

13 November 2023

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2023/80

On Saturday, 14 October 2023 you made a request under the Official Information Act 1982 (the OIA) for the following information:

Please forward me a full copy of your investigation, including notes of our conversation and all emails to your head office regarding this matter

I request a copy of the policy, practice and procedures relating to special voting

There were no notes taken down between your phone conversation and the Ōtaki Electorate Manager, Mike Freeman.

His recollection of his conversations with you and his investigations with his Mobile Manager and the assigned Justice of the Peace (JP) are as follows:

The Electorate Manager received a phone call from you on Thursday 12 October 2023. He was informed that your mother had been visited in the Enliven Rest Home by a voting team, and that she had been pressured to vote and did not know who she had voted for. You mentioned that she suffers from dementia and would have needed specific assistance and needed to arrange for a takeaway vote. You were unhappy to find out that she had already voted. You also noted that there was a man alone with your mother in the room.

You requested for the procedures undertaken and were informed by the Electorate Manager that he would need to speak to his staff and get back to you.

Following your phone conversation the Electorate Manager took the following steps:

- Individually contacted the Mobile Manager and JP by phone. Neither could be certain of visiting [REDACTED] mother, but had visited numerous people in their rooms, some in beds and others in chairs.
- Confirmed with both the Mobile Manager and JP that the following due process was followed:
 - At no time was any one person alone with a voter,
 - Electoral Commission Staff members asked patients if they wanted to vote in the General Election in the presence of the JP,

- The JP always confirmed that they were satisfied that the patient was able to indicate that they wanted to vote,
- The JP assisted with the physical aspects of casting a vote if required, with another voting staff member retiring to a distance by the door to afford the voter privacy, but nearby to ensure that more than one person was present.

The above was relayed back to you in a second phone call on the same day. You were unsatisfied with the process, and with the rest home and requested for contact details of the appropriate person at National Office to speak to.

The Electorate Manager phoned Kristina Temel, Manager Legal and Policy at National Office about your request and he was advised that the request would be accepted and assigned to her team. You provided your email address to the Electorate Manager and requested the name and phone number of an appropriate person at National Office. Kristina Temel was provided with your contact number.

Subsequently Benjamin Baker, Senior Policy Advisor called and spoke to you on the afternoon of Thursday 12 October 2023. He reiterated that the Electorate Manager had followed the correct process, that under the law your mother was able to vote.

Please find attached *Chapter 12 – Voting Services Preparations* and *Chapter 28 – Special Votes* from the Commission’s Operations Manual.

More information about special voting can be found in [sections 61](#) and [172](#) of the Electoral Act 1993.

Copies of text messages between the Electorate Manager for Ōtaki, Mike Freeman, and yourself have also been attached.

In the interests of transparency, we release responses to Official Information Act requests every 3 months. We will publish this response with your personal details redacted.

You have the right under section 28(3) of the Act to make a complaint to the Ombudsman if you are not satisfied with the response to your request. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Yours sincerely



Martin Rodgers
Director, Voting Services