

Nurses Society of New Zealand Submission on the Electoral Amendment Bill

1. **Nurses Society of New Zealand/Te Kahui Tapuhi of Aotearoa and Te Uniana o NSNZ Incorporated (“NSNZ”)** is the second-largest professional body and union for nurses in Aotearoa New Zealand. NSNZ represents and provides services to a significant number of registered nurses across all parts of the health service. NSNZ focuses on all issues which may impact nurses professionally and, more generally, as well as on any issue apposite to the health sector and public health.
2. The Electoral Amendment Bill is promoted under the guise of efficiency and integrity, allegedly to make electoral law and administration more robust and effective. However, in our view, the Bill seeks to unduly restrict human rights and undermine our democracy by potentially preventing thousands of New Zealanders from voting.
3. Our main concerns are:
 - a. the infringement upon voting rights through the proposed changes to enrolment deadlines
 - b. the breach of human rights via blanket disenfranchisement of incarcerated persons

Proposed Changes to Enrolment Deadline and Special Voting

4. We are concerned by the fact the Bill proposes changes to enrolment deadlines to 13 days before polling day, which will have significant implications for voting rights and access.
5. Claims that same-day voting removes incentives for enrolling before the election are unfounded.
6. On election day in 2023, 110,000 people enrolled to vote or updated their details. The proposed changes risk the potential exclusion of a similarly significant number of New Zealand voters.
7. Closing enrolment 13 days before polling days will exclude a variety of voters who enrol later for a number of reasons, including:
 - a. voters who move electoral districts within this period
 - b. voters turning 18 within this period and are not permitted to enrol
 - c. voters more likely to cast special votes, including members of Māori, Asian, and Pasifika communities

Blanket Disenfranchisement of Prisoners

8. The proposed changes to section 80(1)(d) of the principal Act to disqualify all prisoners from voting, regardless of sentence length or seriousness of offending, has been found to be inconsistent with the New Zealand Bill of Rights Act and New Zealand’s international human rights obligations, while also breaching the Crown’s obligations under Te Tiriti o Waitangi.

9. He Arotake Pōtitanga Motuhake, an Independent Electoral Review of the 2023 general election commissioned by the Ministry of Justice, recommended that all prisoners should have the right to vote, and that disenfranchisement should not form part of someone's punishment. The proposed changes in the Bill are directly at odds with the findings of this review.
10. The changes portray all prisoners as "serious offenders" and exacerbates the consequences of a punitive approach to offending, an approach that is well-evidenced as ineffective in reducing crime.
11. Previous public input on this issue has been overwhelmingly in support of prisoner voting, as affirmed by the Ministry of Justice's own Supplementary Analysis Report.
12. The proposed blanket ban on prisoner voting, despite clear lack of public mandate, displays a concerning lack of government consideration of public will and opinion.

Summary

13. NSNZ opposes this bill and urges the committee to recommend to parliament that it does not proceed. In summary, our reasons include the points below:
 - a. the Bill proposes changes to enrolment deadlines that will infringe upon voting rights
 - b. the blanket disenfranchisement of incarcerated persons is inconsistent with the Bill of Rights Act
14. Electoral laws should make it easier for citizens to participate in voting, not harder. The efficiency purported to be gained from these changes are speculative at best, whereas the harmful impact on democratic participation has the potential to be significant. Speculative administrative gain does not provide sufficient justification for limiting the democratic rights of New Zealanders.

NURSES SOCIETY OF NEW ZEALAND *Te Kāhui Tapuhi o Aotearoa & Te Uniana o NSNZ Inc*

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11 September 2025