

Māori Electoral Option

Taituarā submission on Ministry of Justice consultation

12 August 2021



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Local government There has recently been a law change regarding the creation of Māori wards at the local government level. The change removed the ability for communities to initiate a poll to overturn a council's decision on establishing Māori wards. Since this legislative change many councils have established Māori wards, and there will be 35 councils that will have Māori wards at the 2022 local elections. This is a 1,066% increase from the three councils that had Māori wards before the law change.

Councils will want to engage with Māori electors to achieve a good voter turnout for the 2022 local elections. These voters will need to be on the Māori roll and have a choice of candidates for whom they can vote.

The democratic process needs to be fair to electors in order to allow them to participate in elections in a way that is meaningful to them. It also needs to work for both central and local government elections. Currently the electoral option to change rolls arises once every five years because the number of Māori electorates is determined by population and linked to census years.

Having accurate population statistics is important for the establishment of ward boundaries. However, this is a separate consideration to giving people a choice about which roll they want to be on. Electors could be allowed to change rolls more often than once every five years without those changes affecting ward boundaries.

The five-yearly option does not align with the three-year electoral cycle. We note that general and local elections have the same cycle and the option should, at a minimum align with this and be three yearly. Alternatively, people could be given the option to change rolls at more frequent intervals or be given flexibility to change at any time. There is variance across the sector and the feedback we have had is:

- (a) The three year option is pragmatic, however, being enrolled appropriately is the goal.
- (b) The option runs for four months and annual is probably the minimum. There might need to be a cut-off date for a period in the year before local government elections when Māori wards are being determined.
- (c) An annual option would be better than allowing people to change at any time. An annual option would avoid pre-loading to influence any decision around Māori wards or representation reviews.
- (d) Placing a time restriction on changing rolls takes away the opportunity for Māori to vote for their people, people should be able to change rolls whenever they want.
- (e) The general roll option is continuous in reality and so should the Māori roll. The Electoral Commission needs to find a solution to allow this.

The timing of when electors are able to change rolls could potentially affect council decisions on whether to have Māori wards. Councils' decisions to establish and disestablish Māori

wards could be influenced by the numbers of electors on the Māori roll. Unlike central government, local government needs an ongoing community mandate to keep Māori wards after they have been created and roll numbers might be part of a council's considerations.

In summary, we recommend that the five-yearly option be changed to a minimum of a three-yearly option, or annual, or continuous, to provide Māori electors greater democratic choice.

We are concerned that the process for this consultation did not include a consultation discussion document, or any analysis of the problem or possible options. The timeframe we have had for providing a submission has only been eight days which was insufficient and we have been granted an extra week's extension to give us time to consult with Māori in our sector. Māori especially need to be able to submit on this consultation and be given adequate opportunity to do so as it primarily affects them. We ask that there be a more comprehensive consultation on this matter as well as an opportunity to submit on this in more detail.



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