

## Submission by Hamilton City Council Staff

# INQUIRY INTO THE 2019 LOCAL ELECTIONS AND LIQUOR LICENSING TRUST ELECTIONS, AND RECENT ENERGY TRUST ELECTIONS

6 March 2020

It should be noted that the following submission is from staff at Hamilton City Council and does not necessarily represent the views of the Council itself.

## 1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) staff welcome the opportunity to make a submission to the Inquiry into the 2019 Local Elections and the Liquor Licensing Trust Elections, and recent Energy Trust Elections.
- 1.2 It should be noted that the content of this submission focuses solely on the Inquiry into the 2019 Local Elections.
- 1.3 In this regard, HCC staff support the submissions and supporting evidence made by the Society of Local Government Managers (SOLGM) and Local Government New Zealand (LGNZ).

## 2.0 SPECIFIC COMMENTS ON THE TERMS OF REFERENCE FOR THE INQUIRY

- 2.1 **Terms of Reference 1: Law and administrative procedures for the conduct of the 2019 local elections, with particular reference to:**
  - a) **Low voter turnout at local elections.**
    - We acknowledge that there is a national problem with declining voter numbers across the country;
    - We support and strongly encourage civic education being a compulsory part of the primary and secondary school curriculum;
    - We support and strongly encourage Central and Local government working together to help further develop and implement civic education programmes within schools and the wider community;
    - We support and encourage there being a focus on developing and implementing a national long-term strategy around increasing public education and engagement with the democratic process and understanding civic responsibilities;
    - The relevance of local government to the public (apathy) and public engagement around the decision-making process should be the focus of efforts to improve voter turnout, as opposed to the focus being on the mechanisms of voting, such as booth voting versus postal voting versus online voting etc. SOLGM and LGNZ provide some good evidence and research in their submissions around why voters do not vote.
    - Online voting should be trialled for the 2022 local government elections, with logistical, security, and financial support from Central government.

- b) The role of council staff during election periods around decisions to release or not release information or any public statements that may be construed to affect the election outcome.**
  - We acknowledge that there are inconsistencies in approach on this matter across various councils due to current lack of guidance;
  - We support clear guidance from the Auditor General being developed around this matter, including examples being provided, to help reduce the risk of inconsistencies in decisions being made by Council staff;
  - There is a need to balance any guidance on this matter around the need for current Elected Members to continue to carry out their roles through the election period, and the need for communications to not be construed or perceived as affecting the election outcome.
- c) The issue of disclosure in respect of candidates or elected members with serious criminal convictions.**
  - We support full disclosure of criminal convictions being legally required.
- d) Any irregularities or problems that could have compromised the fairness of elections.**
  - We support recommendation 15 of SOLGM's submission that the legislation for the creation of Maaori wards and constituencies in local elections be aligned with that which applies to the creation of other wards and constituencies. This extends to the abolition of a poll and the extension of appellate rights.

2.2 **Terms of Reference 2: The Inquiry will not be investigating allegations of any specific illegal behaviour by any person but is focused on the issues of general law and administrative procedures.**

2.3 **Terms of Reference 3: The recommendations in the Justice Committee's report on the 2016 local elections, with particular reference to:**

- a) The recommendation that the Government consider giving responsibility for running all aspects of local elections to the Electoral Commission.**

In addition to the points raised by SOLGM and LGNZ on this matter, we would like to add that we support this recommendation in theory, with further analysis and consideration being given to:

- Costs, funding models and apportionment;
- Partnerships between Local Authorities, the Electoral Commission and current Election Service providers;
- Clarity of roles and responsibilities, particularly around legislative requirements for Local Government Chief Executives to promote local elections;
- National advertising strategy and associated costs;
- Community engagement responsibilities;
- How best to address local issues and various considerations/initiatives that come with local elections;
- Any local electoral legislation amendments required;
- Formulation of a plan/timeline for possible transition to national model;
- Candidate care and communication.

- b) The recommendation that the Government consider encouraging or requiring the same voting system to be used in all local elections.**

- We support this in principle. Different voting systems cause confusion and administrative complexity, especially where the DHB elections are STV and the local authority elections are FPP. Further consideration (including extensive public education and consultation) needs to be given to the advantages and disadvantages of each system to make an

informed decision on this matter. SOLGM and LGNZ's submissions provide good information concerning the advantages and disadvantages of each system.

**c) Feedback on the committee's recommendations on foreign interference.**

- We acknowledge that the risks around foreign interference needs to be appropriately considered for all future elections, particularly with reference to future online voting trials.

### **3.0 FURTHER INFORMATION AND HEARING**

3.1 Should the Justice Committee require clarification of the above, or additional information, please contact Becca Brooke (Governance Manager) on 07 838 6439, email [becca.brooke@hcc.govt.nz](mailto:becca.brooke@hcc.govt.nz) in the first instance.

3.2 HCC staff **do not wish to speak** at the Justice Committee hearing in support of this submission.

Yours faithfully



**Richard Briggs**  
**CHIEF EXECUTIVE**