4. Candidate order on voting documents

The Local Electoral Regulations provide that local authorities may resolve that candidates' names be arranged in one of three ways on the voting document. The options are alphabetical order, pseudo-random order (one randomised order of candidates for all documents) or random order (all documents have a different candidate order). At the 2007 elections, the number of territorial authorities using each option was as follows:

- alphabetical: 56
- pseudo-random: 9
- random: 8

We received several submissions on the matter of local discretion on the choice of candidate order including proposals that the choice be removed and random order of candidates be prescribed. We also noted the recommendation of the Justice and Electoral Committee that further work be undertaken on the impact of candidate order on election outcomes, including overseas research, and that this work should include a further possible option of a 'rotational alphabetical' order.

We undertook some analysis and research, including a review of international research, on this issue.

Our analysis of results at the 2007 elections (from an incomplete set of data)[10] did show that the order of candidates on the voting document had an impact on election outcomes. Candidates whose names were early in the alphabet (and therefore early in the candidate profiles booklet) and early on alphabetically ordered voting documents were up to 4% more likely to be elected than those whose names were later in the alphabet.

Interestingly, this effect did not disappear, as might be expected, when candidates' names were listed in pseudo-random order or random order on the voting document. It is likely this is as a result of candidates' names still being listed alphabetically in the candidate profiles booklet.

To address fully the effect of being early in the alphabet and alphabetical ordering we believe it would be necessary to have the same order in the booklet as on the voting document. However, such a step is likely to hinder voters in finding their preferred candidates in the booklet and would be very expensive to implement as each booklet would have to be printed separately.

Our analysis also found there was a significant bias in favour of candidates in the left column of voting documents when there was more than one column of candidates. This needs to be considered in relation to the arguments for and against particular order options. Under the pseudo-random order option (i.e. one set random order), for example, the advantage for candidates being in the left column effectively replaces the advantage of having a name early in the alphabet, though at least it is not pre-determined.

In addition to the 'primacy' effect (i.e. positive effect of being early on the list of candidates) other research has identified a 'recency' effect (i.e. positive effect of being towards the end of the list in terms of voter recall of names). Yet other research has identified the downsides of random ordering of candidates includes the possibility of this leading to 'donkey' voting (i.e. just ticking or ranking candidates from the top of the list).

We concluded that any analysis on this issue is unlikely to be definitive. A range of factors needs to be taken into account including such matters as the number of candidates, their profile or degree of name recognition, the amount of candidate information available, any dual candidacies and the electoral system (i.e. is the voter voting for candidates up to the number of vacancies or ranking a greater number of candidates). For example, the degree of name recognition may either in part compensate for the alphabetical order of the candidate's name (i.e. name is later in the alphabet) or reinforce the apparent advantage (i.e. name is early in the alphabet).

Our review of international research also confirmed that a definitive solution to this issue is unlikely. This research is limited and is often specific to the environment in which it is conducted. Some researchers

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10   The analysis was of election results for candidates from territorial authority and district health board elections where the order of candidates was known, with the exclusion, for statistical reasons, of candidates whose names began with the letter x, y or z. The analysis comprised in excess of 4,000 candidates.

have concluded that there are significant effects on electoral outcomes from the order of candidates while others say that much of the research leading to such conclusions is methodologically flawed and fails to take into account other explanations.

There are two levels of questions to be addressed on this issue:

- Should local authorities have discretion to choose the order of candidates?
- Which ordering should be adopted if there is to be no local discretion?

On the first question, our limited analysis revealed no significant impact from candidate order on voter turnout or the incidence of blank and informal votes in that particular election. More analysis is required to test this finding. This testing needs to include analysis of the impact candidate order in one election has on the other election issues on combined voting documents.

We believe, in principle, that the order of candidates should at least be consistent for all elections on combined voting documents.

However, we acknowledge that given the non-alignment of local authority and district health board boundaries, as we noted when considering the impact of choice of electoral system, it is possible to achieve such consistency on a regional basis in only a few areas of the country.

Given this, the next best option could be seen as one uniform order of candidates for all voting documents throughout the country. However, at this time given the limited research available that could be applied to New Zealand local elections, we are not in a position to recommend one uniform candidate order.

More analysis is required before such a recommendation could be made including the further option suggested by the Justice and Electoral Committee of an 'alphabetic rotational' order. We noted that this option would be cheaper than random order and has the advantage of maintaining alphabetical order to assist voters finding their preferred candidates without the downside of the 'primacy' effect.

We recommend more analysis be carried out on a preferred order of candidates for voting documents including the option of alphabetical rotational order.

5. Vote processing and counting

Following the problems experienced in 2004 by one provider in the processing of STV voting documents, and as recommended by the Justice and Electoral Committee, considerable work was undertaken prior to the 2007 elections on end-to-end assurance of processing and counting systems. This work was aimed at ensuring both public and local authority confidence in these systems for future elections.

The work was led by the SOLGM electoral working party and resulted in good practice guidelines being provided for electoral officers in time for the 2007 elections. The good practice guidelines documented a generic end-to-end processing and counting system and recommended:

- detailed understanding of the particular end-to-end system to be used at the election and appropriate staff training
- adoption of appropriate risk management strategies
- independent testing of software to be used as 'fit for purpose'
- independent auditing of manual processes to be used at the election
- submission by the electoral officer of the independent auditor's software certificate and manual processes report to the local authority prior to the election.

While adoption of the guidelines could only be recommended to electoral officers, the main service providers and electoral officers at many local authorities voluntarily adopted them. This was at a significant cost in some cases.

The SOLGM electoral working party proposed that a requirement for end-to-end assurance for vote processing and counting systems be prescribed by way of regulation. While this can be a significant cost, we believe it is necessary to provide the desired public confidence that processing and counting systems have been appropriately tested and are fit for the purpose for which they are intended to be used.

We believe this will address any concerns about adoption of recommended good practice being left to the discretion of electoral officers. Given the diverse nature of local elections, we do not believe that,