

15 July 2024

D Watson

By email to: fyi-request-27043-7ac3aabb@requests.fyi.org.nz

Dear D Watson

OFFICIAL INFORMATION ACT REQUEST 2024/47

On 14 June 2024 you made a request under the Official Information Act 1982 (the OIA) for the following information:

I want to understand the governance of the general election. What information was used by the executive to ensure the execution of a correct and proper election.

What reports or information was used to inform governance and management of the election in the key months leading into the election and during the election itself i.e. reports, memo, issues, risks, concerns, dependencies, wins, updates, papers, escalations, notes, briefings etc. I assume such would be collated or is that a wild unrealistic assumption - that the people responsible for managing the election, doing actual oversight and governance would have received such material.

Or am I to take it from your previous responses that such simply does not exist. Something I find incredulous.

Please list the OIA ground under which you are withholding the internal reporting you mention perhaps this material contains mention of the widely reported issues encountered during the election and you thus you have chosen to hide it.

Thank you for your message regarding my 6 June OIA response letter to you.

You clarify in your 14 June message that you're interested in reports and information used to inform governance and management of the election, leading up to and including the election period.

Some of your request is addressed by the attachments A01-A14 from our response to Mr Wilson, which you have seen. This consisted of four Commission quarterly reports to the Minister of Justice and 10 monthly reports written for internal Commission use, and they are attached for your information.

We have attached two further quarterly reports to the Minister, covering July-September 2023 and October-December 2023, which cover the election period and were produced after Mr Wilson's OIA response. There are no further internal monthly reports in the period you discuss, because our internal monthly reporting process didn't resume until January 2024.

I have attached risk reporting from the period July-October 2023 that was considered by the Commission's Board.

Please also see attached a series of reports from the Commission's 2023 General Election programme management office to the Commission Board, which will give an overview of the operational management of election planning and management.

Attachment A26 is a cyber-security risk update that was considered by the Board at its 13 September 2023 meeting. The report contains some redactions, and we are withholding the five appendices attached to the report. We are not able to share this information as disclosure of this information would prejudice the Electoral Commission's ability to prevent and detect cyber security threats and may also result in exposure of the information to those who may use this information for improper gain. This gain or advantage could damage trust and confidence in the electoral system. Therefore, this part of your request is declined under section 6(c) of the Act on the ground that making this information available would be likely to prejudice the maintenance of the law, and under section 9(2)(k) of the Act on the ground that withholding this information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.

We have only included material within documents that are in scope of your request, we have redacted parts that are out of scope. Some contact details, such as phone numbers, email addresses and some names have been withheld under section 9(2)(a) of the OIA which relates to the privacy of natural persons.

A redaction has been made under section 9(2)(g)(i), where withholding the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

A redaction has also been made under section 9(2)(f)(iv), where withholding the information is necessary to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

Further redactions have been made under section 9(2)(ba)(ii), where information is protected which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest.

In each case where redactions have been made, consideration has been given to and I am satisfied that the reasons for withholding of the information are not outweighed by other considerations which render it desirable in the public interest to make that information available.

Redactions have been labelled on each attachment.

Attachments

Ref	Description
A01	Quarterly report Jul-Sept 2022

A02	Quarterly report Oct-Dec 2022
A03	Quarterly report Jan-Mar 2023
A04	Quarterly report Apr-Jun 2023
A05	Quarterly report Jul-Sept 2023
A06	Quarterly report Oct-Dec 2023
A07	Monthly reports July 2022
A08	Monthly reports August 2022
A09	Monthly reports Sept 2022
A10	Monthly reports Oct 2022
A11	Monthly reports Jan 2023
A12	Monthly reports Feb 2023
A13	Monthly reports Mar 2023
A14	Monthly reports Apr 2023
A15	Monthly reports May 2023
A16	Monthly reports Jun 2023
A17	Monthly reports July 2023
A18	Enterprise risk update July 2023
A19	Risk deep dive (attachment to A18)
A20	Enterprise risk update Aug 2023
A21	Enterprise risk deep dives (Māori engagement & cyclone-affected areas)
A22	Risk profile July 2023
A23	Leadership & Board risk profile (attachment to A22)
A24	Enterprise risk deep dive: counter disinformation risk
A25	Mis- and disinformation (attachment to A24)
A26	Cyber-security risk update
A27	GE23 Programme Status Report Dec 2022-Feb 2023
A28	GE23 Programme Status Report Feb-Mar 2023
A29	GE23 Programme Status Report Mar 2023
A30	GE23 Programme Status Report Apr-May 2023
A31	GE23 Programme Status Report July 2023
A32	GE23 Programme Status Report Aug 2023
A33	GE23 Programme Status Report Sept 2023

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



Leigh Deuchars

Deputy Chief Executive, Strategy, Governance & Development