayor
 - Councillors (five wards electing a total of 14 Councillors)
 - Community board members (two boards electing 6 members each)
- Capital and Coast District Health Board (CCDHB)

and the following under the First Past the Post (FPP) system:

- Greater Wellington Regional Council
 - Wellington Constituency
 - Porirua/Tawa Constituency (part of)
- Hutt Mana Charitable Trust

- 1.3 As a result of the issues experienced at the 2004 local elections, the Council decided to process and count the votes cast in the 2007 elections "in-house". Although the voter turn-out was down the elections were held without any problems being experienced. The provisional result for the Council election was announced at 10.30 pm on election night, as was planned, and notified to the media and candidates and the Capital and Coast District Health Board result was available and announced at 12 noon on Sunday 14 October 2007.
- 1.4 After only two elections under the STV electoral system it would be fair to say that electors and administrators alike have not yet had sufficient experience of

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voting under that system to gain a full appreciation of the affect it can have on representation and the way electors' votes can impact on the outcome. Having said that it is interesting to note that the result of a post-election survey undertaken by Local Government New Zealand (LGNZ) after the 2004 elections indicated that 73% of voters agreed that "it was easy to fill in the form and rank the candidates"

- 1.5 Because the Council's view has not materially changed over the past three years, many of the recommendations contained in this submission reflect the submissions the Council made to the Justice and Electoral Committee in response to its inquiry into the 2004 local authority elections.

2. Effectiveness of electoral systems and processes

2.1 *Process for the review of electoral systems*

- 2.1.1 The Wellington City Council's electoral system was changed to STV as a result of a poll of electors held in November 2002. Only 32% of Wellington's electors voted – of those 52% voted for STV and 48% for First Past the Post (FPP). As provided for under the current legislation, Wellington City was required to use the STV system for two consecutive elections – in 2004 and again for the 2007 elections. However, having now held two triennial elections under the STV system, the Council is now in a position to decide whether to change (or retain) the electoral system it wishes to use for the 2010 elections. That decision can be made either by way of a Council resolution or as a result of a further poll of electors. It is important to note that the Council's decision to either change or retain the current STV electoral system for the 2010 election can be challenged by electors.
- 2.1.2 The current provisions around the ability of councils and/or the public to change electoral systems ensure the process is fair and transparent, and protects against an electoral system being changed without an adequate trial or at the "whim" of a Council.

Submission:

That no changes are needed to sections 27 – 31 of the Local Electoral Act 2001 (LEA) in relation to the process that must be followed for changing electoral systems.

2.2 *Listing of candidates names on the voting document*

- 2.2.1 The 2004 election results for the Capital and Coast District Health Board (CCDHB) prompted suggestions that there was a correlation between the alphabetical ordering of candidates and the likelihood of them being elected.
- 2.2.2 Forty candidates stood for the CCDHB in 2004, which translated into two full columns of names on the voting document. Six of the seven candidates elected had surnames between A-G of the alphabet, with five of those candidates being listed in the first column. The candidate at the top of the first

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column was also not only the first person elected but was elected at the first iteration. The next successful candidate was not elected until the 35th iteration.

- 2.2.3 In 2007 the CCDHB decided that the candidates standing for election to the Board would be listed in pseudo-random order on the voting documents. Because of the number standing (21) it was again necessary to list the names in two columns on the voting document. The result was that only three of the seven members elected had surnames between A – G of the alphabet and only one of the successful candidates was listed in the first column.
- 2.2.4 Section 31(2) of the Local Electoral Regulations 2001 (LER) provides a local authority with the ability to determine the order in which candidates' names are to be arranged on the voting documents – in alphabetical order of surname, pseudo-random or random.
- 2.2.5 “Pseudo-random” ordering, although resolving the perceived issue of advantaging candidates with surnames at the beginning of the alphabet, potentially still gives a perceived unfair advantage to those candidates who are randomly selected to be at the top of the list. Full “random” ordering of candidates' names overcomes this advantage by ensuring that the top positions are randomly distributed between all candidates.
- 2.2.6 The Wellington City Council resolved to list the candidates standing for Mayoral, Council and Community Board elections at the 2007 local authority elections in fully random order on the voting documents. It also used the fully random option for two community board by-elections that were held in April 2005 and June 2006. The Council's decision to use this option seemed to be generally well received by the candidates and few complaints were received from electors.
- 2.2.7 As a result of its recent experiences the Council favours the fully random option as being the fairest of the three available options.

Submission:

That Section 31 of the LER is amended so that all other options are removed and candidates' names are required to be listed on the voting document in “fully random” order.

2.3 Use of the postal voting system

- 2.3.1 Postal voting was made mandatory for all councils in 1989. Prior to postal voting, Wellington City's voter turn-out was following a downward trend (although 1986 was a reverse of this trend, attributable to the introduction of ward-based voting in that year). Although Wellington City's voter turn-out under postal voting has declined over the last four elections it is still higher than what would almost certainly be achieved under booth voting. This trend is in line with the declining voter turnout being experienced by most other local authorities throughout the country.

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Year	Turnout	Voting method
1983	37.0%	Ballot box
1986	44.0%	Ballot box
1989	49.4%	Postal voting
1992	52.8%	Postal voting
1995	52.3%	Postal voting
1998	48.9%	Postal voting
2001	47.8%	Postal voting
2004	42.2%	Postal voting
2007	39.8%	Postal voting

- 2.3.2 All local authorities throughout the country have used postal voting for a number of elections. The last time a local authority (Hutt City) used the ballot box method was in 1992 which resulted in a 26% voter turnout.
- 2.3.3 In 1992, when local authorities were again given the option to choose their voting method, the Wellington City Council elected to retain postal voting as its preferred method. In its view not only a higher voter turn-out can be achieved under postal voting but also significant cost savings (postal voting is less expensive to run than ballot box voting as it does not require the same intensive resource allocation - e.g. on election day in 1986 the Council employed 1,200 people to run 107 polling places [with 327 polling booths] and count the votes. In 2007 less than 20 people were employed to assist with the running of the election).
- 2.3.4 The Council has received very few formal complaints about the postal voting system over the last 18 years. Perceived disadvantages with the system are that voting documents may not always get to the right people and that people may vote more than once (particularly where voter enrolment records have not been updated and voting documents are sent to an incorrect address). From a technical point of view, postal voting can also cause complications with the scrutiny as voters do not always put voting documents correctly into the return envelope or return more than one document in the envelope. On the other hand, apart from achieving a much higher voter turnout, postal voting increases the accessibility of voting for a number of groups, particularly those with mobility disabilities who may not easily be able to access a polling booth.
- 2.3.5 In the event that the Council does receive a complaint, the current procedures outlined in the LEA, which allows the EO to either initially investigate the matter or refer it directly to the Police for investigation, appear to be satisfactory.

Submission:

That Section 5 of the LEA should retain the option for local authorities to use the postal voting method for their elections.

2.4 Length of the postal voting period

- 2.4.1 Anecdotal evidence suggests that the three week voting period is too long and that people receive the paper, put it to one side and forget about it. This is exacerbated by the voting documents currently being sent out in September, during a scheduled school holiday. It has been suggested in the past that a two week voting period would not only encourage more people to cast their vote earlier (i.e. as soon as they receive their paper) but would also be generally well received by the majority of candidates. If it was agreed that the voting period be reduced to two weeks, care would have to be given to ensure that the two weeks did not clash with the school holidays.
- 2.4.2 The disadvantages of a two week voting period are:
- increased pressure on EOs to obtain a result as soon as practicable after the close of voting (i.e. the same number of votes will have to be processed in a shorter time frame). Based on the experience of the last two elections, those councils using the STV voting system will require significantly more resources to achieve the count within the two week period.
 - reduced opportunities for overseas electors, who would otherwise have no provision to vote, to cast valid votes. In 2007, the Council posted approximately 5,530 voting documents to electors living overseas (less than 200 completed papers were returned in time to be included in the count). A further 20-30 were directed overseas to electors temporarily out of New Zealand for the three weeks leading up to and including election day. The EO received positive feedback about the provision of this service. Some criticism could be expected from this category of electors if the two week voting period was re-introduced. Some thought should therefore be given to increasing the opportunity for overseas voters to cast a valid vote if the voting period is reduced to two weeks.
- 2.4.3 There are strong arguments both for and against a 2 week versus 3 week voting period although no hard data exists, as far as the Council is aware, of what the electors' preference might be. The Council believes that research needs to be undertaken to determine electors' views on the optimum voting period length and encourages the Committee to examine this issue in its Inquiry.

Submission:

- (1) That the Committee note the perceived advantages of a two week voting period.
- (2) That the Committee undertakes research to determine electors' views on the optimum voting period length.

2.5 Nomination process and processing timeframes

- 2.5.1 Two interrelated issues have arisen with the receipt of nominations over the last two elections:
- The four-week nomination period is currently not being fully utilised. In both the 2004 and 2007 elections, the Council received only one

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nomination in the first week of the nomination period, with the majority being submitted in the last 2-3 days.

- With the change to the legislation in 2002, to allow candidates to submit their candidate profile statements and photos independently of their nomination form and fee, the nominations that were submitted within the first 2-3 weeks were often not complete until towards the end of the nomination period.

These issues caused administrative problems for electoral staff on both occasions, as the majority of information had to be collated into the voting document and candidate profile booklet in the two days following the close of nominations.

One of the main reasons candidates delay submitting all or some of their nomination paperwork seems to be because of the public status of that information. Once submitted, a candidate's nomination becomes public knowledge and their information is freely accessible to other candidates and the public alike. Candidates may be encouraged to lodge their documents earlier if both candidate names and/or some or all of their information could be excluded from the public arena until after nominations close.

From an administrative perspective, the influx of information at the end of the nomination period would be of less concern if there was more time between the close of nominations and the opening of voting. Currently only a three week window is available to EOs and the mailhouses to prepare, print and pack the voting documents and candidate profile booklets. To meet the timeframe, EOs have been required to collate, proof-read and sign-off their information within 48 hours of the close of nominations. This pressure, and the high potential for making mistakes, could be relieved by lengthening the time available for processing nominations information and subsequent printing requirements. This could be lengthened by:

- (a) decreasing the nomination period by one week, to make it a three week period
- (b) starting the election process one week earlier by calling for nominations 57 days before election day (rather than the 50 days currently provided)
- (c) changing the date of the elections to the third Saturday in October (from the second).

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Submission:

- (1) That Section 61 of the LEA is amended to require candidates to submit their candidate profile statement and photo at the same time as their nomination form and deposit.
- (2) That the legislation is amended to enable nominations to be submitted in confidence (if the candidate so chooses) and released as public information only after the close of the nomination period.
- (3) That the nomination period remains at four weeks.
- (4) That, in order to provide additional time for the processing of nominations and the printing of the voting documents, Section 5 of the LEA is amended so that the interpretation of “nomination day” is the “57th day before polling day” rather than the 50th day.

2.6 Resolution for early processing:

- 2.6.1 The legislation (section 79 of the LEA) currently requires every local authority holding an election to decide whether or not it would allow completed voting documents to be progressively processed on their receipt and, if so, to pass the necessary resolution.
- 2.6.2 Although in 2007 all of the agencies holding elections in Wellington fortunately confirmed the decision made by the Wellington City Council to undertake progressive processing, had they not, it would have caused considerable logistical problems for the EO.
- 2.6.3 Most, if not all, local authorities passed such a resolution for both the 2004 and 2007 elections. Not to have done so, particularly for some of the larger authorities, would have resulted in the preliminary and final results of the election not being available until several days after election day.
- 2.6.4 To prevent a situation that would make it very difficult for an EO to carry out their responsibilities, the decision on whether or not progressive processing is to be used should be solely the decision of the EO’s territorial authority.

Submission:

That Section 79 of the LEA is amended so that only the territorial authority responsible for running the election is required to make a resolution as to whether or not progressive processing will take place. All other authorities whose elections are being run by the Territorial Authority Electoral Officer (TAEO) would be required to comply with decision taken by the Electoral Officer’s territorial authority.

3. Representation

3.1 *Representation reviews under the 2002 amendment to the Act*

- 3.1.1 Although local authorities are only required to review their representation arrangements every six years, the Wellington City Council has undertaken a review prior to each of the last two triennial elections (i.e. in 2003 and 2006). The reason for making this decision in 2003 was due to the fact that a poll of electors in November 2002 had determined that the STV voting system would be used for the 2004 and 2007 local authority elections in Wellington city. It also decided to carry out another review in 2006 (in time for the 2007 election) because of the significant population growth that had occurred in the Lambton Ward and the consequent under representation issues it caused as a result for the electors of that ward.
- 3.1.2 The Council received a number of written objections on its final 2003 proposal and, as required by the legislation, referred the matter to the Local Government Commission for its final determination. The Commission's determination was significantly different to the proposal that the Council had consulted on, creating some concern that the Commission was able to issue a determination that was markedly different from the proposal released for public consultation and from the majority of feedback received on it.
- 3.1.3 When preparing its initial 2003 proposal, the Council had to divide one of the city's recognised community of interest (a designated suburb) between two wards in order to comply with the +/-10% population formula outlined in Section 19V of the LEA. In 2006 it was possible for the Council to transfer "complete" communities of interest from one ward to another (in order to comply with the "fairness" requirements) and so the splitting of a recognised community of interest was not required in the latest review.
- 3.1.4 The Council accepts that the +/- 10% is an important objective and should generally be adhered to. Exceptions should however be allowed for island or isolated communities (as currently provided for) and, provided they have exhausted all avenues to ensure that the formula is met, councils that would otherwise have to split recognised communities of interest (e.g. suburbs in Wellington's case) to achieve the +/- 10% objective.

Submission:

That the exceptions given under 19V(3) of the LEA are expanded to include community and Council identified communities of interest (i.e. recognised suburbs) as well as "island" or "isolated" communities.

3.2 *Impact of the STV electoral system on representation*

- 3.2.1 One of the perceived benefits put forward for using the STV voting system was that it would provide better and fairer representation for ethnic and other minority groups.

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- 3.2.2 Wellington City's elected representation has not substantially changed as a result of using the STV electoral system in 2004 and 2007. There has been no significant increase in the number of non-European candidates standing in either 2004 or 2007 (when compared against those standing in 2001 and earlier elections) and the overall numbers standing for election has decreased since 2001. With the exception of an 18 year old candidate being elected in 2004 (and subsequently re-elected in 2007) there has not been a marked increase in young people standing for and being elected to Council. The Council still only has one non-European Councillor. The percentage of women on the Council decreased from 45% in the 2001-04 triennium to 40% for the 2004-07 period. The number of women elected to the Council in 2007 was back up to 60% (i.e. 9 of the 15 members). The average age of Councillors elected at the 2007 election is lower than was the case in 2004.
- 3.2.3 STV is reported to promote diversity in areas where a number of candidates can be elected from a large population base (i.e. the rationale for removing constituencies for district health boards for the 2004 elections). The Local Government Commission's determination in April 2003 reduced the number of wards for Wellington City (essentially by amalgamating the two smaller wards) and also reduced the number of Councillors quite substantially (from 19 to 14). The 2006 review retained the existing representation arrangements (i.e. five wards electing 14 Councillors). The reduction in the number of positions available may have had a negative impact on the number and diversity of candidates standing and also reduced the chances of candidates from minority groups being elected.
- 3.2.4 The diversity of elected members on the CCDHB does not appear to have changed greatly over the last three elections. Although no members identified with the Kapiti Coast District Council (one of the three territorial authorities within the board's area) were elected in 2004, one was in 2007. No non-European candidates have been elected to the CCDHB since STV was introduced in 2004 although the Minister has the ability to appoint people to the Board to remedy such situations and has done so. In 2004 four female and three male candidates were elected and in 2007 the gender ratio for those elected was five female and two male.
- 3.2.5 So as to ensure that communities within DHB boundaries are represented by an elected member, it is suggested that the Committee consider reintroducing constituencies as the basis for electing members to the DHBs. The reintroduction of constituencies would also reduce the number of candidates listed on a voting document, which has been identified as a potential deterrent to electors voting.

Submission:

That the Committee consider reintroducing constituencies as the basis for electing members to DHBs.

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3.3 *Limitations on the number of positions for which an individual candidate can stand*

- 3.3.1 Given the “community of interest” features of the Act the Council supports the view that candidates standing for the Wellington City Council should reside within the city’s boundaries and that candidates standing for community boards should reside within the board areas. It does not, however, have a problem with the current rules which allow a candidate to stand for more than one position within that area (for Mayor, Council, community board, DHB etc).
- 3.3.2 The situation which currently exists where a single candidate can stand for numerous community boards and be elected to more than one certainly seems to contradict the “community of interest” feature of the LEA. If residency within a board area was a prerequisite to candidacy this situation would not occur.

Submission:

That the LEA be amended to ensure that candidates live within the city or community board area in which they wish to stand but that there not be any limitation on the number of positions they can be nominated for, apart from the restrictions that currently apply.

4 Participation and Elector Turnout

4.1 *Voter turnout trends*

- 4.1.1 Wellington City’s voter turnout has been dropping since it reached its high of 52.8% in 1992. The drop in turnout of 5.6% between 2001 and 2004 (dropping from 47.8% to 42.2%) was the largest experienced during this time and coincided with a change to the Council’s electoral system in 2004 from FPP to STV. The voter turnout dropped a further 2.4 % in 2007 which was slightly higher than the average decrease of 2.1% across the country.
- 4.1.2 Although the Council has not carried out any specific research after the 2007 local election it, and six other local authorities, contributed to a post-election survey that LGNZ undertook on their behalf following the 2004 election. The survey sought feedback on elector:
- awareness and knowledge of elections information and advertising
 - reasons why people did or did not vote
 - attitudes and opinions on the content of information received with the voting document
 - attitudes and opinions regarding STV and electors’ preference between STV and FPP.

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- 4.1.3 Feedback from that survey showed that:
- 97% of electors had a high awareness of the 2004 elections (this was 99% for Wellington City electors)
 - the most common reasons given for not voting were that electors:
 - did not know enough about the candidates – 29%
 - did not “get around to it” – 25%
 - were not interested – 18%
 - did not want to vote for any of the candidates – 11%
 - forgot to vote – 10%.
- 4.1.4 The above information suggests that a high awareness of elections does not automatically translate into a high voter turnout and that a number of factors come into play when determining whether or not someone will actually vote.

4.2 Campaigns to increase voter turnout

- 4.2.1 Wellington City Council spent \$100,000 on campaigns to encourage voter turnout in both 2001 and 2004 and \$130,000 in 2007 (including a contribution from the Greater Wellington Regional Council). The Council undertook research on elector awareness and behaviour, analysed it to identify target groups and appropriate messages, and engaged professional agencies to help undertake the campaigns. The campaigns focused on trying to convey the broad impact that local government has on residents’ lives as a reason for voting (“Will you vote for Wellington?” in 2001 and “Vote for the Wellington you want” in 2004 and 2007). For the 2001 and 2004 elections the campaign consisted of:
- TV advertising in the four weeks leading up to election day
 - posters and billboards put up around Wellington
 - comprehensive information on the Council’s website (which was reinforced in 2004 with an elections “pop-up” on the Council’s website homepage).
- 4.2.2 The 2007 elections communications strategy was based on our experiences in 2004 and the research findings after the 2004 elections.

We had six main objectives:

- increase voter participation across all groups
- help people understand why its important that they vote
- help people understand how their vote under STV works so it is not a barrier to voter turnout
- obtain extensive media coverage during the elections
- help people know how they can inform themselves about individual candidates
- encourage people to stand as candidates

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The target audience for our elections communications campaign was:

- 24-58 age group
- new immigrants
- Maori
- Asian
- Pacific Island

These groups were targeted because previous research into local body voting has shown they are the least likely to vote.

The first part of the campaign (June - September) focused on encouraging people to enrol to vote and to stand as a candidate in the elections. Efforts were also made to remind people they could still vote if they were going to the Rugby World Cup or were going to be out of town during the voting period.

The campaign involved:

- Our Wellington editorial and ads in the Dominion Post
- Articles in our Council magazine (APW) distributed to all households
- news releases
- web page on the Council's website
- advertisements in The Wellingtonian and Capital Times
- radio adlibs on The Breeze, More FM, Newstalk ZB community notice board
- candidate forums; promoted through news release, radio adlibs, ads in community newspapers, Our Wellington editorial
- Capital Chinese News and City Housing newsletter article
- staff email signature Vote for the Wellington YOU want
- Capital Samoa radio interviews to encourage Pacific candidates
- interviews on Newstalk ZB

The second part of the campaign focused on the three weeks leading up to voting day on 13 October. Our aim was to get people to vote. It involved:

- news releases sent out on a template with the vote logo
- Our Wellington editorials
- a special APW election issue sent to all households
- television and radio advertising
- train and bus posters
- adshels
- posters distributed through the city and suburbs
- railway banner, Jervois Quay overbridge banner, Ticketek banner
- Central Library display
- Council reception display
- lifesize cardboard cut-outs with the vote message placed at libraries and Council reception
- moveable billboards at six different outdoor locations (Railway station, Basin reserve, Airport, Karori, Johnsonville, Frank Kitts Park)
- adverts in The Wellington, Dominion Post, Capital Times

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- web page on the Council's website
- 4.2.3 The voter turnout over the last three elections has continued to drop, despite our best efforts, and the impact of the Council's advertising expenditure over this period is difficult to assess. The counter-question of how much further the turnout may have dropped if the campaigns had not been run is also impossible to measure. Elections public awareness advertising is not undertaken by all councils and many councils do not allocate any budget resources to it at all.
- 4.2.4 The budgets of the councils that do run campaigns are probably not of sufficient size to be able to significantly impact voter turnout. Although the effectiveness of a campaign is due to a combination of factors and not just the amount of funding put into it, it is more likely that a real impact could be made on voter turnout if a large injection of funding was put into it. Simply aggregating the campaign budgets from local authorities across New Zealand will not provide the budget required to fund a sophisticated, centrally coordinated, national campaign that is effectively able to communicate a message about why it is important to vote.

4.3 Factors that influence elector turnout

- 4.3.1 Many factors outside of an elections campaign can influence voter turnout. Locally run advertising campaigns, both in Wellington and outside of it, appear not to have had a significant impact on increasing voter turnout, and regions that experienced an increased voter turn-out over the last two or three elections can generally attribute them to other factors (e.g. a highly contested mayoral race or contentious local issue). If voter turn-out is to significantly increase in local authorities across New Zealand, a coordinated, well-resourced, nationwide campaign focusing on encouraging electors to vote is needed.
- 4.3.2 For Wellington, the following factors have been identified as possibly contributing to a low voter turnout in both 2004 and 2007:
- a general perception that Wellington "is doing well"
 - the lack of any major campaign/contentious local issues
 - a relatively low-profile Mayoral race
 - the change of electoral system in 2004 from FPP to STV
 - having two electoral systems on the one document (this situation applies to almost all local authorities throughout the country)
 - school holidays falling within the voting period.
- For the CCDHB elections, the relatively high number of candidates (21) may also have deterred electors from voting and contributed to the lower voter return.

4.4 Encouraging elector turnout

- 4.4.1 The Council's approach to encouraging elector turnout was encapsulated in its Communications Strategy, which focused on:
- reinforcing key messages such as:

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- Your vote affects your day-to-day life
- The Council is a \$380 million a year organisation – you need to vote to have a say on how this is spent
- complementing, and not repeating, campaigns being undertaken by other agencies (for example, the Electoral Enrolment Centre’s campaign to encourage people to enrol, LGNZ’s campaign to encourage people to stand, and DIA’s campaign to educate electors on STV)
- taking part (as a member) on the LGNZ National Elections Communications Working Party to work towards building a more nationally focused elections campaign. One of its main achievements was to gain uniformity in the branding of campaigns run by the different agencies (through the use of the Vote! logo)
- encouraging the local media to actively report on the elections.

Submission:

- (1) That the Committee acknowledge that the voter turnout at local authority elections is a joint central and local government responsibility.
- (2) That a central government agency (possibly the Electoral Commission), with appropriate funding and local government input, be responsible for running a campaign during the triennial election period that not only raises people’s awareness about the election but also encourages them to vote for their local authority.
- (3) That individual local authorities be encouraged to supplement the work of the central government agency with local initiatives and promotions on the elections.

4.5 Availability of candidate profile information:

- 4.5.1 The wording of section 29(2) of the LER appears to limit the EO’s ability to publish or display candidate profile statements prior to the commencement of the voting period (i.e. before they are sent out with the voting documents).
- 4.5.2 The Council has put a lot of effort into making people aware of who the candidates are, by providing candidate information through a special elections edition of the Council’s newspaper (which is delivered to every household in Wellington) and on the Council’s website, as well as through the candidate profile booklet.
- 4.5.3 The post election voter survey undertaken by LGNZ after the 2004 election showed that the main reason that people do not vote is because they do not know enough about the candidates. If EOs were permitted to release candidate information immediately after the close of nominations, it may help increase voter turnout.
- 4.5.4 Another issue that was raised by a number of electors during the 2007 election was the lack of “useful” information contained in a majority of the candidate profile statements. Their concern was generally around the fact that the candidates are not required to provide any information about their policies or

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what they hope to achieve if elected. The information contained in most of the statements was, in their view, irrelevant and acted as a deterrent from voting.

Submission:

- (1) That Section 29(2) of the LER is amended so that EOs are specifically enabled to release candidate profile information to the public immediately after the close of nominations.
- (2) That the Committee give consideration to prescribing certain information that must be included in a candidates profile statement.

4.6 Inclusion of two electoral systems on the one voting document

4.6.1 Having two electoral systems on the one voting document undoubtedly created confusion for some Wellington electors. Wellington City Council’s voting documents were all STV, apart from the election for the regional council and, for those electors who reside in the Northern Ward of the city, the Hutt Mana Charitable Trust. A number of electors completed the FPP election on their voting documents according to STV rules (using numbers rather than ticks). In a significant number of cases, however, this did not result in an “informal”/spoilt vote as those electors also only numbered up to the number of vacancies available. A legal opinion obtained prior to the 2004 election confirmed that, where an FPP election was completed according to STV rules and an elector had not numbered more candidates than the number of vacancies available, the EO could accept the numbers as a valid indication of the elector’s vote.

4.6.2 The table below provides a comparison of the “informal” votes made between 2001 and 2007 for the Wellington City Council, the Greater Wellington Regional Council and the CCDHB elections. These figures show that although the introduction of STV has not resulted in an increase of informal votes insofar as the Mayoral and Council elections are concerned, there has been a significant increase in both the regional council and district health board elections. (Note: that the definition of an informal vote changed between 2004 and 2001. In 2004 EOs were required to distinguish between “spoilt” informal votes and “blank” votes, whereas both categories were collected as one statistic in 2001).

Election	2001 Informal Votes		2004 Informal Votes				2007 Informal Votes			
	Total	%	Invalid	Blank	Total	%	Invalid	Blank	Total	%
Mayor	874	1.49%	268	1066	1334	2.49%	218	779	997	1.91%
Council	3026	5.16%	563	1347	1910	3.57%	490	1469	1959	3.74%
GWRC*	5073	8.67%	715	3110	3825	7.17%	2480	3457	5937	11.37%
CCDHB	9756	11.13%	2245	5712	7957	9.82%	4449	6771	11220	13.84%

* Wellington Constituency figures only (plus part of the Porirua/Tawa Constituency for 2007 elections)

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4.6.3 There is a concern that having the two systems on one paper is too confusing and could have discouraged people from voting. To rectify this, consideration needs to be given to finding a solution to address the complexity of voting. Three possible options for doing this are:

- ensuring the same voting system is used for all elections in any one area
- providing separate voting documents for the two different voting systems
- holding the DHB and local authority elections at separate times.

4.6.4 Having only one electoral system for all elections being held in any one area would be a simple way of making voting easier for electors and vote processing easier for administrators. It is acknowledged, though, that this would mean restricting some councils and communities freedom in terms of deciding which electoral system to use.

4.6.5 However, if two electoral systems are to be retained, providing separate voting documents for each electoral system would be the next best way of reducing the complexity of the elections. This option, however, would still not free electors from having to deal with two electoral systems and would also considerably increase the cost of running the election, doubling some of the costs incurred (e.g. postage and the cost of the scrutiny process). From an administrative perspective, two different voting documents would provide additional complications – particularly around the return and receipt of voting papers through the scrutiny process.

4.6.6 As a last option, the complexity of the elections could also be reduced by holding the DHB elections separately from the local authority ones. This would reduce the number of candidates on a voting document (although this could also be achieved through reintroducing constituencies) as well as remove, for some territorial authorities, the need to educate electors about the use of two voting systems. In such a situation, DHB elections could be held in the year where no election is currently held. It would, however, close to double the cost of running the elections (a cost which the Ministry of Health and district health boards would have to bear).

Submission:

That the Committee strongly consider investigating further the following options for reducing the complexity of the voting document currently in use for local authority elections:

- (1) allowing only one voting system to be used in any one area
- (2) providing separate voting documents for each voting system
- (3) holding DHB and local authority elections at different times.

4.7 Alternative forms of voting

4.7.1 The main alternatives to postal voting would be to return to booth voting or to introduce e-Voting.

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- 4.7.2 The voter turnout achieved through booth voting prior to 1989 was in most cases below that achieved through postal voting from 1989. Although booth voting may allay some of the primary concerns held about postal voting (around the security of voting documents), under STV it could result in an unacceptable delay to the release of results and would significantly increase the cost of running the elections.
- 4.7.3 Recent overseas e-Voting experiences show that a number of issues still need to be addressed before e-voting can provide an appropriate level of assurance to administrators and the public that it is secure, private and authentic.

Submission:

That the government be encouraged to pursue e-voting as an alternative method of voting and that consideration be given to enabling territorial authorities to trial it for the 2007 local authority elections.

5 Education

5.1 *Effectiveness of STV public education programmes*

- 5.1.1 In 2004 the Wellington City Council undertook an STV public education programme to complement the DIA's work in this area. With the DIA's assistance, the Council held public meetings to discuss STV. The Council also:
- presented at other public meetings where Council and/or election related issues were being discussed
 - visited a number of ethnic and pacific nation groups and forums to explain STV and the election process generally (including enrolment)
 - distributed approximately 30,000 STV brochures through its libraries and service centres (including in languages other than English).
- 5.1.2 The public meetings that were solely focused on STV were not well attended, although those who did attend had a lot of questions about how it worked. Where STV was discussed at a public meeting where it was not the predominant focus, a higher level of interest in the topic was evidenced (this was particularly the case at a "meet the candidates" meeting the EO presented at). The DIA's STV website was generally perceived as helpful, with the STV demonstration seen as particularly informative.
- 5.1.3 According to the post-election survey carried out by LGNZ in 2004:
- 41% of the Wellingtonians interviewed recalled the DIA's STV adverts (compared to 34% in most of the other local authorities, apart from Marlborough District with 44%); and
 - 28% of Wellingtonians recalled the message that "STV allows you to vote for as many or as few candidates as you want" (only 22% in Marlborough District and 15% in the other local authorities).

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- 5.1.4 The DIA ran a reduced STV education campaign in 2007 which included TV advertising, brochures printed in a number of different languages and various newspaper articles. The Council supported that campaign through the distribution of the brochures through appropriate Council outlets.
- 5.1.5 Further extensive voter education on STV needs to be undertaken to ensure that electors do not lose their understanding of the system by the next election (in the same way that the government still reinforces how to vote under MMP prior to each general election, even though it has now been used four times).
- 5.1.6 The Council understands that work is being undertaken in the BCR survey being undertaken through the Committee to determine what voters understood they were doing while voting under STV and how their votes were counted. The Council believes that a lot more education will be required in this area prior to the next election.

Submission:

That the government ensures that a more comprehensive public education programme on STV is carried out prior to the 2010 elections and that more emphasis is given to helping electors understand the effect their vote will have.

5.2 Responsibility for all voter education

- 5.2.1 Voter education for local authority elections currently lacks a positive mandate to any agency and is not funded to a level that it can have an impact. While the DIA has been tasked with educating the public about STV, no one agency has been made responsible for educating electors about either the role of local authorities or the importance of local authority elections. Although some local authorities have taken on a role of advertising the elections during election time (and some are also allocating funding to elections and civic awareness programmes in schools), it is not clear that the advertising has a measurable impact. As “voter education” is a precursor to changing “voter turn-out” the same comments that applied in Section 4.2 above apply here – that a nationwide, cohesive, well-resourced and coordinated campaign needs to be undertaken by one agency in order to change voter behaviour.

Submission:

That one agency is resourced to undertake a nationwide, cohesive approach to educating the public on the role of local authorities and the importance of local authority elections (this may or may not be the same agency that should be made responsible for encouraging people to vote during the elections period).

5.3 Introduction of a schools civic education programme

- 5.3.1 LGNZ has long advocated and promoted the need to introduce programmes to the education syllabus in order to raise the awareness amongst students of local government and the role it plays in the community.

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- 5.3.2 Wellington City Council has in the past funded and published its own schools civic education programme. The Council's impression is that the impact of such a programme increases in relation to the amount of resource that is put into it. As such, a school-based education programme across New Zealand, appropriately resourced by central government and led through a government agency (probably the Ministry of Education in collaboration with the Electoral Commission) is likely to have a longer term impact of increasing voter turnout than programmes supported by individual local authorities.
- 5.3.3 Given the fact that public awareness of local elections already appears to be high, such a programme would also need to be focused on not just raising awareness but actively reinforcing/changing elector behaviour. The breadth of such voter education may well extend beyond schools, to attempt to enhance voter understanding across New Zealand's population.

Submission:

That a central government agency is resourced to develop and implement a comprehensive schools civic education programme.

6 Additional issues

The following additional issues are raised for the Committee's consideration.

6.1 *Ratepayer Roll:*

- 6.1.1. The Ratepayer Roll is very time intensive to administrate and, for many councils, is for the sake of very few votes (186 votes were cast from the 211 electors enrolled on Wellington City's ratepayer roll in 2007). If the ratepayer entitlement is to remain in place for 2010, the Council requests that the enrolment process should at least be streamlined by:
- enabling the Electoral Officer to confirm a ratepayer elector's ongoing eligibility by checking that an individual still owns the property rather than by requiring each ratepayer elector to confirm their re-enrolment
 - simplifying the ratepayer elector enrolment confirmation form provided in the LER. From experience, and through feedback received, the form is regularly misunderstood by new and re-enrolling ratepayer electors.

Submission:

- (1) That Section 16(1)(b) of the LER is amended so that electors currently on the ratepayer roll are not required to confirm their re-enrolment if council records show they still own the property.
- (2) That the Schedule attached to the LER, "Enrolment form for ratepayer electors", is simplified so that it is easier for electors to understand and complete.

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6.2 *Review the effects and levels of campaign spending limits*

- 6.2.1 For the 2007 local elections the majority of candidates who stood for the Wellington City Council and CCDHB elections spent less than half of the amount allowed under the campaign expenditure limits:
- only 4 of the 38 Council candidates spent more than 50% of their expenditure limit (2 of whom were unsuccessful)
 - only 2 of the 11 Mayoral candidates spent more than 50% of their limit
 - 11 of the 86 (13%) candidates spent nothing
 - 7 of the 12 candidates who were elected to community boards spent nothing.

From this information, the current campaign expenditure limits appear to more than adequately meet candidates' expenditure requirements.

- 6.2.2 The Council believes that the provisions around the declaration of electoral donations need to be tightened. In order to promote transparency and allay any suggestions of possible conflicts of interest, candidates should be required to declare all donations they receive above the value of \$200 (currently \$1,000) as well as the full name and address of the person or organisation making a public donation.
- 6.2.3 Section 108 of the LEA requires candidates to provide receipts and invoices for all electoral expenses over \$200. This requirement, however, is proving to be somewhat onerous on candidates as they are not always provided with receipts.

Submission:

- (1) That Section 109 of the LEA is amended so that candidates are required to declare all electoral donations made to them in excess of \$200, including the full name and address of any person or organisation who made a public donation.
- (2) That Section 108 of the LEA is amended so that candidates are only required to submit invoices as evidence of an electoral expense over \$200.