

15 November 2004

Media release – Justice and Electoral Committee

Inquiry into 2004 Local Authority Elections

The Justice and Electoral Committee has resolved to initiate an inquiry into the 2004 local authority elections with the following terms of reference.

That the Justice and Electoral Select Committee inquires generally into the 2004 local authority elections, including specifically the following matters:

1. Assessment of the Local Electoral Act 2001 and regulations

Undertake an analysis of whether the principles of the Local Electoral Act 2001 and regulations have been achieved. On the basis of that, identify any aspects of the legislation which could require reform prior to the 2007 local authority elections. Specifically:

- Review and report on the process and outcome of the representation reviews undertaken in 2003/04 under the 2002 amendment to the Act;
- Consider current arrangements for agency oversight of local authority and district health board elections, and whether other arrangements would be more effective;
- Assess the integrity of the postal voting system; assess whether current mechanisms for making and considering complaints for alleged/actual breaches of electoral law are sufficiently robust;
- Review the law relating to the order of listing of candidates on the ballot paper,
- Assess the desirable length of the postal voting period;
- Given the “community of interest” feature of the Act, consider whether or not there should be any limitations on numbers of positions individuals can be nominated for in one local authority election period and whether or not residency in a community board area/ward/city/district/region should be a prerequisite to candidacy;
- Review the effects and levels of campaign spending limits.

2. Participation and elector turnout

- Consider the implications of local authority election turnout figures, and the trends in those figures;
- Undertake a comprehensive analysis of elector turnout, including comparisons between local authorities and with previous elections, and an assessment of informal votes and returned blank forms;
- Obtain feedback from voters (through qualitative research, including focus groups) about their participation or otherwise in the elections, the nature of the ballot paper and the material included with the ballot paper,
- Identify what factors influenced elector turnout (including the extent to which particular factors affect turnout, such as the use of Single Transferable Vote (STV), the impact of a vigorous mayoral contest or a controversial local issue);

- **Identify** the **approach** of local **authorities and** others in New Zealand and overseas in encouraging elector turnout, and the effectiveness of those approaches;
- e **Assess** whether voting **was** sufficiently accessible for all groups (for example, people with disabilities);
- e Review the effectiveness of the **STV** public education programmes, and co-ordination between the various programmes;
- Consider whether the public information (including advertising) for electors **was** adequate, and whether one agency should be responsible for all voter education;
- e Review the effectiveness of advertising in **raising** voter awareness of the elections;
- e Review the impact **of** the media coverage **of** the elections;
- e Report **on** other forms of voting and **assess** their **merits on a** comparative basis with postal voting;
- e **Assess** whether a school civics education programme **might** affect election turnouts and encourage *greater* participation in **our** democracy.

3. Electoral systems

- e Review the means available to local authorities **and** electors to review the electoral **system** which they utilised in **2004**;
- e Analyse the operation of **STV** for district health **boards and** for local authority elections, including the adequacy of preparation for **the** use of **STV** for **all** district health **board** and some local authority elections;
- **Assess** the responsibilities **and** accountabilities of electoral officers for the conduct of local elections;
- e **Assess** **the** management and impact of different electoral **systems** (STV and ~~First Past the Post~~ **being** operated **through** the same ballot **paper**, including the desirability **of** separate ballot papers. Compare the level of spoiled ballot papers, especially in those areas ~~that~~ only used **STV** and those that **only used STV** for district health **board** elections. **Consider** whether there **should** be **only one** electoral **system** at local level **or** whether voter education and ballot paper design could overcome the potential confusion **of** having two **systems** operating at once;
- e **Assess** the impact of **STV** on representation, including of population **groups** and different geographic areas;
- e **Assess** the impacts **of** the electoral **systems** on election outcomes, including cohesion, operational effectiveness, continuity and **party** affiliation.

4. Election management

- e **Identify** which agency, agencies, individual or individuals **were** responsible for the various **aspects** of the management of the election, **and** comment **as** appropriate on how they exercised their responsibility;
- e Consider whether the process **used** by the Department of Internal *Affairs* to license the use **of** the **STV** calculator to count votes **was** **adequate** and could be improved,
- Review the level **of** **scrutiny and** the **extent** of trialling **of** the **STV** processing and counting systems prior to election day;
- e Review and report on the delays in completing the election count in some areas, and the operation **of** the processing **and** counting systems (including whether there **were** contingency plans in place in case of systems failure);

- Consider the role of local authorities in contracting out vote processing and counting (including **any** performance targets **and** sanctions in the contracts). Investigate the difference in methodology used in the processing of votes between different organisations;
- *Assess* the **quality** and accessibility of the voting data that is made publicly available after elections.

The Justice and Electoral Committee is inviting public submissions on the **Inquiry** into the **2004 Local Authority Elections**. The closing date for submissions is **Friday, 25 February 2005**.

The committee requires **20** copies of each submission. Those **wishing** to include any information of a private or **personal** nature in a submission should **first** discuss **this** with the **clerk of the committee**, as submissions **are** usually released to the public by the **committee**. Those wishing to **appear** before the committee to speak to their submissions should state **this** clearly and provide a daytime telephone contact number. For further **guidance on making** a submission, **our** publication *Making a Submission to a Parliamentary Select Committee can be found on our web site at www.clerk.parliament.govt.nz*.

Submissions **should be** addressed as follows:

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