

7 May 2025

By email to: [REDACTED]

Dear [REDACTED]

OFFICIAL INFORMATION ACT REQUEST 2025/28

On Wednesday 30 May, you submitted an OIA request to the Ministry of Justice. Your request was transferred to the Electoral Commission on Friday 2 May as the information requested is more closely aligned with the functions of the Electoral Commission. Your request, under the Official Information Act 1982 (the OIA), is for the following information:

In each of the last three general elections, how many prisoners registered to vote and how many voted?

Under section 18(g) of the OIA your request is refused because the information is not held by the Electoral Commission, and we have no grounds to believe that the information is held by another agency.

When a prisoner enrolls or votes, their status as a prisoner is not recorded by the Commission.

It is the role of the Department of Corrections to determine if a prisoner is eligible to enrol and vote under the Electoral Act 1993, and to provide them the opportunity to complete that enrolment. Furthermore, prisoners who are eligible to enrol may also do so without any assistance from the Department of Corrections.

In all cases, the Commission receives a standard enrolment form from those qualifying prisoners to facilitate enrolment. That form does not require, and does not provide for, an elector to advise the Commission that are a prisoner.

Prison voting is organised jointly by the Commission and the Department of Corrections. However, the voting process does not require, and does not provide for, recording whether the person voting is a prisoner.

We have included commentary on prisoner voting in the Electoral Commission's reports following each of the last three General Elections:

2017

Report of the Electoral Commission on the 2017 General Election, excerpt found on page 53 - <https://elections.nz/assets/2017-general-election/Report-of-the-Electoral-Commission-on-the-2017-General-Election-March-2020.pdf>

2020

Report of the Electoral Commission on the 2020 General Election and referendums, excerpt found on pages 35 & 36 - <https://elections.nz/assets/2020-general-election/Report-of-the-Electoral-Commission-on-the-2020-General-Election-and-referendums.pdf>

2023

Report of the Electoral Commission on the 2023 General Election, excerpt found on page 87 - <https://elections.nz/assets/2023-General-Election/Report-on-the-2023-General-Election.pdf>

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



Ross McPherson
Director Enrolment