

29 January 2021

Adam Nuttall
anuttallnz@gmail.com

Dear Mr Nuttall

OFFICIAL INFORMATION ACT REQUEST 2020/62

On 16 December 2020 you made a request under the Official Information Act 1982 (the Act). Specifically, you have asked:

- 1) In a situation where someone casts a ballot but they have already voted, how is this detected? Please describe all steps in the process.*
 - 1a) How many times was this detected?*
 - 1b) In this instance does either vote count?*
 - 1c) Is the voter informed of this double vote if it occurred at another polling station?*
- 2) What criteria needed to be met to issue an easy vote card?*
 - 2a) How many easy vote cards were mailed out?*
 - 2b) How many easy vote cards were used to vote?*
 - 3) How many easy vote cards were sent to dead people?*
 - 3a) How was this detected?*
 - 3b) What actions were taken to detect more easy vote cards that were issued to dead people?*
- 4) Please describe the role that CATALYST. NET LIMITED play in managing the electoral roll?*
- 5) Is all digital electoral information kept on Catalyst cloud servers in New Zealand?*

Answers to your questions are set out below. We have interpreted your request as relating to the 2020 General Election, as applicable.

Questions 1, 1a, 1b, and 1c

To begin the official count, returning officers create a master roll which lists the names of people who voted in each electorate. We call this 'scrutinising the roll'. This is how we identify voters who may have voted more than once ('dual voters'). We make the master roll available for public inspection after the election.

The Returning Officer's team complete a range of inquiries to investigate apparent dual votes. For example, they might check when and where each vote was cast in relation to where the apparent dual voter resides, check the page of the roll the voter was marked off when they voted and find the ballot stub with the voter's page and line number written by the issuing officer. For voters who can't be marked off the roll but who completed a special declaration vote, the content of the declarations and signatures on the declarations can also be compared.

Dual votes are extracted and not included in the official count. Regarding whether voters are informed of dual votes under their name, in most cases we will contact the voter as part of the investigation into the apparent dual vote.

A more detailed explanation of the steps involved in detecting dual votes is withheld under s 6(c) of the OIA, which protects information related to the prevention, investigation and detection of offences.

You have also asked how many times this was detected. The Commission is still in the process of investigating apparent instances of dual voting at the 2020. Voting twice can constitute the offence of 'personation' under the Electoral Act 1993. The Electoral Commission will make decisions regarding referrals of suspected offences to the New Zealand Police. The number of suspected offences referred will soon be made publicly available via a release on the media and news page of our website [here](#).

Questions 2, 2a, and 2b

3,266,917 EasyVote cards were sent out for 2020 General Election. The criteria for an elector to be sent an EasyVote card were that they were enrolled by Writ Day Sunday 13th September 2020, except when:

- The elector had indicated that they will change electorate before or on Election Day.
- The elector had informed the commission that they wish to use the Central Postal Voting service.
- The elector was on the unpublished roll.

In addition, 85,970 EasyVote packs containing special voting slips were also sent out to electors who were not on the published roll as they were not enrolled by Writ Day (or were on the unpublished roll).

The Commission does not collect information on EasyVote card usage. The post-election survey which will be published on our website early next year shows that around 82% of voters reported taking their EasyVote card with them.

Questions 3, 3a and 3b

Cases of EasyVote cards being sent to someone who has died are rare. It could happen for the following reasons:

- if we have not yet been notified of their death by Births, Deaths and Marriages (BDM)
- if the list for the EasyVote card mailout is compiled before we receive a death notification
- if we have received a death notification but not been able to match it with certainty to a person in our enrolment records
- if a person dies overseas and we have not been notified by authorities. If a family member informs us of the death, we will take that person off the roll.

The Commission receives regular death information from DIA, which is used to match against the electoral roll to remove deceased electors. Every six months, we run a bulk file check against our database to ensure we have not missed any death notifications.

The Commission is aware of 16 people who were deceased and sent EasyVote Cards for the 2020 General Election.

In all 16 instances, the Commission had no record of being notified of these deaths. Notification of death is received from the Department of Internal Affairs (Births, Deaths and Marriages), or in some cases from family members (for example if the death occurred outside New Zealand, and so is not registered with DIA).

The Commission became aware of these deaths as a result of direct contact from the deceased's family, or through the EasyVote card mail pack being returned with "Deceased" written on the envelope. Once an elector's death is confirmed, their details are removed from the electoral roll.

Question 4

Management and administration of the electoral roll and associated data is performed by Electoral Commission staff using the Electoral Roll Management System. This system was developed in conjunction with CATALYST.NET LIMITED (Catalyst).

Catalyst provide software development and system administration services for the Electoral Roll Management System.

Question 5

Yes, electoral roll data is stored on Catalyst Cloud and CATALYST.NET LIMITED servers located in New Zealand.

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 requests.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kristina Temel', written in a cursive style.

Kristina Temel
Manager, Legal and Policy