



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Petitions Committee

Komiti Whiriwhiri Take Petihana

54th Parliament
August 2026

Petition of Joshua Riley on behalf of Sovereign.nz: Allow scrutineers to watch early ballot processing in local government elections

Presented to the House of Representatives
by Greg O'Connor, Chairperson

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Petition of Joshua Riley on behalf of Sovereign.nz

Recommendation

The Petitions Committee has considered the petition of Joshua Riley on behalf of Sovereign.nz—Allow scrutineers to watch early ballot processing in local government elections—and recommends that the House take note of its report.

Request regarding scrutineers in local government elections

This petition was signed by 224 people. It was presented to the House by Greg Fleming on 8 May 2025, and requests:

That the House of Representatives repeal Section 81(1) of the Local Electoral Act 2001, which prohibits scrutineers from overseeing early ballot processing in local elections, and adopt provisions similar to Section 174C(2) of the Electoral Act 1993, which allows such oversight in national elections.

Scrutineering at elections

Scrutineers are individuals appointed by candidates or political parties to observe the conduct of the electoral process. They play an important role in providing independent assurance to voters that elections are being conducted fairly. The rules for scrutineers differ between local and parliamentary elections.

Local elections

Local elections are conducted under the Local Electoral Act 2001. The Act allows for in-person or postal voting. In practice, councils have opted to conduct elections by postal voting for all local elections since 1995, and have contracted private companies to manage election services.

Following the arrival of ballots by post, some early ballot processing may be completed. This can include opening envelopes, extracting ballots, rejecting informal ballots, identifying valid ballots, and recording votes to prepare them for counting. Early ballot processing does not include the counting of votes.¹ The Act requires that a Justice of the Peace be appointed to observe early ballot processing.²

After the close of voting, further processing of ballots can take place, as well as the counting of votes. Scrutineers may be present for the processing and counting of ballots after the close of voting, but may not be present for early ballot processing.³

¹ Local Electoral Regulations 2001, regulations 48 and 56 (for elections using the first-past-the-post electoral system) and regulations 91 and 101 (for elections using the single-transferable-vote electoral system).

² Local Electoral Act 2001, section 82.

³ Local Electoral Act 2001, sections 68 and 81.

Parliamentary elections

General elections to elect members of the House of Representatives are managed by the Electoral Commission, and are conducted according to the Electoral Act 1993. These elections are conducted using in-person voting. Votes may be cast on election day or during the advance voting period ahead of that day.

Ordinary votes cast ahead of election day are counted from 9am on election day, whereas those cast on election day are counted from 7pm. Special votes are counted at a later date.

Scrutineers may be appointed to observe voting in polling places, both during advance voting and on election day. They may also observe the preliminary and official counts of the vote, the checking of special vote declarations, and the allocation of party list seats.⁴

Comments from the Department of Internal Affairs and Taituarā

The Local Electoral Act 2001 is administered by the Department of Internal Affairs. We invited the department to make a submission on Mr Riley's petition.

The department told us that the prohibition on scrutineers during early ballot processing has applied since early processing was introduced in 1998. The current rules aim to balance speed, integrity of the result, and independent scrutiny.

We heard that allowing more people to observe early ballot processing would increase the risk that information obtained by observers could be used to influence the result of an election. With local elections, early processing begins approximately three weeks before the close of voting, whereas in parliamentary elections, early processing takes place only on election day.

These comments were echoed by Taituarā, a network of over 1,000 local government staff. It also told us that allowing more people to be present during the early processing period would be impractical and increase the administrative burden on electoral service providers.

Comments from the petitioner

Joshua Riley started this petition on behalf of Sovereign, an unregistered political party that contested elections for the Far North District Council in 2022 and 2025.

Mr Riley contends that the rules regarding scrutineers in local elections create a two-tier system, with less public oversight in local elections than in parliamentary elections. He is concerned that the lack of scrutineers during early ballot processing reduces public confidence in the results of local elections.

Mr Riley suggested that allowing scrutineers would entail no additional cost to running elections, as scrutineers are funded by candidates. He also thought it would have a negligible effect on the timeliness of early ballot processing.

According to the petitioner, the appointment of a Justice of the Peace is merely a formality. Their role is not to defend the interests of candidates by scrutinising the processing of

⁴ Electoral Commission, Scrutineer Handbook for General Election 2026.

ballots; rather, it is to certify that regulatory requirements are followed. As Justices of the Peace may be paid for their services by the electoral officer, Mr Riley argues that they cannot be considered truly independent.

Further, Mr Riley challenged the department's view that allowing scrutineers to be present during early processing would increase the risk of voting information being used to influence the result. He argues that this risk is managed effectively during parliamentary elections, and that the mechanisms used for those elections could be applied to local elections. This could include the imposition of penalties for any breach of election secrecy. He also highlighted that no counting takes place during the early processing period, so the amount of information scrutineers could observe is limited.

Our response to the petition

We thank Mr Riley for bringing this petition to Parliament. We recognise his concern about transparency in local elections, and we appreciate his detailed submissions on this issue. We recognise the importance of scrutineers.

Early ballot processing does not include counting votes, but it can include important steps such as rejecting informal votes and recording votes to prepare them for counting. While the appointment of a Justice of the Peace provides some level of independent scrutiny during early processing, some of us agree with Mr Riley that this is not sufficient.

We note, however, that the timing of the local election process differs from parliamentary elections. As early ballot processing begins approximately three weeks before polling day, there is plenty of time in which a scrutineer could pass information to a candidate to aid them in their campaign. We think this creates too much risk of voting information being used to influence the results of elections. Ultimately, we agree with the Department of Internal Affairs that there is no urgent issue of electoral integrity that must be addressed, and the current settings provide sufficient transparency and opportunities for scrutiny.

Appendix

Committee procedure

The petition was signed by 224 people on the Parliament website. It was presented to the House by Greg Fleming on 8 May 2025 and referred to us that day. We met between 5 June 2025 and 20 August 2026 to consider it. We received written submissions from the petitioner, the Department of Internal Affairs, and Taituarā. We heard oral evidence from the petitioner and the Department of Internal Affairs.

Committee members

Greg O'Connor (Chairperson)
Hon Andrew Bayly (from 1 July 2026)
Kahurangi Carter (until 11 February 2026)
Greg Fleming
Paulo Garcia (until 1 July 2026)
Celia Wade-Brown (from 11 February 2026)

Dr Hamish Campbell participated in some of our work on this petition.

Related resources

The documents we received as evidence in relation to this petition are available on the [Parliament website](#).

Recordings of our hearings can be accessed on the Parliament website at the following links:

- [Hearing with the petitioner on 11 September 2025](#)
- [Hearing with the Department of Internal Affairs on 9 October 2025](#).