



Taituarā
Local Government Professionals Aotearoa

Submission of Taituarā – Local Government Professionals Aotearoa Electoral (Lowering the Voting Age of Local Elections and Polls) Legislation Bil

What is Taituarā?

Taituarā — Local Government Professionals Aotearoa (Taituarā) thanks the Justice Committee for the opportunity to submit in regards to the Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill (the Bill).

Taituarā is an incorporated society of approximately 1000 members drawn from local government Chief Executives, senior managers, and council staff with significant policy or operational responsibilities. Our contribution lies in our wealth of knowledge of the local government sector and of the technical, practical, and managerial implications of legislation.

Our vision is:

Professional local government management, leading staff and enabling communities to shape their future.

Our role is to help local authorities perform their roles and responsibilities effectively and efficiently. One of the most important of these is the operation of a fair, transparent, and efficient electoral system

The case for a voting age of 18 appears based on custom and practice rather than an evidence-based rationale.

The arguments advanced against lowering the voting age are that those younger than 18 have not sufficiently developed the judgement necessary to exercise an informed vote, and that there is a greater risk that a third party (such as a parent) might exercise undue influence. Neither argument stands informed scrutiny.

Evidence adduced by Make it 16 in their recent litigation showed that.

*" ... when situations call for deliberation in the absence of high levels of emotion (cold cognition), such as voting, granting consent for research participation, and making autonomous medical decisions, the ability of an individual to reason and consider alternative courses of action reaches adult levels during the mid-teen years. When situations that involve emotionally charged situations where time for deliberation and self-restraint is unlikely or difficult (hot cognition), such as driving, consuming alcohol, and criminal behaviour, impulse choices are more likely and mental processes are slower to develop, reaching adult levels into adulthood."*¹

These findings suggest that the law governing the legal capacity of those under 21 is riddled with inconsistencies. A person may drive at the age of 16, have sex at 16, and consume alcohol at 18. Hot cognition is often involved in each of these decisions. Each comes with some degree of risk to oneself and to others e.g. a bad judgement when driving might result in an accident. Yet in only one case does the age limit align with the current voting age – the 'drinking' age.

Undue influence may be a concern at the margins. Today's younger generations are amongst the more active in bringing their concerns to the attention of decision-makers (for example, the so-called 'climate strikes') and in organising to do so. It seems to us more likely that teenage voters will be more influenced by each other than a parent, teacher etc.

In short, the basis for selecting 18 as the voting age is based more on custom and practice than on any evidence-based rationale. As a managerial organisation, it is not for us to recommend a particular age.

It is incumbent on Parliament to ensure that the voting age coheres with the assumption of other rights. We note that the drinking age and the age of legal consent both sit within the ambit of this Committee.

Two voting ages is a recipe for voter confusion.

In our submission to the last inquiry into local elections we submitted that differing voting ages would necessitate two electoral rolls. The Bill does this by establishing a second roll for 16/17 (the youth roll). In the medium-term such a move is likely to create voter confusion – which is most likely to manifest at the first Parliamentary election after such a change is made. Considerable voter education would be needed on this aspect alone. While it is not our place to recommend a voting age –

¹ Grace Icenogle and others "Adolescents' Cognitive Capacity Reaches Adult Levels Prior To Their Psychosocial Maturity: Evidence for a 'Maturity Gap' in a Multinational, Cross-Sectional Sample" (2019) 43 Law & Hum Behaviour.

we do submit that whatever it is, there should be consistency across the full spectrum of elections.

A lowering of the voting age would necessitate a 'reset' on the manner in which New Zealand delivers civics education.

Research strongly suggests that voting is habit-forming. In a 2013 meta-analysis of electoral turnout research, Smets and van Hamm found that in twelve studies considering the impact of past electoral turnout, all twelve found a positive correlation.²

Likewise, a 2014 study by Fujiwara, Meng and Vogl found that a one percent decline in past voter turnout lowers turnout by between 0.7 and 0.9 percent in future elections (though we qualify this by noting this was a study focussing on US federal elections).³

Simply put, the policy implications of this research are that if a new elector doesn't vote at the first opportunity, they are less likely to vote in future. New Zealand needs to make sure it "gets (new voters) the first time".

Taituarā, and the sector generally, have argued for a prolonged, consistent, and substantial investment in civics education. An extension of the franchise to younger voters makes such an investment all the more critical both to expand awareness that the opportunity to vote is open, and why it's important

While there is no specific subject called 'civics' in the curriculum, the Ministry of Education advises that civics is woven into the social sciences, health and physical education, technology, and arts curricula. But very little is taught about local government, and what there is in the curriculum is optional.

The Ministry of Education has produced a recent (2020) and very useful teaching and learning guide.⁴ The guide restates the core values and objectives of civics education (though it appears with more of a social studies lens). The guide then provides a series of exemplars of resources or programmes deemed effective at different levels of the curriculum. This includes at least one example of a mock debate on a local issue with/through a local authority. That's a start – but there is little evidence it has or is being taken up.

² Smets and van Hamm (2013), *An Embarrassment of Riches: A Meta-Analysis of Individual Level Research on Voter Turnout*. Electoral Studies, volume 32, no 2 pp344-359. Last retrieved from <https://www.sciencedirect.com/science/article/abs/pii/S0261379412001527> on 2 October 2023.

³ Fujiwara, Meng and Vogl (2014). *Estimating Voting Habit Formation*, National Bureau of Economic Research Working Paper No 19721. Last retrieved from <https://www.nber.org/papers/w19721> on 2 October 2023.

⁴ Available at <https://sltk-resources.tki.org.nz/assets/Uploads/Teaching-and-Learning-Guide.pdf>

The Electoral Commission do undertake the so-called Kids Voting programme in advance of general elections. We understand that this has a relatively good take-up. This is also run by a smaller subset of local authorities – we understand 55 schools in 2022 (mostly in Auckland).⁵

But of course civics is much more than 'just' voting. We are aware that the Scandinavian countries make experiential learning a key component of their programmes e.g. site visits, mock debates and the like. The American Centre for Civic Education runs a programme called 'We, The People' where high-school age children debate issues of relevance and discuss constitution related issues.

Lowering the voting age in the manner proposed by this Bill (i.e. local government first and only) without investment in civics, especially that specific to local government may actually have the counter effect to that sought in the Bill.

The sector accepts it has a responsibility too. LGNZ historically devoted time and energy to producing resources to enable incorporation of a local government component into civics education. Other local authorities, most notably Auckland, have developed resources for use in their own areas. However take-up of these opportunities will remain spotty while local government/governance is not a mandatory part of the civic-related aspects of the curriculum.

If New Zealand is to make useful investments in civics education it should begin with foundational research on civic awareness and knowledge, both in school students and in the wider community.

Recommendations: Civics education

That the Justice Committee

- 1. agree that New Zealand undertake foundational research in the state of civic awareness and knowledge both in school-level students and in adults.**
- 2. agree that the Government conduct an inquiry into the role of civics education in the curriculum and effective teaching and learning of civic education.**

⁵ This is slightly less than 10 percent of the total number of secondary and composite schools in New Zealand during 2022.