

Submission on the Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill

October 2023

About the PSA

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 90,000 members. We are a democratic and bicultural organisation representing people working in the Public Service including for departments, crown agents and other crown entities, and state owned enterprises; local government; tertiary education institutions; and non-governmental organisations working in the health, social services and community sectors. Te Rūnanga o Ngā Toa Āwhina is the Māori arm of the PSA membership.

The PSA is affiliated to Te Kauae Kaimahi the New Zealand Council of Trade Unions, Public Services International and UniGlobal.

Why this legislation matters to our members

As a democratic trade union, democracy is one of our core values. As the union for people working in public and community services, good governance of our society – from the national to the local level – is of significant importance to us.

We represent over 10,000 workers in local government. Good local governance and strong local democracy makes a difference to the work these workers are able to do and the services they are able to provide for communities across Aotearoa.

Comments on the legislation

The PSA supports people aged 16 and over having the right to vote in local government and Parliamentary elections, and we support the proposed Bill as a starting point towards achieving this.

We acknowledge there are a range of views on the topic about whether 18 or 16 would be the more appropriate age for a person to be able to vote, including within our membership. However, we note the Supreme Court's declaration of inconsistency with the Bill of Rights Act 1990 – that rights such as the right to vote may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, and that such justification has so far not been provided in the case of limiting the rights of 16- and 17- year-olds to vote.

We support the principle that human rights should only be limited or withheld if strong reasons exist to justify it. Therefore when considering the question of voting age we believe the issue before us is not which age we prefer, but rather, whether compelling enough reasons exist to withhold the right

to vote from 16- and 17- year olds. We do not believe that any such reasons have been demonstrated by the Crown or by opponents in the public debate on the lowering of the voting age.

Furthermore, we see significant benefits for young people in being able to vote. Lowering the voting age is a practical, evidence-based change we can support that both makes democratic engagement available to more people, and has the potential for long-lasting improvements to democratic participation across our society. Enabling younger people to vote also contributes to greater inter-generational equity in a democratic system which, to be frank, is currently failing future generations through lack of action on critical issues like climate change.

Civics education

Civics education is a topic that emerged frequently when engaging with the PSA's own democratic representative structures about our position on the voting age, and when engaging with our members more widely on the Independent Electoral Review and the Review into the Future For Local Government. Our members strongly believe in the value of high-quality civics education – not only in for young people within the formal schooling system, but in all phases of life.

Voting age for Parliamentary elections

The PSA supports lowering the voting age for both local government and Parliamentary elections. We note that Cabinet's original decision was to introduce legislation that would cover both local government and Parliamentary elections, but that the scope of the legislation was later narrowed to only local government "given changing circumstances (including the need to respond to a national emergency)".¹ Although we see the proposed legislation as a positive step, it should also be followed by legislation to lower the voting age for Parliamentary elections as soon as is practically feasible.

Compulsory registration of youth electors

We note that new section 19ZL would provide for the compulsory registration of youth electors, and establishes an offence accompanied by a fine for 16- and 17-year-olds who fail to register as electors. We think it may be worthwhile for the committee to consider whether the issuing of fines for 16- and 17-year-olds is actually a desirable outcome, and if not, what changes could be made.

We note that prosecutions for failing to register on the electoral roll are very rare within the wider population, so perhaps this is an opportunity for the Government to consider removing them altogether. Alternatively, the committee could consider the possibility of restricting fines to those over 18.

Conclusion

We appreciate the opportunity to submit in support of this legislation, as it is a positive step towards giving the next generation of our society a greater ability to engage in democracy. We look forward to seeing this legislation passed, and we look forward to seeing further legislation introduced to extend voting rights for Parliamentary elections as well.

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¹ [Supplementary Regulatory Impact Statement: Electoral \(Lowering the Voting Age for Local Elections and Polls\) Legislation Bill](#), page 2