

# Electoral Amendment Bill

## September 2025



New Zealand Council Of  
Christian Social Services

### Tirohanga Whānui | Overview

The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the Electoral Amendment Bill. We tautoko the introduction of new forms of communication by the Electoral Commission included in this Bill. However, we oppose the changes to enrolment periods and the changes to prisoner voting rights which risk breaching both Te Tiriti o Waitangi and the Bill of Rights Act through restricting people's ability to vote and disproportionately impacting Māori.

We strongly recommend that the Justice Committee consider the following areas:

1. This Bill risks breaching the crown's obligations to Te Tiriti and will disproportionately impact the rights of Māori.
2. The proposed changes to the enrolment period risk significantly reducing voter eligibility, disproportionately impact Māori and rangatahi and pose a serious risk of breaching the Bill of Rights
3. The justification for the changes to the enrolment period is already targeted by other amendments in this Bill which are more likely to provide benefit.
4. The proposal to implement a blanket ban on prisoner voting is solely punitive and risks further disenfranchisement and isolation of this population.
5. New methods of communication from the Electoral Commission should be additional, not instead of the postal service, with communication choice tailored to individual situations.

### Whakaaro | Discussion

#### **Item One: This Bill risks breaching the crown's obligations to Te Tiriti and will disproportionately impact the rights of Māori**

The changes proposed in this Bill (raised in Item 2 & 4 of this submission) risk disproportionately impacting Māori. The crown has an obligation to uphold the principles of Te Tiriti o Waitangi which guarantees Māori equal rights. These proposed changes risk reducing Māori voters' ability to vote which would be a breach of this obligation.

**Recommendation 1: We strongly recommend that legislation which risks breaching the crown's obligation under Te Tiriti o Waitangi not be passed.**

#### **Item Two: The proposed changes to the enrolment period risk significantly reducing voter eligibility, disproportionately impact Māori and rangatahi and pose a serious risk of breaching the Bill of Rights**

In the 2023 general election 453,940 people enrolled and voted during the thirteen days prior to the end of voting, equating to 15.7% of the total vote count, with 110,000 people enrolling or updating their enrolment on election day (Electoral Commission, 2024). Removing the ability to enrol or update enrolments during this period risks lower voter turnout and restricts the ability to vote for people turning 18 during this period despite them having the right to do so. Already enrolled voters who change address during this time or have not updated their address risk having their electorate vote not counted (Walters, July 2025). Additionally, voters who are released from prison during this

thirteen-day period would have their right to vote stripped away if these changes are to be implemented (as a result of this change coupled with the proposed blanket prisoner voting ban).

Data from the Electoral Commission show that in the last election 17.3% of Māori voters changed or updated their enrolment during the impacted period, compared with 9.8% of non-Māori (Ministry of Justice, March 2025). Additionally, 48% of Māori voters aged 18-19 enrolled or updated their details during this period (Ministry of Justice, March 2025). These changes are likely to disproportionately affect Māori and further worsen historically low Māori voter turnout.

The Regulatory Impact Statement by the Ministry of Justice does not recommend that this piece of the legislation be passed:

*"Its impact on reducing special votes is uncertain, while its impact on democratic participation could be significant"* – Ministry of Justice, March 2025

Attorney-General Minister Collins highlighted concerns in her report that this aspect of the legislation limits section 12 of the Bill of Rights Act which guarantees every New Zealand Citizen aged 18 or over:

*"...the right to vote in genuine periodic elections of members of the House of Representatives, which elections shall be by equal suffrage and by secret ballot..."*

**Recommendation 2:** We strongly recommend retaining the right to enrol up until the end of polling on election day.

**Item Three: The justification for the changes to the enrolment period is already targeted by other amendments in this Bill which are more likely to provide benefit**

Minister Goldsmith justified the enrolment period changes as placing "...too much strain on the system" to count the special votes that arise as a result (Goldsmith, 2025), reducing the ability to complete the count by the twenty-day timeframe.

Concerns regarding the time and associated additional administrative costs in counting of special votes were raised the Electoral Commission's Report on the 2023 General Election (Electoral Commission, 2024). The report included many recommendations made by the Electoral Commission on how to reduce overall election costs and ensure that the process is completed as smoothly and timely as possible. Some of these recommendations included the processing of special votes beginning before election day – a change which is included in this Bill. However, the change to the enrolment period is not one of these recommendations.

Notably the report recommended a gradual implementation of changes over multiple election cycles to ensure that voters were not negatively impacted by these changes.

**Recommendation 3:** We recommend that the committee considers cost and time saving recommendations proposed by the Electoral Commission in their report of the 2023 election.

**Item Four: The proposal to implement a blanket ban on prisoner voting is solely punitive and risks further disenfranchisement and isolation of this population**

The ethical and legal ramifications of prisoner voting bans are a topic which has been discussed at great length by legal commentators and politicians (McConnell, April 2025). The law has reflected the view of the government of the day transitioning between blanket prisoner voting bans and allowing voting amongst prisoners who are serving a sentence of less than 3 years. The justification for the latter, that prisoners will be released during the period the government being voted on will serve.

As governments make decisions regarding the legal systems in Aotearoa and these decisions often impact both the current and future lives of incarcerated individuals, NZCCSS strongly believes that they should have the right to vote regardless of their sentence period.

Additionally, given the governments purported focus on reducing the incidence of violent crimes in Aotearoa (Ministry of Justice, 2025), the focus on punitive measures such as removing the right to vote feels misplaced. There is a large body of research that indicates that rehabilitation of offenders and approaches to improve their ability to reacclimate into society are the most effective approaches to reduce the incidence of violent crime and reoffending (Lipsey & Cullen, 2017; Bandyopadhyay, March 2020).

Additionally, as Māori are over-represented in prison populations (King et al, 2025), these changes risk further reducing their collective voice in choosing the next government and risks breaching the crowns obligations to Te Tiriti (Item 4). This view is supported by the Ministry of Justice which does not support a prison voting ban of any kind:

*“the Ministry does not support a prisoner voting ban, and considers that allowing all prisoners to vote is the only approach that is consistent with NZBORA, our international human rights obligations and the Crown’s Treaty obligations” – Ministry of Justice, April 2025*

**Recommendation 4:** We strongly recommend that the prisoner voter ban be lifted, and prisoners be granted the right to vote regardless of their incarceration period

**Item Five: New methods of communication from the Electoral Commission should be additional, not instead of the postal service, with communication choice tailored to individual situations**

Although we support the kaupapa to improve Electoral Commission contact methods and allow for other methods of communication, we emphasise the importance of continuing to have the postal system as option for communities and individuals for whom it is more suitable.

We understand that for some individuals the postal system provides barriers to receiving electoral information, for example if individuals have not updated their addresses. But similarly, complete removal of postal requirements is likely to provide significant barriers to voting for some individuals with limited or no access to digital technology for example some older people and those who live in regions without cell phone coverage.

Additional communication methods are welcomed but these should be tailored to individual voter requirements and access, not a replacement of existing methods of contact.

**Recommendation 5:** We recommend choice of communication approach (both new and the postal service) are tailored to individuals’ situations and access.

## **Taunakitanga | Recommendations**

1. We strongly recommend that legislation which risks breaching the crowns obligation under Te Tiriti o Waitangi not be passed.
2. We strongly recommend retaining the right to enrol up until the end of polling on election day.
3. We recommend that the committee considers cost and time saving recommendations proposed by the Electoral Commission in their report of the 2023 election.
4. We strongly recommend that the prisoner voter ban be lifted in its entirety, and prisoners be granted the right to vote regardless of their incarceration period

5. We recommend choice of communication approach (both new and the postal service) are tailored to individuals' situations and access.

## Ngā Tohutoro | References

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## Ko wai tātou | Who we are

NZCCSS has six foundation members; the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches.

Through this membership, NZCCSS represents over 100 organisations providing a range of social support services across Aotearoa. Our mission is to call forth a just and compassionate society for Aotearoa, through our commitment to our faith and Te Tiriti o Waitangi.

Further details on NZCCSS can be found on our website - [www.nzccss.org.nz](http://www.nzccss.org.nz).

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