

26/01/23

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2022/43

On 10 December 2022 you made a request under the Official Information Act 1982 (the OIA) for the following information:

*I was watching the vote count of the By-Election refreshing on my phone at [Election - Electorate Details \(electionresults.govt.nz\)](https://electionresults.govt.nz)
The vote count on the NZ Outdoors and freedom party went up to 220 votes 100 votes ahead of the NCOP and it showed 300 + informal votes at the bottom of the screen
When I refreshed the count it show only 39 informal votes (300 had disappeared and NZ Outdoors and Freedom Party dropped over 100 votes)
Please explain why I saw this and please under official informations act provide me with all screen shots of the progres count updates placed on your website between 7pm and 9pm on the 10th of December, 2022.
Additionally I have had phone calls now with several other people who witnessed what I did*

The Electoral Commission's process for counting votes is very thorough and careful, to ensure the accuracy of the results.

All votes are counted manually.

From 9am on election day, advance votes are counted at secure electorate headquarters.

After voting closes at 7pm, the manager of each voting place opens the voting boxes and the ordinary votes are counted.

After 7pm on election night, the results are published progressively as they come in and as they are entered into the national election results system. As the results are preliminary, further checks are being undertaken which are outlined below in more detail.

After election day, the official count takes place. We recheck and recount every voting paper counted on election day to make sure we've counted each vote correctly. During the official count, all ordinary votes cast are counted a second time and special votes are checked and counted. Once the count is complete for each voting place during the official count, the totals are recorded on a

certificate of results which is signed by the Returning Officer for that electorate and a Justice of the Peace to declare that results are accurate.

The process steps for entering preliminary results from each voting place on election night are:

1. The votes are received in the Electorate HQ by a phone call from the Voting Place Manager and are recorded on a result sheet(#A).
2. The result sheet(#A) is given to a data entry operator.
3. The result is entered and a printout (#B) is created to confirm the entry (within seconds this result will show on the website (#1))
4. The result sheet(#A) is compared against the printed results(#B) to check for mistakes where transposition of results and clerical errors such as added or dropped zeros are checked. (If a mistake is found it will be corrected in the system and the website will update (#2).)
5. Periodically a report of all the Voting Place results is printed and checked for accuracy (if any mistakes are found at this point an update will be made and the website will update (#3))
6. Throughout the vote counting in the electorate, National Office prints a report that checks for discrepancies based on statistical formulae. Anything that is picked up as a possible error by this report is checked with the Returning Officer. If it is deemed an error this is corrected on the system and the website will be updated (#4).

On the night of the by-election, there was a transposition error picked up by the National Office team through checking processes set out above. The National office team phoned the Returning Officer. Through the checking processes also being undertaken at the electorate headquarters outlined above, the Returning Officer was also already aware of the error and the result was corrected. This is the reason for the change that you observed.

It is not part of our process to take screen shots of the progress of the preliminary count because results are being updated as results come in in real time and as the checks outlined above are undertaken. For this reason, your request for copies of screenshots is declined under section 18(g) of the Act on the grounds that the information requested is not held.

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

Mark Lawson

Acting National Manager Voting Services for Hamilton-West By-Election