



The Northern Action Group Incorporated

31 March 2025

Local electoral reform: LGNZ's ERWG. March 2025 Draft Position Paper: NAG Response

Introduction

Sadly, our submission - which you have largely ignored or set aside - is still relevant, so read it again please:

<https://nag.org.nz/NAG%20Local%20Electoral%20Reform%20Issues%20response%20Nov%202024.pdf>

Our Reaction to the Second Draft

It should be apparent to any student of Local Government (LG) from your revised position paper that your Group is clearly unwilling or lacking the courage to address the substantive underlying structural problems with the Central Government(CG)/LG, urban/rural, majority/minority, racial and cultural balances and conflicts in New Zealand - long evident in its history from the 1850's and clearly responsible for lower LG election turnouts. Dismissing them as outside your TOR lets you avoid recommending anything of material consequence and pleases the vested interests your LGNZ sponsor represents.

Start with the premise in your introduction. The three main drivers for your work are:

- 1) *"Participation in local elections has declined significantly over the past three decades. A participation rate of less than half of eligible voters is an existential threat to local government."*

Really? Existential? That threat (of irrelevance and the gap between LG and CG voting interest) results from:

- historically poor planning and apathy by local government¹;
- understandable reluctance by LG (especially rural areas) to do things ratepayers won't pay for;

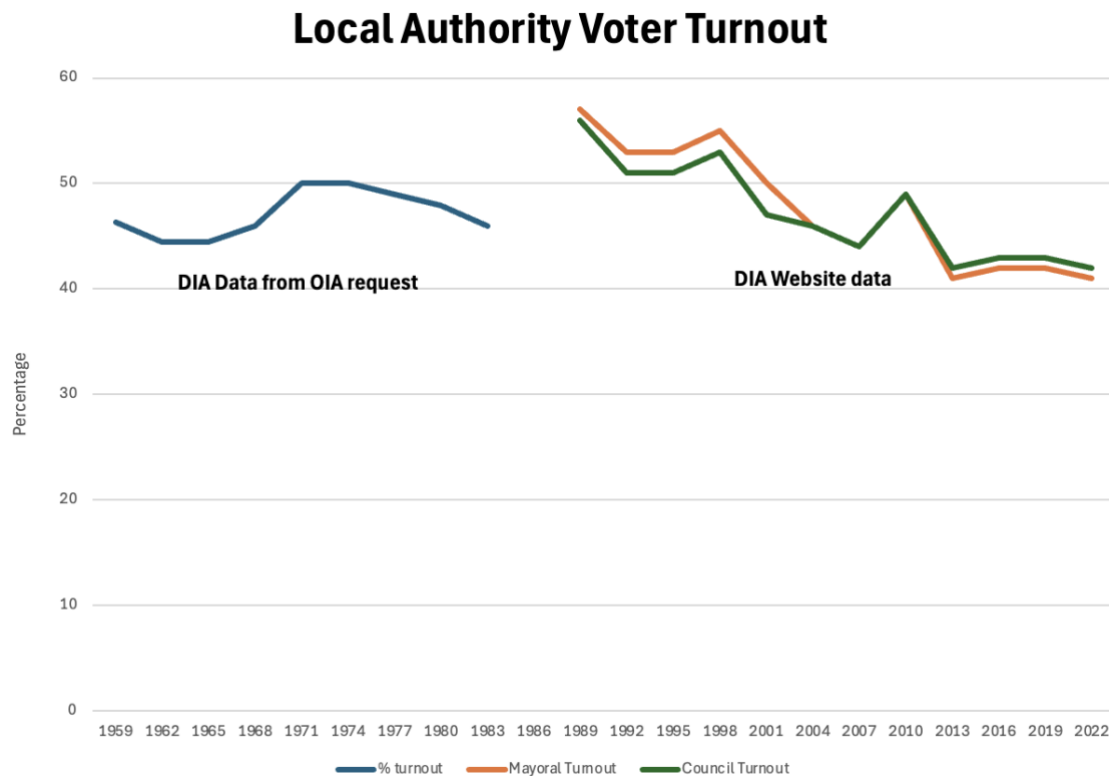
¹ E.g. See Local Government In New Zealand: A history of Defeat. W. B. Sutch 1956



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- increasing interference and centralisation and removal of activities and funding for them from LG control by CG (making the “real” decisions voters care about); and
- increasing representation ratios (and widening the range – contrary to the fairness principle of representation in both the CG and LG Electoral Acts) across TAs by centralisation through amalgamations² (which you acknowledge is a factor).

The reality is that LG has always had a persistent low voter turnout. It is not just a problem of the past three decades. Your graph exaggerates the trends. Available DIA data shows turnout has been between 40 and 55% mostly since the 1960’s. (No prior data appears to be available from request to any relevant Agencies).



2) *“Conducting local elections by post is becoming increasingly untenable as postal volumes collapse, the number of post boxes drops, and a growing number of residents do not use/have a letterbox.”*

True, but fiddling with the postal, current electronic and phone and booth (and collection box) systems is not going to fix that problem. And you confound the obvious e-voting solution to this problem with the internet/media disinformation problem, as if

² Which have been consistently opposed by LG communities affected and forced on TAs by CG.



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the two are related and the risks are the same (which they are not), by leading the third driver with a rejection of the solution to the second.

- 3) *“The risk of switching to e-voting has increased with the growth in hacking and online fraud. State-sanctioned cyberattacks by authoritarian regimes aimed at discrediting and undermining democracies also makes e-voting too risky. The problems are compounded by the decline in mainstream media, a growth in conspiracy theories and a more polarised electorate.”*

You give no evidence to support your contention that the risk of switching to on-line voting has increased. In fact the technology to support e-voting has improved to outpace the prospect of hacking, and fraud in voting on-line is less of a risk (a low risk of fraud with already established electronic validation and confirmation processes) than that of people currently stealing voting papers out of people’s mailboxes and voting for them (since there is a low risk of being caught at 40% turnout levels).

Concerns of e-voting cost are unsupported by any studies. Clearly e-voting is cheaper than postal and booth options and will save substantial money. Plus it will allow more referenda (mandatory or optional) which you don’t even mention.

It is just a national disgrace that a country that prides itself on its tech capabilities doesn’t even think it can design and implement a robust, secure, on-line app, using international precedents, and that politicians don’t even want to try to do so.

The 2016 trial did not proceed partly because not all councils wanted to share the costs, but mainly because GCSB said it was too risky. My OIA request to them did not provide any justification for the opinion and as far as we can see little if any work has been done since to update it credibly by assessing using possible real world practical options like the Swiss Post system.

Their comments to your group were unsubstantiated, simply that on-line voting **“would expose our local body elections to greater risk from malicious cyber actors with a range of motivations.”**, whatever that means, as if that had not been a concern for other countries already, like Switzerland. No indication was given whether it was an authoritative, well researched and validated view, or rather just the generally risk averse “don’t blame us if anything goes wrong” opinion it appears to be. You apparently have the scary view that we are living in a scammer’s paradise, when most people who would use the option of on-line voting in an app are already very comfortable using on-line banking, and trading and investment apps now.

Bold reforms?

So, far from addressing “these challenges with bold, substantive reforms”, your position paper can’t see past some “tinkering”:



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- civics education (yes we all need that);
- voting administration (making it more efficient is always a good aim); and
- longer electoral terms (without associated increased democratic accountability a seriously bad idea – the Code of Conduct changes have no real impact and CG is proposing them already in its Local Government Systems Improvement Bill.) [Anyone with any experience of Code of Conduct concerns will appreciate that Council members act to defend themselves, other members and staff (whom they depend on) from any outside criticism, and that conduct short of illegal behaviour is generally well tolerated by those who fear criticism of others will increase their own risk of being similarly held to account.]

Thanks to the LGNZ platform your work is getting some coverage – though 67 responses is not overwhelming – so we would have expected you to support or at least canvass public views on some changes on behalf of voters that the public might actually want and really care about. In a receptive climate and more dynamic environment you could do more than just add to a long list of “reform” proposals which have been tossed around politically for over a century and shelved or used as arguments to suit particular political interests.

Term extension

As for extending the term of members without any corresponding increase in accountability to the public who elect them: if elected members adopt policies and make decisions completely different from what they promised at campaign time, to the disgust of voters who elected them, no Code of Conduct prevents that.

Voters must currently wait to the next election to vote them out. If you extend the term, then by that time voters may have moved, died, changed their views or just got tired of being shown they were silly to vote for that person. Popular democracy is necessarily dynamic. If you can't increase member accountability by allowing recall elections when they are needed, and use referenda (which get no mention by you but are an essential check on whether significant CG or LG policies being proposed have popular support), there is **NO case** for an extension of term.

Clearly CG and LG elections should have the same term cycle (overlaps would be messy and confusing). If you think local issues are different from central government policy and decision matters (when central government effectively controls local government anyway) interspersing timings is obvious, but if there was to be a consideration of integrating central and local elections to get better alignment and less conflict (a stream of thinking that seems to have by-passed NZ academic, or political thought, though other countries have reviewed it), having them at the same time might be a good first step towards structural electoral changes that will promote central/provincial/local unity!



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Combining CG and LG elections is not going to reduce interest – it will likely increase it by making the decision more significant. CG elections only require two choices (candidate and party) and LG elections mostly require no more than three choices³ (local member, councillor and mayor) so its not beyond the skill and intellectual capacity of voters to make these at the same time? Is it?

Conclusion

Instead of wasting time and money on non-substantial Local Government representation and electoral issues, if LGNZ is really serious about the future of local government in New Zealand⁴, you should promote and sponsor some genuinely independent research into the fundamental structural reasons, and the conflicts, systems and processes, which are turning off ratepayers and citizen voters at local elections.

At the same time, find something positive to throw the weight of local government behind (on-line voting would be a start) which shows our next generation of voters that you are thinking beyond self-interest and politics.

Kind Regards

William Foster, Chair
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³ Some also have licensing trust elections.

⁴ The experience with its “Localism” project which went nowhere casts considerable doubt on this.