

15 March 2023

Justice Committee
C/- Justice Committee Secretariat
Parliament Buildings
Private Bag 18041
Wellington 6160

Tēnā koutou,

Declaration of inconsistency: Voting age in the Electoral Act 1993 and the Local Electoral Act 2001

1. I am writing on behalf of the Trust Democracy committee, which is elected to represent the members of Trust Democracy (TD).
2. TD was established as a non-profit incorporated society in 2019 to strengthen public discourse, education and research about democracy in Aotearoa New Zealand.
3. This submission has been informed by a Zoom meeting that was held on 1 December 2022 between TD members and 3 members of Make It 16. The meeting included presentations from Make It 16, small group discussions and plenary discussions.¹
4. We would like to speak to the Committee about this submission.
5. Electoral representative democracies around the world are in trouble. Particularly in the more established democracies, citizens are losing trust and confidence in both their elected representatives and democratic institutions. Voter turnout is declining and there is a sense that ‘the system’ has not kept up with the times, that it is unable to address long-term ‘generational’ issues such as climate change, and that it has run out of energy and vitality.²
6. One of the main ways that electoral representative democracies have overcome similar issues in the past is by extending the vote to more citizens – e.g., non-landowners, women, younger cohorts, etc.³
7. TD believes that the voting age in both general and local elections should be lowered to 16 years. This would:
 - a. End the unjustified age discrimination currently set out in the Electoral Act 1993 and the Local Electoral Act 2001;
 - b. Provide better representation of 16- and 17-year-olds in Parliament;
 - c. Improve the ability of 16- and 17-year-olds to shape the political agenda and visions for the future;

¹ For a recording, see <https://trustdemocracy.nz/2022/12/makeit16-video/>

² See, for example, <https://www.bennettinstitute.cam.ac.uk/research/research-projects/democracy/>

³ See, for example, David Runciman (2018), *How democracy ends*, Profile Books, London

- d. Likely improve voter turnout amongst young people, especially if reducing the voting age is accompanied with a supportive school-based civics education programme.
8. TD notes that Government's Review into the Future of Local Government has come to the same conclusion for local government in New Zealand, that is, that the voting age for local elections be lowered to 16.⁴
9. While TD supports lowering the voting age for general elections and local elections, it also supports a staged approach in which the voting age is lowered for local elections first.
10. TD recommends that:
 - a. The Electoral Act 1993 and the Local Electoral Act 2001 be amended by Parliament so that 16- and 17-year-olds can vote at the next general election and next local elections;
 - b. The amendments should be made by separate votes of Parliament: one vote to amend the Electoral Act and another to amend the Local Electoral Act; and
 - c. Civics education to support young people make informed voting choices be developed and implemented in time for the first elections that allow 16- and 17-year-olds to vote.
11. TD does not support the use of referenda to make changes to the voting age (or, more generally, of the electoral law). Referenda have well-known problems when dealing with complex issues, minority rights, etc. If referenda are to be used, deliberative mini-public processes should be used to help inform citizens about the pros and cons of proposals. An institutionalised model of how this could be done is the Oregon Citizens' Initiative Review.⁵

Ngā mihi, nā



Simon Wright
Chair

⁴ <https://www.futureforlocalgovernment.govt.nz/assets/Reports/Draft-report-final.pdf>

⁵ Warren, Mark E., and John Gastil. "Can deliberative minipublics address the cognitive challenges of democratic citizenship?." *The Journal of Politics* 77, no. 2 (2015): 562-574.