

31 March 2025

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2025/14

On Thursday 6 March 2025, you made the following request under the Official Information Act 1982 (the OIA):

“Regarding the number of referrals made by the Electoral Commission to the police over the past ten years. Specifically, I would like to request the following information:

- 1. The total number of referrals made by the Electoral Commission to the police in the last ten years*
- 2. For each referral, a brief description of the nature of the alleged offence(s), including the political party or parties involved, if applicable.*
- 3. Any available statistics on the outcomes of these referrals, including whether they led to a prosecution or any other action being taken.*

If the requested information cannot be provided in full, I would appreciate it if you could provide the information that is available, and if relevant, explain any limitations or reasons why certain details cannot be disclosed.”

The aspect of question 3 of relating to prosecution outcomes has been transferred to the Ministry of Justice as prosecution is a courts function. The other aspects of question 3, relating to other actions taken after a matter is referred to Police, has been transferred to Police. The Commission does not have the power to impose other sanctions so outcomes are for Police to comment on.

By way of response, we set out below in a table all matters the Commission has referred to Police from 2015-2025, along with a description of the matter. The number of matters in the table below is 56, but each may relate to a number of individuals or apparent breaches.

You may be aware from previous OIA responses and our public statements that we publicly name political parties where we refer matters to Police, but we do not name individuals unless this is already in the public domain.

	Event or date of referral	Subject of Referral	Political party or parties involved, if applicable
1	3 February 2015 (for 2014 General Election)	10 candidates referred for late expense and donation returns	N/A
2	2 March 2015 (for 2014 General Election)	2 parties referred for late expense returns	The Alliance and 1Law4All
3	22 April 2015 (for 2015 Northland By-election)	3 dual vote referrals (section 215)	N/A
4	29 May 2015 - Not event specific	Garry Mallett, former party secretary of ACT Party for failure to file two returns of party donations exceeding \$30,000 within 10 working days (sections 210C and 210D).	ACT Party
5	18 December 2015 (for first flag referendum)	7 dual votes (sections 33 and 59(1) New Zealand Flag Referendums Act 2015)	N/A
6	9 March 2016 (for second flag referendum)	Four incidents of people posting on social media that they had voted or intended to vote more than once using other electors' voting papers (section 59 New Zealand Flag Referendums Act 2015)	N/A
7	23 March 2016 (for second flag referendum)	Person who posted on social media that they had voted or intended to vote more than once using other electors' voting papers (section 59 New Zealand Flag Referendums Act 2015)	N/A
8	5 April 2016 (for second flag referendum)	14 dual votes, 2 voting paper thefts (sections 33 and 59(1) New Zealand Flag Referendums Act 2015)	N/A
9	23 May 2016 - Not event specific	MANA Movement party secretary for failing to file the annual return of party donations and loans (section 210 and 214C)	MANA Movement
10	5 December 2016 (for Mt Roskill By-election)	Protesting with a loudspeaker on election day (section 197)	N/A
11	15 December 2016 (for Mt Roskill By-election)	1 dual vote referral (section 215)	N/A
12	22 September 2017 (for 2017 General Election)	Referral for bribery where an individual was alleged to be offering money to vote for party (section 216) Doorknocker offering residents \$50 to vote for the National Party in Beach Haven, Auckland.	N/A
13	2 October 2017 (for 2017 General Election)	Referral of three persons/organisations for four incidents of publishing or distributing content online likely to influence voters on election day (section 197) *Sean Plunket is named here as this was publicised at the time.	Sean Plunket Communications Director of The Opportunities Party and two other persons or orgs
14	19 October 2017 (for 2017 General Election)	Referral of TVNZ for the broadcast of an election programme on election day (section 197)	N/A
15	5 February 2018 (for 2017 General Election)	Referral of 37 instances of dual voting or personation (section 215)	N/A
16	9 February 2018 (for 2017 General Election)	Referral of three candidates for failure to file a candidate return of election expenses and donations (section 209)	N/A

	Event or date of referral	Subject of Referral	Political party or parties involved, if applicable
17	19 July 2018 - Not event specific	Referral of party secretary of the New Zealand People's Party for five instances of failure to file return of party donations exceeding \$30,000 within 10 working days (sections 210C and 210D)	NZ People's Party
18	10 February 2020 - Not event specific	Referral to Police to investigate whether failure to transmit party donations and non-disclosure of party donations meant offences were committed (Part 6A of Electoral Act 1993 ¹)	NZ First
19	2 October 2020 - Not event specific	Referral of a person for making a false statement on enrolment applications (section 118)	N/A
20	5 October 2020 (for 2020 General Election and Referendums)	Referral of a person who claimed on social media to have voted multiple times (section 215)	N/A
21	9 October 2020 (for 2020 General Election and Referendums)	Allegation of VoteSafe flyer in EasyVote pack	N/A
22	14 October 2020 (for 2020 General Election and Referendums)	Referral of a person who claimed on social media to have voted multiple times (section 215)	N/A
23	2 December 2020 – Not event specific	Referral of a person for making a false statement on an enrolment application (section 118)	N/A
24	16 December 2020 (for 2020 General Election and Referendums)	Referral of the delivery of election advertising in three different community newspapers on election day (section 197)	N/A
25	16 December 2020 (for 2020 General Election and Referendums)	Referral for email sent by candidate likely to influence voters on election day (section 197)	N/A
26	16 December 2020 (for 2020 General Election and Referendums)	Referral for display of a referendum sign on election day (sections 52 and 75, Referendums Framework Act)	N/A
27	16 December 2020 (for 2020 General Election and Referendums)	Two matters relating to failure to include a promoter statement on referendum advertising (sections 52 and 75, Referendums Framework Act)	N/A
28	16 December 2020 (for 2020 General Election and Referendums)	Referral for a false statement on a special vote declaration (regulation 68, Electoral Regulations 1996)	N/A
29	23 February 2021 (for 2020 General Election and Referendums)	Referral of 48 instances of dual voting or personation (section 215)	N/A
30	11 March 2021 (for 2020 General Election and Referendums)	Referral of 17 instances of failure to file a candidate return of election expenses and donations (section 209)	N/A
31	15 June 2021 (for 2020 General Election and Referendums)	Two referrals for broadcasting election programmes outside of broadcast allocation (Part 6, Broadcasting Act 1989)	Tea Party and Labour Party

¹ All sections referenced in the table below are to the Electoral Act 1993 unless specified otherwise.

	Event or date of referral	Subject of Referral	Political party or parties involved, if applicable
32	9 April 2021 - Not event specific	Referral of party secretary for failure to declare donations or aggregated donations exceeding \$30,000 within 10 working days (sections 210C and 210D)	Te Pāti Māori
33	9 April 2021 (for 2020 General Election)	Referral for non-disclosure of candidate donations and election expenditure (Part 6A)	N/A
34	4 July 2022 (for 2022 Tauranga By-Election)	Three referrals for publishing or distributing content online likely to influence voters on election day (section 197)	N/A
35	18 July 2022 (for 2020 General Election and Referendums)	Referral for incorrect reporting of candidate election expenses, incorrect apportionment of expenses in a candidate and party return, and exceeding the candidate expenditure limit (Part 6A)	N/A
36	15 August 2023 (for 2023 General Election)	Referral for election advertisements broadcast by two Pacific Media Network Stations outside the election period, and without prior written authorisation from party secretary (s 204H and 204F and section 80I Broadcasting Act 1989)	N/A
37	15 August 2023 (for 2023 General Election)	Referral of three NZME radio stations for election advertisements broadcast outside the election period (s 204H and 204F and section 80I Broadcasting Act 1989)	N/A
38	18 August 2023 (for 2023 General Election)	Referral for election advertising publication distributed by an individual without a promoter statement (section 204F)	N/A
39	27 September 2023 (for 2023 General Election)	Referral of a matter relating to signs promoting Te Pāti Māori without a promoter statement (section 204F)	N/A
40	27 September 2023 (for 2023 General Election)	Referral of Rhema Media for election programmes broadcast on radio prior to the election period (section 80I Broadcasting Act 1989)	N/A
41	13 October 2023 (for 2023 General Election)	Referral to local Police of a matter relating to a voter being offered money, by an individual, to vote for a particular party (section 217)	N/A
42	14 October 2023 (for 2023 General Election)	Referral to local Police of a matter relating to a protest on election day (section 197)	N/A
43	14 October 2023 (for 2023 General Election)	Referral to local Police of a matter relating to election advertising on election day (section 197)	N/A
44	24 October 2023 (for 2023 General Election)	Referral to local Police of a social media post about misuse of ballot papers (sections 201(1)(a), 196 (1)(b)(ii))	N/A
45	2 November 2023 (for 2023 General Election)	Referral for election advertising by Giggle Entertainment without authorisation or promoter statement (sections 204F, 204H)	N/A
46	21 November 2023 (for 2023 General Election)	Referral of Stuff Limited for election advertising online without a promoter statement (section 204F)	N/A
47	21 November 2023 (for 2023 General Election)	Referral of three people enrolling and voting while disqualified (on the Corrupt Practices list) (sections 118, 227)	N/A
48	22 November 2023 (for 2023 General Election)	Referral of 20 incidents of social media breaches on election day (section 197)	N/A
49	29 November 2023	Referral relating to text messages promoting Te Pāti Māori which were published prior to the election without a promoter statement (section 204F)	Te Pāti Māori

	Event or date of referral	Subject of Referral	Political party or parties involved, if applicable
50	4 March 2024 (for 2023 General Election)	Referral of 55 individuals for apparent dual votes at the 2023 election (section 215)	N/A
51	5 March 2024 (for 2023 General Election)	Referral of 15 candidates at the 2023 election who failed to file a candidate return (sections 205N(1), 209B(1))	N/A
52	18 March 2024 (for 2023 General Election)	Referral of a candidate and MediaWorks NZ for broadcasting election advertisements when prohibited, and without authorisation or promoter statements (sections 204F and 204H and section 80I Broadcasting Act 1989)	N/A
53	7 June 2024 (for 2023 General Election)	Referral of David MacLeod MP for undeclared candidate donations (s 209B(2)(b)) * The candidate is named here as he identified himself publicly at the time.	N/A
54	24 June 2024 (for 2023 General Election)	Referral of Darleen Tana MP and publishers of Verve Magazine over failure to include promoter statement in May 2023 election advertisement (s 204F) * The candidate is named here as their party identified them publicly.	N/A
55	4 October 2024 - Not event specific	Referral relating to Te Pāti Māori's failure to file annual financial statements (sections 210G and 210H)	Te Pāti Māori
56	8 November 2024 - Not event specific	Referral of an individual for providing a false statement in an application to enrol as an elector (section 118)	N/A

In the interests of transparency, we release responses to Official Information Act requests every three 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



Kristina Temel
Manager, Legal, Regulation and Policy