



Rt Hon Winston Peters

New Zealand First Leader

14 August 2020

Prime Minister Jacinda Ardern
Parliament Buildings
Wellington

Dear Prime Minister

'Matters for Decision'

We are writing to you to express New Zealand First's strong view that as a result of the reintroduction of Covid-19 into our community it is neither fair nor desirable to hold the General Election on September 19.

Community transmission in Auckland has already massively disrupted electioneering, with all political parties suspending their campaigns. Given uncertainty around when Auckland will be able to move to alert level 2 – at the earliest a decision will be made on Friday August 21 or, alternatively, Wednesday 26 August – the ability for parties to campaign for a September 19 election is already fatally compromised.

The concept of holding a 'free and fair' election is directly related to the public's perceptions of political legitimacy, legitimacy of the outcome, as well as trust and confidence in the integrity of the General Election, the campaigns that precede it, as well as deliverability.

Given overseas voting begins on September 2 and advance voting begins on September 5, any delay in moving to Alert Level 2 in Auckland will undermine the legitimacy of a September 19 election. It will be neither free nor fair. The psychology of Auckland voters, as well the wider voting community, is highly likely to lead to reduced turnout given legitimately-held health fears; by how much is the real concern. That is not a risk any responsible Prime Minister should take, especially when two later dates, October 17 and November 21 are available.



Turnout has long been regarded as a measure of our democracy's health, so extra caution needs to be exercised when considering the election date.

New Zealand First believes that delaying the election will allow the government to maintain its singular focus on recovering our previous health position. When successful, the country will have greater comfort in being able to vote in person without the operational constraints imposed by a higher alert level election.

A General Election held under Alert Level 2 will prove hugely problematic as we will have untested dual systems operating (given the volumes being anticipated). Some 750,000 voters, which is fully 20 percent of the electorate, will be asked to lodge postal votes. Even if Alert Level 2 is confined to Auckland, this still represents about one third of the overall voting population.

We were alarmed to read in the Minister of Justice's August 12 briefing paper on the effect of Covid-19 on the delivery of the General Election, when it stated, 'There are capacity limits to the number of postal votes the Commission can process.' This raises some serious questions:

- Do we have the operational capacity to handle this volume of postal votes in Auckland and, potentially, elsewhere, and process them in a responsive fashion on election night?
- Does our postal system have the capacity to process votes, within the postal date strictures imposed, to ensure no legitimate votes are rejected through the vagaries of our postal system (especially rural voters)?
- Does the demographic makeup of the electorate risk the fairness of the result if older and more vulnerable New Zealanders in Auckland or elsewhere are denied the ability to vote in-person?

Although the international experience is mixed, those elections that have taken place in other jurisdictions during Covid reveals that turnout is compromised. For a country like New Zealand, where an overall trend of declining turnout has been a feature of our recent electoral history, this presents an arch-concern. It should be noted, also, that a large number of countries have delayed their elections due to prevailing Covid conditions.

If September 19 is confirmed as the election date, and even if only Auckland experiences an election at Alert Level 2, New Zealand First is concerned that social distancing measures for in-person voting and the strictures placed on vulnerable voter cohorts, will likewise erode the perceived fairness of the election and its outcome. We are equally concerned about the operational impact of an Alert Level 2 election in Auckland and/or elsewhere.

For these reasons we urge you to consider delaying the General Election until November 21. Based on our past success in eradicating Covid-19, we believe that a later election will provide the best chance for an Alert Level 1 General Election. With two Covid-free cycles from the last community case being the trigger for lowering from Alert Level 2 to 1, that would give the government until October 23 to recover its previous health position.

Focus should, as it ought, be on our health response. Campaigns could then safely resume and have equal opportunity to access all voters. A free and fair election would be achieved.

Prime Minister, New Zealand First trusts you will consider these points when deciding the election date. If September 19 is nevertheless preferred by you we will make our position, when we ceased campaigning on August 12 and then expressed again on August 13, known publicly, for transparent constitutional reasons, as we cannot agree with any decision that undercuts political legitimacy and undermines New Zealand's ability to hold a free and fair election.

We would appreciate a prompt response to allow me to talk to my colleagues before a final decision is made.

Yours sincerely



Rt Hon Winston Peters

Leader – New Zealand First

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