

Submission to the Independent Electoral Review on the:

Independent Electoral Review Consultation Document

Submitted by the New Zealand Council of Trade Unions Te Kauae Kaimahi
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This submission is made on behalf of the 31 unions affiliated to the New Zealand Council of Trade Unions Te Kauae Kaimahi (CTU). Representing over 340,000 union members, the CTU is one of the largest democratic organisations in New Zealand.

The CTU acknowledges Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and formally acknowledges this through Te Rūnanga o Ngā Kaimahi Māori o Aotearoa (Te Rūnanga), the Māori arm of Te Kauae Kaimahi (CTU), which represents approximately 60,000 Māori workers.

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1. Summary of recommendations

The NZCTU recommends that:

- 1.1. The Independent Electoral Review engages with the union movement in developing its draft and final reports. We recommend that this engagement goes beyond receiving formal submissions, and that the Independent Electoral Review meets with interested unions and union networks to discuss electoral reform issues.
- 1.2. We recommend that priority areas for the review are addressing political financing regulations to create a level playing field; improving voter accessibility; and identifying how to better engage non-voters.

2. Introduction

- 2.1. The NZCTU welcomes He Arotake Pōtitanga Motuhake – the Independent Electoral Review. The review provides an opportunity to make improvements to the electoral system and help safeguard democracy in New Zealand.
- 2.2. The CTU has an active interest in electoral reform and is committed to protecting and deepening democratic values and institutions in New Zealand. The CTU supports an electoral system that is open, fair, and encourages and enables all New Zealanders to fully participate. The CTU also acknowledges Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and that the electoral system must uphold Te Tiriti.
- 2.3. In this submission, we make a general recommendation on the engagement process for the review, and briefly comment on several issues that we view as priority areas for electoral reform. We are interested in further engaging with the Independent Electoral Review Panel as it develops its findings and recommendations and intend to develop a more detailed submission on the draft report and recommendations when they are released in 2023.

3. Engagement

- 3.1. As one of the largest democratic organisations in the country, the CTU and the CTU's affiliate unions and networks are a critical source of insight and expertise on the voting system, voter accessibility, political financing, and other pertinent issues raised in the consultation document.
- 3.2. We therefore recommend that engagement on the review goes beyond receiving formal submissions. Although the submission process is an important means of collecting feedback and input, resource constraints mean that detailed submissions cannot always be developed on important pieces of work such as this review. We recommend that the Independent Electoral Review Panel meets to discuss electoral reform issues within the scope of its inquiry with interested unions and union networks. This is a necessary complement to the formal submission process.

4. Priority areas

- 4.1. There are three priority areas for electoral reform that we are particularly interested in engaging on: (1) political financing, (2) voter accessibility, and (3) voter engagement.
- 4.2. Political financing.
 - 4.2.1. Most developed countries place limits on how much an individual can donate annually, but New Zealand currently has no limit. New Zealand also has a relatively high threshold for anonymous donations (currently \$15,000 although in the process of being lowered), making it difficult for the public to track and evaluate if donors are receiving political favours or advantages in return for their donations.
 - 4.2.2. New Zealand's under-regulated political financing system means that some New Zealanders may be able to use their wealth to exercise a disproportionate degree of political influence – over both the parties that end up in government and the policies they pursue. This issue is particularly important in the context of (a) the well-documented widening of income and wealth inequality in Aotearoa New Zealand

over the past three decades, and (b) the steady decline of party membership, which has made New Zealand political parties more reliant on donations for funding.

4.2.3. To ensure New Zealand has an electoral system that meets the eight objectives that guide the review, it is important that we have robust regulations that prevent economic wealth being leveraged into disproportionate influence over elections and policy. A system that enables wealthier actors to buy political influence undermines the fairness and legitimacy of elections and government. It also undermines trust in the political system, and therefore long-term political stability.

4.2.4. The CTU therefore supports stricter caps on, and stronger regulation of, donations and loans to political parties and candidates. The CTU also supports stricter caps on, and stronger regulation of, spending on electoral advertising.

4.2.5. We would like to see clear recommendations set out in the draft and final reports as to how political financing regulations can be reformed to ensure that every New Zealander has *equal influence* in the political system, and we are particularly interested in engaging with the Independent Electoral Review Panel on what such a system would look like. We understand that Prof. Lisa Marriott and Max Rashbrooke will be submitting a substantial report on political financing in Aotearoa New Zealand, and we are interested in engaging with the recommendations laid out in that report.

4.3. Improving voting accessibility.

4.3.1. Ensuring that all workers can vote requires accounting for the diverse and non-traditional work patterns that have become increasingly common in Aotearoa New Zealand, as elsewhere. Most obviously, election day voting is not necessarily practical or possible for people who work on Saturdays. The ability to cast an advance vote can mitigate this issue; however, it is important to ensure that advance voting booths are made maximally accessible in terms of both location

and opening hours, so as to accommodate non-traditional work patterns.

4.3.2. There are also specific accessibility challenges for disabled people. There can be barriers getting to voting places, as well as using voting places. Registering to vote can be a hindrance if the method to enrol is inaccessible. The voting form itself, if the language used is confusing, or is not available in other formats such as Braille or Easy Read, can also present accessibility challenges for disabled voters. Kaimahi Whaikaha, the CTU's network for deaf and disabled workers, would be well placed to contribute to this conversation.

4.3.3. We are particularly interested in engaging with the Panel on how voter accessibility can be improved for workers, disabled people, and other groups in Aotearoa New Zealand for whom accessibility is a particular challenge.

4.4. Engaging non-voter groups.

4.4.1. Voter turnout in the 2020 general election was 82.2% of enrolled electors and 77.4% of the estimated eligible population. This level of engagement compares favourably to many other developed democracies, and the past three elections have seen voter turnout steadily increase from the historic low point reached in 2011.

4.4.2. However, with close to a quarter of eligible electors declining to vote in 2020, it is clear that more work is needed in this area. Improving voter accessibility, electoral education, communication, and outreach, and ensuring that this is appropriately targeted at groups that have historically been less likely to vote, should be a priority.

4.4.3. As is well-established in Electoral Commission data, although non-voters are socio-demographically diverse, non-voting is concentrated among Māori, Pacific Peoples, and the young. To develop effective recommendations on how to encourage and enable electoral participation, it is essential that the review process actively engages with these groups and that the final report and recommendations

reflects the expertise and lived experience of these groups. The CTU Runanga, Komiti Pasefika, and Stand Up (young workers) representative structures could provide the panel with insights on reaching these groups.

5. Conclusion

- 5.1. The Independent Electoral Review is timely, providing an opportunity to assess if New Zealand's electoral settings are appropriate and robust and how democracy can be deepened and protected in Aotearoa New Zealand. In our view, it is essential that this review is developed through meaningful engagement with unions and workers. We recommend that this engagement extends beyond the formal submission process.
- 5.2. The CTU thanks the Independent Electoral Review for the opportunity to make a submission on this important work. We look forward to further engaging with this review over the coming year.