

Mayor and Councillors
COUNCIL

11 NOVEMBER 2010

Meeting Status: Public

Purpose of Report: For Decision

ŌTAKI COMMUNITY BOARD BY-ELECTION - ORDER OF CANDIDATE NAMES ON THE VOTING DOCUMENTS

PURPOSE OF REPORT

- 1 The purpose of this report is to seek a decision from Council on the order in which the candidates' names are to be shown on the voting documents used at the Ōtaki Community Board By-Election.

SIGNIFICANCE OF DECISION

- 2 The Significance Policy is not triggered by this report.

BACKGROUND

- 3 The Ōtaki Community Board By-Election is required because there were not sufficient members elected to the Ōtaki Community Board on 9 October 2010. Only three Members were elected to the Ōtaki Community Board after Penny Gaylor was elected to the Council so that has created a vacancy on the Ōtaki Community Board. Also André Baker, who was elected to the Ōtaki Community Board, has since resigned. The date of the Ōtaki Community Board By-Election is 11 February 2011 which is the earliest date, given the advertising requirements and the Christmas period.
- 4 Prior to the enactment of the Local Electoral Regulations 2001 candidates' names were required to be listed on the voting documents in alphabetic order, by surname.
- 5 Whilst not mandatory, Clause 31(1) of the Local Electoral Regulations 2001 allows the Council to decide whether the candidates' names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order. The Council decided to arrange the candidates' names in alphabetical order of surname on the voting documents for the 2004, 2007 and 2010 elections.
- 6 In the absence of any Council resolution approving another arrangement, the candidates' names must be arranged in alphabetical order of surname.

CONSIDERATIONS

7 Issues

The features of each arrangement are described as follows:

Option 1 – Alphabetical order of surname

This is the order which has been required to be used at previous local authority elections and is self explanatory.

Option 2 – Pseudo-random order**

Under this option, the candidates' names for each election are drawn randomly to determine the order of candidates' names on all voting documents for the current election, with the candidates' names being placed on all voting documents for that election in the order in which they are drawn.

(**Note: Although the term "pseudo random order" is used in the Local Electoral Regulations to describe this arrangement, this is a somewhat imperfect description, in that the term "pseudo-random" is understood by mathematicians and/or information technology specialists to have a quite different meaning.)

Option 3 – Random Order

Under this option, the names of the candidates for each election are shown in a different order on each and every voting document, utilising software which permits the names of the candidates to be laser printed in a different order on each paper.

The Regulations provide that if a local authority has determined that pseudo-random order is to be used, the Electoral Officer must state, in the public notice required to be given, the date, time and place at which the order of the candidates' names will be drawn. Any person is then entitled to attend while the draw is in progress.

Comparative Cost of Each Option

The cost of printing the voting documents employing either Option 1 or Option 2 will be identical. Should the Council adopt Option 3 (random order) there will be some increase in cost, because of the need to individually laser print each voting document rather than having them pre-printed. The additional cost of Option 3 Random Order would be approximately \$500.

Comments on Various Options

Alphabetical Order

This is the simplest method for the elector. It is the method they are familiar with and is the system used at the parliamentary elections. If there are a significant number of candidates to be ranked for a particular issue, an

alphabetical listing of candidates would be more user friendly for the voter, particularly under STV. Alphabetical order allows for electors to more quickly find the name of the candidates they wish to vote for.

There is a suggestion that candidates with a surname starting at the top end of the alphabet have an unfair advantage over others with a “lower” alphabetic ranking. However, there is no research that we are aware of which confirms this view.

Pseudo-Random Order

Could possibly be more difficult for the elector to locate the candidate they wish to vote for, particularly voting under STV and if there are a large number of candidates standing for election.

Although it would resolve the issue (if there is one) of those candidates with a surname starting with the letter “A” or “B” etc having an unfair advantage over those candidates whose surname starts with a middle or later letter of the alphabet, that (suggested) advantage would then be passed to the first few candidates whose names are drawn out of the hat.

Random Order

Same (possible) difficulty for the elector as described under “pseudo random” method.

Although it may not be particularly user friendly this method is possibly the fairest to all candidates. The random cycle should mean that where there are five candidates, each candidate should have their name at the top of the candidate list on average every fifth paper.

- 8 Whichever method is chosen from the order of candidates on the voting papers, any verbal or written announcement of the results on Election Day can be in the alphabetical order of the candidates’ names; justifiable, facts are accurate and references can be identified; ensure that the proposals put forward have been tested for workability are achievable.

Financial Considerations

- 9 There are no further financial considerations.

Legal Considerations

- 10 The order that the candidates names will appear on voting papers is required to be stated in the public notice of the election that will be published before 1 January 2011.

Delegation

- 11 The Council has not delegated this authority to any of its committees or subcommittees.

Consultation

- 12 Consultation is not required for a decision on this report.

Publicity Considerations

- 13 A media release will be prepared to convey to the Community the decisions on this report from this meeting.

CONCLUSION

- 14 Whilst not mandatory, electoral legislation allows the Council to decide whether the candidates' names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order.
- 15 In the absence of any Council resolution approving another arrangement, the candidates' names must be arranged in alphabetical order of surname.

RECOMMENDATIONS

- 16 That the date of the Ōtaki Community Board By-Election is set for 11 February 2011.
- 17 That the names of the candidates at the Ōtaki Community Board By-Election are to be arranged on the voting papers in (choose one of the following):
 - Alphabetical order of surname; or
 - Psuedo-random order; or
 - Random order

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