September 2022

To Governance and Administration Select Committee

Please find attached DPA’s submission on the Local Government Electoral Legislation Bill 2022

Disabled Persons Assembly NZ

Contact:

**Chris Ford**

**Regional Policy Advisor**

**027 696 0872**

[**chris.ford@dpa.org.nz**](mailto:chris.ford@dpa.org.nz)

Introducing Disabled Persons Assembly NZ

Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person’s organisation that works to realise an equitable society, where all disabled people of all impairment types and including women, Māori, Pasifika, young people are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* innovation and good practice

## United Nations Convention on the Rights of Persons with Disabilities

DPA was influential in creating the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), a foundational document for disabled people which New Zealand has signed and ratified, confirming that disabled people must have the same human rights as everyone else [[1]](#footnote-2). All state bodies in New Zealand, including local and regional government, have a responsibility to uphold the principles and articles of this convention. There are a number of UNCRPD articles pertinent to this submission, including:

### Article 9 – Accessibility

“States Parties shall take appropriate measures to ensure persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications.”

**Article 30 – Participation in political and public life**

“States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

1. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
   1. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
   2. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
   3. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;
2. Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
   1. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
   2. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.”

New Zealand Disability Strategy 2016-2026

Since ratifying the UNCRPD, the New Zealand Government has established a Disability Strategy to guide the work of government agencies on disability issues. The vision is that New Zealand be a non-disabling society, where disabled people have equal opportunity to achieve their goals and aspirations, and that all of New Zealand works together to make this happen [[2]](#footnote-3). It identifies eight outcome areas contributing to achieving this vision, including:

### Outcome 5 – Accessibility

“We access all places, services and information with ease and dignity.”

# The submission

DPA is providing this submission for the benefit of the Governance and Administration Select Committee in its consideration of the Local Government Electoral Legislation Bill 2022.

DPA is providing this brief submission in support of the Bill. However, we would like to see a further amendment to be made to the legislation around the provision enabling candidates to submit electronic nominations. While we welcome this as another means of making the electoral process more accessible to disabled people, we would like to see a further amendment made to the Bill to ensure that all electronic nomination forms are made available in accessible formats including Easy Read, NZ Sign Language, Word, Braille, Large Print and audio to enable blind and low vision people the ability to easily file nominations.

DPA notes that many PDF formatted files cannot be easily read by screen reading software used by blind and low vision people as well as people with other impairments..

DPA would like to make two further recommendations for inclusion in future local government electoral legislation.

The first is that the administration and oversight of all local government elections should be transferred to the Electoral Commission from being under the jurisdiction of local councils as they are at present.

DPA believes this is important given that the Electoral Commission has undertaken initiatives in partnership with the disability community to make participation in parliamentary elections more accessible for disabled people. Currently, an example of this is that telephone voting is available for parliamentary general elections but not local government elections. The inconsistency of having accessible voting provisions available for only one set of elections and not another is the main reason why future changes to local government electoral legislation and to the structure of local government (which are likely following the publication of the Local Government Review’s findings next year) should make the Electoral Commission fully responsible for the conduct of both sets of elections.

Undertaking this move would enable electoral practises, including those facilitating the accessibility of voting to disabled people, to become standardised thereby giving full effect to our UNCRPD obligations in this regard.

The second is that DPA supports the abolition of the Ratepayer Roll for local government elections as called for by Renters United. From a disability perspective, disabled people are more likely to rent than non-disabled people. Given that disabled people (alongside everyone else) have had the ability to vote in local government elections since the end of the ratepayer-only franchise in 1989, this presents an unfair advantage for landlords whose voice is given greater weight in local elections than it is in national elections.

The abolition of this provision would be one way in which the voices of ordinary tenants, including disabled people, could be better heard on housing issues at the local government level and, moreover, at a time when the lack of accessible and affordable housing are real issues for our community.

# DPA’s recommendations

The Disabled Person’s Assembly recommends:

* **Recommendation 1:** That a further amendment to be made to the legislation around the provision enabling candidates to submit electronic nominations, to ensure that all electronic nomination forms are made available in accessible formats to enable blind and low vision people to easily file nominations.
* **Recommendation 2:** That the administration and oversight of all local government elections should be transferred to the Electoral Commission from being under the jurisdiction of local councils as they are at present.
* **Recommendation 3:** Note that DPA supports the abolition of the Ratepayer Roll for local government elections as called for by Renters United.

1. United Nations Convention on the Rights of Persons with Disabilities, December 13, 2006. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html> [↑](#footnote-ref-2)
2. Office for Disability Issues. (2016). *New Zealand Disability Strategy 2016 – 2026*. Retrieved from https://www.odi.govt.nz/assets/New-Zealand-Disability-Strategy-files/pdf-nz-disability-strategy-2016.pdf [↑](#footnote-ref-3)